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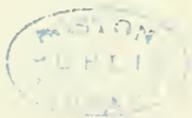
INVESTIGATION OF
THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

^{U.S.}
HEARINGS
Before the President's Commission
on the Assassination
of President Kennedy

PURSUANT TO EXECUTIVE ORDER 11130, an Executive order creating a Commission to ascertain, evaluate, and report upon the facts relating to the assassination of the late President John F. Kennedy and the subsequent violent death of the man charged with the assassination and S.J. RES. 137, 88TH CONGRESS, a concurrent resolution conferring upon the Commission the power to administer oaths and affirmations, examine witnesses, receive evidence, and issue subpoenas

Volume

XI



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Biographical information on the Commissioners and the staff can be found in the Commission's *Report*.

*Mr. Willens also acted as liaison between the Commission and the Department of Justice.

Preface

The testimony of the following witnesses is contained in volume XI: John Edward Pic, Lee Harvey Oswald's halfbrother; Edward John Pic, Jr., John Edward Pic's father; Kerry Wendell Thornley, a Marine Corps acquaintance of Oswald; George B. Church, Jr., Mrs. George B. Church, Jr., and Billy Joe Lord, who were on the boat Oswald took when he left the United States for Russia; Alexander Kleinlerer, Mrs. Donald Gibson, Ruth Hyde Paine, Michael Ralph Paine, and Gary Taylor, who became acquainted with Oswald and his wife after their return to Texas in 1962; M. Waldo George, the Oswald's landlord at Neely Street in Dallas; William Kirk Stuckey, who gave testimony relating to Oswald's political views; Horace Elroy Twiford and Estelle Twiford, who gave testimony relating to the date and route of Oswald's trip to Mexico in 1963; Virginia H. James, James D. Crowley, James L. Ritchie, and Carroll Hamilton Seeley, Jr., of the U.S. State Department; Louis Feldsott, who gave testimony relating to the purchase of the C2766 rifle; J. Philip Lux and Albert C. Yeargan, Jr., employees of sporting-goods stores in Dallas; Howard Leslie Brennan, who was present at the assassination scene; Louis Weinstock, an official of the Communist Party, Vincent T. Lee, an official of the Fair Play for Cuba Committee, and Farrell Dobbs, an official of the Socialist Workers Party, who testified concerning contacts Oswald had with their groups; Virginia Gray, who gave testimony concerning a letter written by Oswald; Albert F. Staples, who gave testimony concerning records relating to Marina Oswald; Katherine Mallory, Monica Kramer, and Rita Naman, who encountered Oswald while touring Russia in 1961; John Bryan McFarland, Meryl McFarland, and Pamela Mumford, who were on the bus Oswald took to Mexico in the fall of 1963; Dial Duwayne Ryder, Hunter Schmidt, Jr., Charles W. Greener, Gertrude Hunter, Edith Whitworth, James Lehrer, and Mrs. Lee Harvey Oswald, who gave testimony concerning an allegation that Oswald had taken a rifle to a gun-repair shop in Dallas; Eugene D. Anderson and James A. Zahm, of the U.S. Marine Corps, experts on the subject of marksmanship; C. A. Hamblen, Robert Gene Fenley, and Aubrey Lee Lewis, who gave testimony concerning an allegation that Oswald was sending and receiving telegrams through a Dallas Western Union office; Dean Adams Andrews, Jr., Evaristo Rodriguez, Orest Pena, Ruperto Pena, and Sylvia Odio, who testified concerning contacts they believed they had with Oswald in New Orleans and Dallas under various circumstances; Edwin A. Walker, who testified concerning an attempt on his life on April 10, 1963, and his attorney, Clyde J. Watts; Ivan D. Lee, an agent of the FBI, who gave testimony regarding photographs which he took of General Walker's residence; Bernard Weissman, who paid for an advertisement concerning President Kennedy which appeared in a Dallas newspaper on November 22, 1963; Warren Allen Reynolds, who was present in the vicinity of the Tippit crime scene; Priscilla Mary Post Johnson, who interviewed Oswald in Moscow; Eric Rogers, who lived in the same building as Oswald and his wife in New Orleans in 1963; Bardwell D. Odum, James R. Malley, and Richard Helms, who testified concerning a photograph which was shown to Marguerite Oswald for purposes of identification; Peter Megargee Brown, who testified concerning records relating to Oswald when he lived in New York during his youth; Francis J. Martello of the New Orleans Police Department, who interrogated Oswald in August 1963; John Corporon, an official of a New Orleans broadcasting station; Mrs. J. V. Allen, who testified concerning the schooling of Oswald's brothers; Lillian Murret, Oswald's aunt; and John W. Burcham, Emmett Charles Barbe, Jr., Hilda L. Smith, J. Rachal, Bobb Hunley, Robert J. Creel, Helen P. Cunningham, Theordore Frank Gangl, Gene Graves, and Robert L. Adams, who testified concerning Oswald's employment history.

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Hearings Before the President's Commission on the Assassination of President Kennedy

TESTIMONY OF JOHN EDWARD PIC

The testimony of John Edward Pic was taken at 10:25 a.m., on May 15, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. John Hart Ely and Albert E. Jenner, Jr., assistant counsel of the President's Commission.

Mr. JENNER. Sergeant Pic, do you swear in your testimony you are about to give that you will tell the truth, the whole truth, and nothing but the truth?

Mr. PIC. Yes; I do.

Mr. JENNER. State your full name, please.

Mr. PIC. Staff Sergeant John Edward Pic, sir, U.S. Air Force.

Mr. JENNER. And that Pic is spelled P-i-c-?

Mr. PIC. Yes, sir.

Mr. JENNER. Give me your home address.

Mr. PIC. 7306 Westville, San Antonio, Tex.

Mr. JENNER. You are a married man?

Mr. PIC. Yes, sir.

Mr. JENNER. Give the full name of your wife including her married name, children, if any, ages and names and where born.

Mr. PIC. My wife's maiden name is Margaret Dorothy Fuhrman. My eldest is John Edward Pic, Jr., 14 May, 1952. My daughter, Janet Ann Pic, 18 October 1954; James Michael Pic, 22 February 1960.

Mr. JENNER. Your wife Margaret is—she was born where?

Mr. PIC. New York City, sir.

Mr. JENNER. Her parents are native Americans as well as she?

Mr. PIC. No, sir; they are not.

Mr. JENNER. What do you know of them?

Mr. PIC. Her father died; I never met the man while we were going together. Her mother and father were separated. Her mother was born in Hungary, I think. Her father was also, sir.

Mr. JENNER. What do you understand as to when they came to this country?

Mr. PIC. I have never inquired. It has probably been mentioned but I have forgotten.

Mr. JENNER. Was it your impression they had been here a good many years?

Mr. PIC. Yes, sir; they have seven children. The eldest being in her forties, I am pretty sure.

Mr. JENNER. I see. When you met your wife she was living with her mother?

Mr. PIC. Yes, sir.

Mr. JENNER. Where?

Mr. PIC. 325 East 92d Street, New York City.

Mr. JENNER. And you were at that time in the service?

Mr. PIC. Yes, sir; U.S. Coast Guard, assigned to U.S. Coast Guard Cutter *Rockaway*.

Mr. JENNER. How old is Mrs. Pic?

Mr. PIC. Thirty, sir. She turned 30 the 21st of December.

Mr. JENNER. Of 1963?

Mr. PIC. Yes, sir.

Mr. JENNER. She was born December 21, 1933?

Mr. PIC. It may be 22, sir; I never remember. I am giving sworn testimony, I don't want to lie about my wife's birthday; it is either the 21st or 22d, I am pretty sure it is the 21st.

Mr. JENNER. You are stationed where at present?

Mr. PIC. I am attached to Wilford Hall, USAF Hospital, Lackland Air Force Base, San Antonio, Tex.

Mr. JENNER. Do you—what is your particular assignment?

Mr. PIC. I am NCOIC, Special Procedures Branch, Department of Pathology, Wilford Hall Hospital. I have had this job since the 10th of February this year, and my other ones, I had another job when I talked to the Secret Service if you would be interested in that.

Mr. JENNER. How long have you been at Lackland?

Mr. PIC. I have been there since August 1962, sir.

Mr. JENNER. My information is you were born in New Orleans on January 17, 1932?

Mr. PIC. That is correct, sir.

Mr. JENNER. You entered the Coast Guard.

Mr. PIC. It was either 25 or 26 January 1950, sir.

Mr. JENNER. And you were then 18 years of age?

Mr. PIC. Yes, sir.

Mr. JENNER. And that was where?

Mr. PIC. I processed my enlistment in Fort Worth. I was sworn into the Coast Guard in Dallas, Tex.

Mr. JENNER. I think it might be well if we had your service history all in one spot so you go ahead and for my benefit speak a little more slowly so I can absorb it.

Mr. PIC. All right, sir. Approximately 26 January 1950, enlisted in Coast Guard in Dallas, Tex.; from January 1950 until May 1950, I was in boot camp at U.S. Coast Guard Training Station, Cape May, N.J. In May 1950 until January 1951, I was attached to U.S. Coast Guard cutter *Rockaway*. January 1951 until approximately June 1951 was stationed at U.S. Coast Guard Training Station, Groton, Conn. From June 1951 until January 1952, I was stationed at U.S. Coast Guard Base, St. George, Staten Island, N.Y. From January 1952 until April 1952, I was stationed at U.S. Naval Training Station, Bainbridge, Md. April 1952 until February 1953, I was stationed at U.S. Coast Guard PSU, which is Port Security Unit, Ellis Island, N.Y. February 1953 until September 1953, I was stationed aboard the U.S. Coast Guard cutter *Firebush*.

Mr. JENNER. Were you at sea?

Mr. PIC. Yes, sir; this was classified as sea duty. It was really a buoy tender.

Mr. JENNER. In what area?

Mr. PIC. New York area, sir.

Mr. JENNER. Were you on ship all the time during that period?

Mr. PIC. We would go out a day, come back the next; back and forth.

Mr. JENNER. What I am really getting at is when you were ashore were you home?

Mr. PIC. Yes, sir; I went home the minute I got off the ship.

Mr. JENNER. OK.

Mr. PIC. September 1953 until April 1954—these months I am pretty sure, I am certain are OK.

Mr. JENNER. That is all right.

Mr. PIC. I was stationed at U.S. Naval Hospital, Portsmouth, Va. My address when I lived there was, for 3 months we lived with my sister-in-law in Norfolk.

Mr. JENNER. Name her, please.

Mr. PIC. Mrs. Emma Parrish, I believe.

Mr. JENNER. That was your wife's sister?

Mr. PIC. That is correct, sir. Then in January of 1954 we moved over to Portsmouth, Va., 1234 Holliday Street.

April 1954 for about 2, 3 weeks, I was then stationed again at St. George, Staten Island, and I received orders through the Coast Guard cutter *Halfmoon*, and I was on the Coast Guard cutter *Halfmoon* until January 1956.

Mr. JENNER. And at sea or—

Mr. PIC. Yes, sir; this was weather patrol duty.

Mr. JENNER. You did come ashore when you got home?

Mr. PIC. We pulled weather patrol, sir. We would be out 5 or 6 weeks and we would be in 5 or 6 weeks; and this I tolerated for 21 months. On 1 February 1956, I joined the Air Force. I joined the Air Force on Staten Island, N.Y. My address at this time was 80 St. Marks Place, Staten Island, N.Y.

Mr. JENNER. In a few words, what was that transition. Had you appeared—

Mr. PIC. My enlistment from the Coast Guard was complete, sir, and I decided that staying in the Coast Guard for 20 or some odd years I wouldn't see much of my family and I understood the Air Force was a family man's outfit and I figured that was for me. So the day after I got out of the Coast Guard I joined the Air Force—no broken service. I was stationed at Mitchel Air Force Base, Hempstead, Long Island, N.Y., until October, end of September, October 1958, and received orders to Japan, APO 323, Tachikawa, Japan.

Mr. JENNER. What year were you in?

Mr. PIC. 1958 when I received my orders.

Mr. JENNER. At this time when you were assigned to Japan, that was the period of time also when your brother Lee Oswald, then in the Marines, was also stationed in Japan?

Mr. PIC. To the best of my knowledge; yes, sir.

Mr. JENNER. Were you aware of that fact when you were stationed in Japan?

Mr. PIC. When I received my orders, I was under the impression he was in Korea, sir. I knew he was overseas in the Japanese-Korean area.

Mr. JENNER. Had you had any communication from him prior to your going to Japan?

Mr. PIC. To the best of my knowledge, sir, sometime after he entered the service and went overseas I received a letter from him, very short note. He wrote a very short note. I no longer have this.

Mr. JENNER. He entered the service in October of 1956?

Mr. PIC. I was in the Air Force at Mitchel Air Force Base at the time. Do you want me to finish with my military dates, and then I can go back?

Mr. JENNER. Yes.

Mr. PIC. November 1958, 10 November 1958 until 17 July, 1962, I was stationed in Japan. In August 1962 until the present date assigned to Lackland, Wilford Hall Air Force Hospital, Lackland Air Force Base.

Now, in the time period from—my mother paid us a Christmas visit, sir, during the Christmas holidays of 1957, I believe, after Lee had joined the Marine Corps.

Mr. JENNER. Yes; that would be a little over a year, that would be a year and 2 months after he had joined the Marine Corps.

Mr. PIC. Yes.

Mr. JENNER. Where were you at that time?

Mr. PIC. I was stationed at Mitchel Air Force Base, sir, and I believe my address was 105 Avenue C, East Meadow, Long Island. I was living right next to the Air Force base.

Mr. JENNER. Had you known prior to that time, which presumably you did, that Lee had entered the service?

Mr. PIC. Yes, sir; I knew this.

Mr. JENNER. Had enlisted in the Marines?

Mr. PIC. Yes, sir.

Mr. JENNER. And how had you learned that, through your mother?

Mr. PIC. Yes, sir; through my mother.

Mr. JENNER. Had you learned that at or about the time he actually enlisted? What were the circumstances?

Mr. PIC. Concerning what, sir?

Mr. JENNER. His enlistment, when you learned about it, and how. He enlisted in October 1956. He was then 17 years old.

Mr. PIC. My mother told me some way or another, I don't remember, sir. This is how I learned about it, either by phone call or by letter or some way. Of course, I knew he would do it as soon as he reached the age.

Mr. JENNER. All right. Why did you know he would do it and tell us the circumstances upon which you, the facts upon which you base that observation?

Mr. PIC. He did it for the same reasons that I did it and Robert did it, I assume, to get from out and under.

Mr. JENNER. Out and under what?

Mr. PIC. The yoke of oppression from my mother.

Mr. JENNER. Had that been a matter of discussion between you and for example, between you and your brother Robert?

Mr. PIC. No, sir; it was just something we understood about and never discussed.

Mr. JENNER. And that would include Lee as well as your brother Robert; that is, you were all aware of it?

Mr. PIC. I know this includes my brother Robert. Of course, when I was 18 years old I didn't discuss things like this with Lee, who was much younger.

Mr. JENNER. Please elaborate on that. You made a general statement—

Mr. PIC. OK.

Mr. JENNER. Which lawyers would call a mixed matter of conclusion and of fact and we would like to know the circumstances in general.

Mr. PIC. OK.

Mr. JENNER. They would probably go back for a good many years and it involves a personality.

Mr. PIC. Well, why don't I start with the death of Lee's father, and I think really starting there I can tell you more of my own feelings and so forth. I can make one statement but to bring out the circumstances I think I should go back a little further.

Mr. JENNER. All right. I will come back to this eventually. I will start you off this way. You are the brother of Lee Harvey Oswald.

Mr. PIC. Yes, sir.

Mr. JENNER. And you are also the brother of Robert?

Mr. PIC. Robert Lee Edward Oswald, Jr.

Mr. JENNER. Robert Lee Edward Oswald?

Mr. PIC. Yes, sir.

Mr. JENNER. I notice in your statements that you refer to him as Robert Lee Edward Oswald. There are some references by others to Robert E. Lee Oswald.

Mr. PIC. Yes.

Mr. JENNER. Your stepfather is generally referred to in the record and by witnesses as Lee Oswald. What was his full name?

Mr. PIC. To the best of my knowledge, sir, it was Robert Lee Edward Oswald.

Mr. JENNER. In any event your brother Robert was a junior.

Mr. PIC. Yes, sir.

Mr. JENNER. Your brother Robert was born April 7, 1934; is that to the best of your recollection?

Mr. PIC. Yes, sir; to the best of my recollection.

Mr. JENNER. And your brother Lee Harvey Oswald, October 18, 1939?

Mr. PIC. That is correct, sir.

Mr. JENNER. Your father's name?

Mr. PIC. Edward John Pic, sir.

Mr. JENNER. You are named after him except—

Mr. PIC. Yes, sir.

Mr. JENNER. The two surnames were reversed?

Mr. PIC. Yes, sir; I think it appears on here. Yes, sir; I think it appears on here. Yes, sir. John Pic, Jr., in fact his name is—

Mr. JENNER. Edward John Pic, Jr.

Mr. PIC. Right.

Mr. JENNER. And your mother was Marguerite Claverie Oswald?

Mr. PIC. Claverie, Marguerite Frances.

Mr. JENNER. And your mother and father were married what date?

Mr. PIC. Eighth day of August 1929, sir.

Mr. JENNER. And you are now reading from what?

Mr. PIC. The marriage certificate of Edward John Pic, Jr., and Mrs. Marguerite Frances Claverie.

Mr. JENNER. That is a marriage certificate that you, that is among your personal papers?

Mr. PIC. Yes, sir.

Mr. JENNER. I am going to put an exhibit number on it. We will take a photograph of it and return the original to you.

Mr. PIC. Yes, sir.

Mr. JENNER. Mr. Reporter, would you mark that as John Pic Exhibit No. 1. (John Pic Exhibit No. 1 was marked for identification.)

Mr. JENNER. I offer in evidence as John Pic Exhibit No. 1, a marriage certificate certified and dated August 8, 1929, reflecting the marriage of Edward John Pic, Jr. and Miss Marguerite Frances Claverie on the 1st day of August 1929, in Harrison County, Miss. The marriage certificate does not show the town.

Sergeant, do you have any recollection of your father?

Mr. PIC. My own father?

Mr. JENNER. Yes, sir.

Mr. PIC. No, sir, I don't.

Mr. JENNER. Do you have any recollection of ever having seen your father?

Mr. PIC. No, sir; I don't.

Mr. JENNER. You were too young at the time but you eventually became aware of the fact that your mother, Marguerite, and your father, Edward, were divorced not long after your birth?

Mr. PIC. Yes, sir.

Mr. JENNER. Did you become aware also of the fact that at the time of your birth that your father and mother were separated?

Mr. PIC. No, sir.

Mr. JENNER. This is the first information, I take it, then, in the utterance I have just made?

Mr. PIC. No, sir.

Mr. JENNER. That you have become aware that your mother and your father were separated at the time of your birth?

Mr. PIC. No, sir.

Mr. JENNER. You did learn about that?

Mr. PIC. Yes, sir.

Mr. JENNER. From your mother?

Mr. PIC. From Life magazine, sir.

Mr. JENNER. I see. Well, that is what I was really getting at.

Mr. PIC. O.K.

Mr. JENNER. It was only in the last 6 or 8 months that you learned that at the time of your birth your mother and your father were separated?

Mr. PIC. That is correct, sir. I had always been told that they were divorced because he didn't want children. I didn't know anything else but that. I didn't know the time periods or anything else, sir.

Mr. JENNER. Your stepfather, when your mother and your stepfather—I will call him Lee Oswald because all the witnesses have referred to him as Lee Oswald, is that what he was called, do you have any recollection of it?

Mr. PIC. I remember him being referred to as Mr. Oswald, sir.

Mr. JENNER. Mr. Oswald?

Mr. PIC. That is correct, sir.

Mr. JENNER. Did you have a recollection at the time, at least—that is an elegant question. Do you recall your mother then marrying Lee Oswald or Mr. Oswald?

Mr. PIC. I knew they were married, I don't recall the marriage ceremony.

Mr. JENNER. What do you recall about him, sergeant?

Mr. PIC. I recall he was an insurance salesman, sir, for the Metropolitan Life Insurance Co. He used to take me on his rounds for collections sometimes. He was very strict with us. We got whippings when we were bad.

Mr. JENNER. You don't mean to claim that any of them was undeserved?

Mr. PIC. No, sir. Not in the least.

Mr. JENNER. I should say this to you, I think. The witnesses all, everybody spoke well of your stepfather.

Mr. PIC. That is how I remember him, sir.

Mr. JENNER. You were born in New Orleans?

Mr. PIC. I was?

Mr. JENNER. I am really putting a question mark at the end.

Mr. PIC. Yes, sir; I was born at New Orleans.

Mr. JENNER. And the family lived in New Orleans?

Mr. PIC. Yes, sir.

Mr. JENNER. Were you ever informed by anybody as to the business of your father, not your stepfather but your—

Mr. PIC. My real father?

Mr. JENNER. Yes; or occupation?

Mr. PIC. From what I was told he was a stevedore and had once been a professional basketball player. This is all I remember ever hearing about him.

Mr. JENNER. And this was information that came from primarily your mother?

Mr. PIC. From my mother; yes, sir.

Mr. JENNER. As a boy as you grew up in New Orleans were you advised whether your father was alive, whether he was in New Orleans or where he was or anything about him in that connection?

Mr. PIC. Being the nosy child I was, every once in a while I would look him up in the phone book so I knew he existed.

Mr. JENNER. Did you make any inquiries to find out what his business was or occupation?

Mr. PIC. No, sir.

Mr. JENNER. Did you ever make any attempt to go to where he might be working or living to see what he looked like?

Mr. PIC. I thought of it several times but I never made an attempt.

Mr. JENNER. Were you influenced in this in any respect by your mother?

Mr. PIC. No, sir. I do remember on several occasions when we would visit the Lillian Murrets the name would come up that he had visited them, they would see him now and then and, of course, every time this cropped up it made me more inquisitive.

Mr. JENNER. You mentioned Lillian Murret, that is your aunt, your mother's sister?

Mr. PIC. Yes, sir.

Mr. JENNER. And her husband is Charles "Dutz" Murret?

Mr. PIC. Yes, sir.

Mr. JENNER. In those early years, did your family reside somewhere near the Murrets? I am going to get into all those addresses if I can, but I am thinking of the overall relationship geographically.

Mr. PIC. As I recollect, the house was where Mr. Oswald died, all I know is that it was on the corner of Alvez and Galvez.

Mr. JENNER. 2109 Alvar?

Mr. PIC. There you go. I think the street that ran next to it was Galvez.

Mr. JENNER. You are correct.

Mr. PIC. This is the first real—I remember a first real house prior to this, where it was, sir, I don't know. I was about 5 at the time.

Mr. JENNER. But the first one you remember is the house on the corner that you have mentioned?

Mr. PIC. Yes, sir.

Mr. JENNER. Do any of these addresses refresh your recollection? 2205 Alvar?

Mr. PIC. It may be the address of the house on Alvez and Galvez, I don't know.

Mr. JENNER. No?

Mr. PIC. I don't know, sir. No, sir.

Mr. JENNER. 2123 Alvar?

Mr. PIC. No, sir.

Mr. JENNER. 1661 Paul Morphy?

Mr. PIC. No, sir.

Mr. JENNER. 2132 Gallier?

Mr. PIC. The name, the streets sound—I may have heard it before.

Mr. JENNER. 1917 Gallier?

Mr. PIC. Only the street sounds familiar.

Mr. JENNER. 805 Greenwood?

Mr. PIC. No, sir.

Mr. JENNER. 220 North—my pronunciation will be bad—Telemachus.

Mr. PIC. No.

Mr. JENNER. 123 South Cortez?

Mr. PIC. No, sir.

Mr. JENNER. You had to get away yesterday before a letter arrived which is at your base now, from Mr. Rankin, general counsel for the Commission, confirming arrangements for you to appear and have your deposition taken before the Commission, and enclosing with that letter copies of the legislation being Senate Joint Resolution No. 137 authorizing the creation of the Commission, and a copy of President Johnson's Executive Orders bringing the Commission into existence No. 11130, and a copy of the rules and regulations of the Commission itself for the taking of depositions.

When you return to Lackland base you will find that letter probably in the possession of your Commanding Officer, and he will deliver it to you.

The Commission was authorized by the resolution I have mentioned and brought into existence by the President to investigate the facts and circumstances involved in and surrounding the assassination of President Kennedy on November 22, 1963, and we have understood from witnesses and other information we have, that you had and still have information bearing upon the facts and circumstances relative to that assassination, and it is this line of questioning that is directed toward that.

We appreciate your appearing voluntarily from Lackland base to appear here today.

That letter, and the enclosures state that you are entitled to counsel if you want counsel present, and if you desire to have counsel present I can suspend this now.

Mr. PIC. I have nothing to hide, sir.

Mr. JENNER. Go ahead, John.

Mr. ELY. I just wanted to check on a couple of addresses with you, sir. 914 Hennesey, do you remember that?

Mr. PIC. No, sir.

Mr. ELY. What about Taft Place?

Mr. PIC. No, sir.

Mr. JENNER. You attended William Frantz Elementary School in Dallas, did you not?

Mr. PIC. New Orleans.

Mr. JENNER. With your brother, Robert?

Mr. PIC. What grade was I in, sir. He was two grades behind me. If I was in the third, he was there. If I wasn't, he wasn't.

Mr. JENNER. Well, the record shows you enrolled in William Frantz School at 3811 North Galvez on the 16th of September 1936 at which time you were 4½ years old.

Mr. PIC. Well, he wouldn't be there.

Mr. JENNER. Not at that time. He was then 2½.

Do you recall transferring from William Frantz Elementary School to George Washington Elementary School?

Mr. PIC. Yes, sir; I do.

Mr. JENNER. Was that some time in late September or in November, perhaps of 1940.

Mr. PIC. Well, prior to that we went to another place, sir.

Mr. JENNER. Your first elementary school was William Frantz?

Mr. PIC. That is correct, sir.

Mr. JENNER. And you attended William Frantz until when, to the best of your recollection?

Mr. PIC. I don't think I attended William Frantz after—

Mr. JENNER. The death of your stepfather?

Mr. PIC. Yes, sir; somewhere around there. We went to a boarding school over in Gretna, La. Infant Jesus College was the name of it, I believe, both Robert and I, and we hated the place.

Mr. JENNER. That was a very short period of time?

Mr. PIC. Yes, sir; because we hated the place.

Mr. JENNER. I will get to that in a moment.

Mr. PIC. I don't know whether it was before Washington or after. I think it was before Washington.

Mr. JENNER. Perhaps I can refresh your recollection this way. Your stepfather died in August of 1939. You were then living in the house at the corner of Alvar and Galvez which you recall as Alvez and Galvez.

Do you recall that some months after the death of your father and in the following year, the late winter or early spring, that you moved from that house?

Mr. PIC. Yes, sir.

Mr. JENNER. Do you recall a physician by the name of Mancuso?

Mr. PIC. It may or may not be familiar, sir. I don't know.

Mr. JENNER. He was the doctor who delivered Lee, and also the man who rented the house in which you had been living. Do you recall that?

Mr. PIC. No, sir.

Mr. JENNER. You do recall leaving that house in which you had been living at the time of the death of your stepfather?

Mr. PIC. Yes, sir; sometime afterward.

Mr. JENNER. Do you recall that it was a matter of months and not a matter of years?

Mr. PIC. It had to be months, sir, because I have got something else for 1940 here.

Mr. JENNER. When you moved from the house in which you had been living at the time of the death of your stepfather, do you recall moving to 1242 Congress Street?

Mr. PIC. No, sir. I remember moving to a Bartholomew Street.

Mr. JENNER. That Bartholomew Street, I will get to that in a moment, perhaps to refresh your recollection was a little house that your mother purchased on contract.

Mr. PIC. What, Bartholomew?

Mr. JENNER. Yes.

Mr. PIC. I remember that house.

Mr. JENNER. 1010 Bartholomew.

Mr. PIC. That could be it, sir.

Mr. JENNER. Before you moved to 1010 Bartholomew you lived, did you not, at 1242 Congress?

Mr. PIC. I don't remember, sir.

Mr. JENNER. Your mother didn't sell the Alvar Street house until January of 1944.

Mr. PIC. I thought it was sold the day we moved out.

Mr. JENNER. It was rented by Dr. Mancuso the day you moved out, and ultimately your mother regained possession in January 1944, and he then purchased that house substantially contemporaneously, in January of 1944.

Mr. PIC. Can I ask you a question?

Mr. JENNER. Yes, sir.

Mr. PIC. Being Mr. Oswald was in the insurance business, and being I was rather young, how did he leave her, I have no idea.

Mr. JENNER. Well, I will answer that question. You tell me what you thought at the time and what your impression now is.

Mr. PIC. Well, he didn't leave her much is what I was told.

Mr. JENNER. Was that the feeling you had at the time?

Mr. PIC. Yes, sir.

Mr. JENNER. Well, he did leave a small insurance policy, and the house on Alvar, on the corner of Alvar and Galvez, which was being purchased under contract, and that is about all.

I take it, it is your recollection, Sergeant, that when you and your mother and Robert and Lee, who was then an infant child, just a few months old, left the house on 2109 Alvar you entered some institution.

Mr. PIC. Yes, sir.

Mr. JENNER. And what is your recollection of that institution?

Mr. PIC. I believe it was in Gretna, La.

Mr. JENNER. Spell that for the reporter.

Mr. PIC. G-r-e-t-n-a, a whole bunch of little towns right across the river from New Orleans, West Wego, and a couple of others, that was one of these, I think it was Gretna, it might be in one of that group.

Mr. JENNER. Yes.

Mr. PIC. And the name of the school was Infant Jesus College and it was a Catholic school, sir. And us not being Catholics they lowered the boom on us.

Mr. JENNER. That would be you and your brother?

Mr. PIC. Yes, sir.

Mr. JENNER. And you were at that time just about 8 years old. Was it before your 8th birthday or what?

Mr. PIC. I wouldn't remember that, sir.

Mr. JENNER. It was in 1940, however?

Mr. PIC. I thought it was in the end of 1939. It is either the end of 1939 or early 1940.

Mr. JENNER. Is it your recollection that——

Mr. PIC. We were still living on Alvez and Galvez when we went to that school.

Mr. JENNER. All right. That is what I wanted to straighten out.

Your mother put you and Robert in the Catholic boarding school before the family actually moved out of the 2109 Alvar home?

Mr. PIC. Yes, sir.

Mr. JENNER. All right. How long were you boys at that Catholic institution?

Mr. PIC. My best recollection is that it was to the end of the school year, 1940.

Mr. JENNER. That would be the summer of 1940?

Mr. PIC. Yes, sir.

Mr. JENNER. All right. Your mother was not working at that time, was she?

Mr. PIC. As far as I know ; no, sir.

Mr. JENNER. What is your recollection as to why you were placed in that institution inasmuch as your mother was not working, and at that time you were still living or she was, with Lee at 2109 Alvar?

Mr. PIC. My impression then, sir ; I don't know, I can give you my impressions now——

Mr. JENNER. Are these impressions that you are about to give me and I do want you to give them to me, gathered from recollection of the course of events over a period of years?

Mr. PIC. Yes, sir.

Mr. JENNER. All right. Based on discussions in the family over a period of years?

Mr. PIC. Based mainly on experiences in contact with my mother over a period of years, sir.

Mr. JENNER. All right ; tell us about them.

Mr. PIC. I think it was probably because it was cheaper to maintain Robert and I over at this school than it was to maintain us at home. I mean we boarded there, they fed us, went to school. I don't know what the fee was but this was the impression I have now.

Mr. JENNER. While you boys were at the Catholic school, did your mother and Lee leave, if you have a recollection of this, the 2109 Alvar home? This would be sometime between the first of January 1940, and the time you finished the second semester, let us say.

Mr. PIC. If this house between Alvez and Bartholomew is a green house.

Mr. JENNER. Green?

Mr. PIC. Green, I can remember it. You can tell me if it was green, I don't know, sir. I remember a green house somewhere in this time period.

Mr. JENNER. Let me get at that this way. You and Robert were lodged eventually in the Bethlehem——

Mr. PIC. Bethlehem Orphans Home, somewhere on St. Peters Street, New Orleans. I think this was in 1942, though, this happened.

Mr. JENNER. Evangelical Lutheran Bethlehem Orphan Asylum.

Mr. PIC. Right. That is the name.

Mr. JENNER. Known as the Bethlehem Children's Home?

Mr. PIC. Yes, sir.

Mr. JENNER. And—all right, now, you entered there on the 3d of January 1942. Is that your recollection?

Mr. PIC. That is my recollection.

Mr. JENNER. The winter of 1942?

Mr. PIC. Yes, sir; I know it was a little bit after the war was declared.

Mr. JENNER. All right. Now, taking that date, January 1942, and going back—

Mr. PIC. OK.

Mr. JENNER. To the end of the school year in 1940—

Mr. PIC. Well, the school in September 1940—I think I put in about a year and a half in this Washington Elementary School after we were taken out of Infant Jesus College.

Mr. JENNER. At that time didn't you live at 1242 Congress Street in New Orleans?

Mr. PIC. Sir, if you have a map of New Orleans and show me where this is maybe I can remember, but I don't remember anything but Bartholomew.

Mr. JENNER. For the purposes of refreshing your recollection the records of the public school system of New Orleans reflect the following: that you were enrolled at William Frantz School located at 3811 North Galvez when you were 4½ years old on September 16, 1936. You continued there thereafter until September 5, 1940.

Mr. PIC. September 1940.

Mr. JENNER. These records would show that you were discharged from the William Frantz Elementary School on January 2, 1940.

Mr. PIC. That is better.

Mr. JENNER. And that you reentered William Frantz on September 5, 1940, and you transferred to George Washington Elementary School on November 12, 1940.

At the time of the transfer you lived at 1242 Congress Street. Your mother purchased the house at 1010 Bartholomew on the 5th of March 1941. And she sold it on the 16th of January 1942.

With that information, does that serve to refresh your recollection that the course of circumstances might have been these. I will state them and then you correct me. I don't want you to take my word for it but this is solely for the purpose of refreshing your recollection, if it does refresh your recollection.

Your stepfather died in August of 1939. In the winter of 1940, early, sometime in January 1940, your mother took you and your brother, Robert, out of school, you were in the William Frantz Elementary School at that time, and placed you in the Catholic school.

Mr. PIC. I think prior or right after this Catholic school there was another school which was in downtown New Orleans. It was a day school. She would bring us there in the morning and take us home at night. I don't remember too much. We didn't stay there very long.

Mr. JENNER. It is your definite recollection, however, that you were at the Catholic orphanage school in the winter of 1940, which would be approximately 5 months after the death of your stepfather.

Mr. PIC. No, sir; I don't make that statement. I make the statement that it is my definite recollection I was in the Infant Jesus College School while we lived in this house on Alvez. What months these were, sir, I don't know.

Mr. JENNER. And it is the best of your recollection at the present time that that was the school period ending in the summer of 1940?

Mr. PIC. I think so, sir.

Mr. JENNER. What is your recollection as to the school you attended commencing the school year September 1940? Did you return to William Frantz?

Mr. PIC. I went to George Washington—if I was there at William Frantz, I don't remember. Well, the dates you give me it would be—

Mr. JENNER. A short time?

Mr. PIC. Right. I remember George Washington.

Mr. JENNER. Were you living at home at that time?

Mr. PIC. Yes, sir.

Mr. JENNER. Was that 1242 Congress?

Mr. PIC. I don't know, sir.

Mr. JENNER. Would a map of New Orleans help you any?

Mr. PIC. Possible; I don't remember this Congress, I remember a green house, this was a green house I remember. What street it was on, I don't know. But I do remember something about a green house.

Mr. JENNER. Was it in the French quarter, in the old city?

Mr. PIC. The way I remember the French quarter is down in here somewhere, and this is certainly not the French quarter. Here is this Gretna. It may be in Algiers that Infant Jesus, one of these two, either Gretna or Algiers. I think it was Gretna.

Mr. JENNER. Your mother said it was Algiers, and there is evidence that it was located in Algiers.

Mr. PIC. OK, sir; Algiers. I know it was across the river.

Mr. JENNER. You do have a recollection, however, of living in a house on Bartholomew?

Mr. PIC. Yes, sir.

Mr. JENNER. Do you happen to remember, you don't remember now the exact address?

Mr. PIC. No, sir.

Mr. JENNER. It was at 1010 Bartholomew. Did you live in the 1010 Bartholomew house?

Mr. PIC. Yes, sir.

Mr. JENNER. Was it before or during, or when was it with respect to when you and Robert entered the Bethlehem Orphanage?

Mr. PIC. We was living there when I went to Washington.

Mr. JENNER. George Washington Elementary School at 3810 St. Cloud?

Mr. PIC. Yes, sir.

Mr. JENNER. Our records show your mother purchased the 1010 Bartholomew property in March of 1941, March 9 to be exact.

Mr. PIC. When I was at Infant Jesus College, I couldn't very well remember that Congress Street because I probably—we wasn't living there.

Mr. JENNER. You weren't living—

Mr. PIC. At home.

Mr. JENNER. No.

Mr. PIC. So, I am afraid I can't remember that Congress Street address. I remember a green house.

Mr. JENNER. A green house.

Mr. PIC. Yes; that is about the best I can do.

Mr. JENNER. In any event it was a house different from or other than the 2109 Alvar?

Mr. PIC. That is correct, sir.

Mr. JENNER. In which you were living at the time of the death of your stepfather?

Mr. PIC. Yes.

Mr. JENNER. That is good enough. You remember being with your brother Robert in the Bethlehem Orphanage?

Mr. PIC. Yes, sir.

Mr. JENNER. And your initial utterance voluntarily was that you entered there in 1942.

Mr. PIC. Yes, sir; it was right after the war.

Mr. JENNER. The records show that it was in the month of January 1942. You were then 10 years old so you might have some reasonable recollection of it. Tell us the circumstances and what you understand about it.

Mr. PIC. Well, while we lived on this Bartholomew Street my mother opened in the front room a little store called Oswald's Notion Shop. I think she sold spools of thread and needles and things like this.

Mr. JENNER. Did she sell any sweets or candy for children?

Mr. PIC. Yes, sir; I remember we used to go in there and swipe it.

Mr. JENNER. Was your mother working at that time other than managing or operating this little notions and sweet shop?

Mr. PIC. Not that I remember, sir.

Mr. JENNER. And it was in a segment of the home at 1010 Bartholomew?

Mr. PIC. Yes, sir; it was the very front room.

Mr. JENNER. And you boys were then attending school where?

Mr. PIC. Washington.

Mr. JENNER. When I say you boys, it is your brother Robert and yourself.

Mr. PIC. Yes, sir; I am sure Robert was attending school then. It was Washington.

Mr. JENNER. Yes. Your brother Robert entered grammar school on September 8, 1938. That was William Frantz so he was of school age at the time we are talking about.

Describe that little house to us on Bartholomew. Was it a new house?

Mr. PIC. No, sir; it wasn't new. I guess it had about a minimum of two bedrooms, rather large back yard. We had a dog, and the dog's name was Sunshine. There was a fence ran down it. I remember the house.

Mr. JENNER. Was it a nice neighborhood?

Mr. PIC. It wasn't as nice as Alvez and Galvez.

Mr. JENNER. At that time. I see. Now, you lead me to ask something I should have asked heretofore, tell me about the neighborhood at 2109 Alvar. What do you recall about that?

Mr. PIC. They were all brand new houses. In fact, I think we were the first ones to move in on the street, and most of the other ones were under construction there. William Frantz was building a new school. It was a rather nice neighborhood. Middle income, I guess, at that time.

Mr. JENNER. And the 1010 Bartholomew home was not as new and the neighborhood was not quite the same as at 2109 Alvar, but what kind of a neighborhood was it? Was it a reasonably nice place, area? You describe it. Don't ever let me put words in your mouth.

Mr. PIC. Well, digging back in my sociology courses, I would say it was upper-lower class, if there is such a classification.

Mr. JENNER. Do you remember any neighbors at 1010 Bartholomew?

Mr. PIC. Yes, sir; there was a milkman, his name was Bud. Right on the other corner from Bartholomew, on St. Cloud was a theater, I think was called the Nola, and he lived behind this theater, he was our milkman, and my mother and his wife and him were rather friendly, and we used to go on trips on the weekends to the parks and things like this.

Mr. JENNER. Now, I ask you again what you recall to have been the circumstances under which you entered the Bethlehem Orphanage, you and your brother Robert?

Mr. PIC. I can only give you impressions, I have now, sir.

Mr. JENNER. Are these impressions that you gained now, gained from an attempt to refresh your recollection?

Mr. PIC. Yes, sir.

Mr. JENNER. As to the circumstances at that time?

Mr. PIC. Yes, sir.

Mr. JENNER. All right.

Mr. PIC. I think properly the notion store wasn't a booming business, and she had to go to work and since we were reminded we were orphans all the time, the right place to be would be in an orphan home.

Mr. JENNER. Your mother did remind you repeatedly that you were orphans?

Mr. PIC. Yes, sir.

Mr. JENNER. That sort of thing. Would you elaborate on that, please?

Mr. PIC. Well, sir; she constantly reminded us we were orphans, that she didn't have the money to support us in everything, and she opened a notion store to make money, and she wasn't making money, and I remember she closed it and went to work at about the same time that we entered Bethlehem.

Mr. JENNER. In January 1942, Lee was a little over 2 years old, is that correct; he was born October 1939.

Mr. PIC. Yes, sir.

Mr. JENNER. You were then 10 and your brother Robert was 8, I am talking about approximate ages now.

Mr. PIC. Yes, sir.

Mr. JENNER. I think you entered Bethlehem before your tenth birthday.

Mr. PIC. Yes, sir.

Mr. JENNER. And a few months before his eighth birthday. Did Lee eventually join you at Bethlehem?

Mr. PIC. Yes, sir; he did. The exact date I don't remember. I know he was there for only a matter of months. He wasn't there as long as Robert and I was.

Mr. JENNER. I show you a document I will have marked as John Pic Exhibit No. 2, please, for purposes of identification which appears to be a Xerox reproduction of an application blank executed by Mrs. Marguerite Oswald and related minutes for admission of Lee Oswald to the Evangelical Lutheran Bethlehem Orphan Asylum Association, dated at New Orleans, December 26, 1942, and showing entry of Lee Oswald into the orphanage asylum on the 26th day of December 1942.

(John Pic Exhibit No. 2 was marked for identification.)

Mr. JENNER. Sergeant, I direct your attention to the line on which appears what purports to be the signature of "Mrs. Marguerite Oswald." You are familiar with the handwriting, are you not?

Mr. PIC. Yes, sir.

Mr. JENNER. Of your mother Marguerite?

Mr. PIC. Yes, sir.

Mr. JENNER. And with her signature?

Mr. PIC. Yes, sir.

Mr. JENNER. Drawing on that familiarity, is that signature the signature of your mother?

Mr. PIC. Yes, sir.

Mr. JENNER. I offer in evidence the document now identified as John Pic Exhibit No. 2.

Having done that, Sergeant, does that refresh your recollection as to the time when your brother Lee Oswald was admitted to the orphanage asylum?

Mr. PIC. No, sir.

Mr. JENNER. Do you recall it to have been sometime in late 1942 or thereabout?

Mr. PIC. No, sir.

Mr. JENNER. What is your recollection as to when he was—he joined you at the orphan asylum.

Mr. PIC. I remember we were there a while, sir. He came, and to the best of my recollection he didn't stay but 6 months at the longest, and left again. I don't think—he wasn't there as long as we were.

Mr. JENNER. I direct your attention, Sergeant, to the fact your mother has listed on this application her address as 111 Sherwood Forest Drive.

Mr. PIC. That address is familiar to me. Sherwood Forest Drive part of it, the numbers are not.

Mr. JENNER. I wouldn't expect you to remember the exact number but the street you do recall?

Mr. PIC. Yes, sir; I do. In fact, the Murrets lived on the same street.

Mr. JENNER. Is it your impression then that the address of 111 Sherwood Forest Drive was probably the address of the Murrets?

Mr. PIC. No, sir; I wouldn't say that.

Mr. JENNER. Do you recall your mother moving out of 1010 Bartholomew?

Mr. PIC. Yes, sir.

Mr. JENNER. And so that it is your recollection that sometime between your entry into the Bethlehem Orphanage at which time the family lived at 1010 Bartholomew, that your mother and Lee or at least your mother left, it must have been your mother and Lee, left the 1010 Bartholomew residence and moved to another home on Sherwood Drive?

Mr. PIC. Yes, sir.

Mr. JENNER. Tell us about that. You put it in sequence as best you can.

Mr. PIC. If there was anything between Bartholomew and Sherwood Forest Drive, I don't remember, sir. I do remember the Sherwood Forest Drive house, and if I remember right it was three or four doors down from the Murrets.

Mr. JENNER. Where would that be in your recollection with respect to Bartholomew?

Mr. PIC. Oh, that is way across town, sir. That is in the city park area. In fact, it was only a block from city park.

Mr. JENNER. And Lee was then—your mother had him with her because at this time, December 1942, he was just a little over 3 years old.

Mr. PIC. Yes.

Mr. JENNER. The records show that the 1010 Bartholomew home was sold on the 16th of January 1942. Does that refresh your recollection as to sequence that prior to her sale of the house she moved out of the house and over to Sherwood Drive and the placing of you boys in the Bethlehem orphanage school was all part of the picture? She sold the Bartholomew house, entered you boys in the orphanage in January 1942.

Mr. PIC. You want to know if I think she sold the house before we were placed in the home?

Mr. JENNER. Yes.

Mr. PIC. I don't know, sir.

Mr. JENNER. But after you were in the home, that is the Bethlehem Orphanage Home that house was disposed of in some fashion at least?

Mr. PIC. Yes, sir.

Mr. JENNER. And she moved into another house on Sherwood Drive?

Mr. PIC. Yes, sir.

Mr. JENNER. By the way, do you remember anybody, an uncle of yours by the name of John Oswald?

Mr. PIC. No, sir.

Mr. JENNER. Or——

Mr. PIC. I remember an uncle on my stepfather's side. I don't recall his name, sir.

Mr. JENNER. W. S. Oswald, is that familiar to you?

Mr. PIC. No, sir.

Mr. JENNER. But other than an uncle on your stepfather's side, that is you don't recall his name, his first name?

Mr. PIC. No, sir.

Mr. JENNER. His name was Oswald, though?

Mr. PIC. I know it was on his side, sir. It may have been his sister, I don't know. Maybe his brother-in-law.

Mr. JENNER. But you don't know.

I will identify as John Pic Exhibit No. 3 another application blank, this one dated January 3, 1942, for admission of Robert Edward Oswald, Jr., to the Evangelical Lutheran Bethlehem Orphan Asylum, which is dated January 3, 1942, and direct you, Sergeant to the signature appearing on that exhibit reading "Mrs. Lee Oswald." Are you familiar with that signature?

Mr. PIC. That is the first time I have ever seen her use the word "Lee."

Mr. JENNER. But the handwriting; that is her handwriting?

Mr. PIC. Yes, sir.

Mr. JENNER. I offer in evidence a document now identified as John Pic Exhibit No. 3.

(John Pic Exhibit No. 3 was marked for identification.)

Mr. JENNER. Now, directing your attention to that exhibit which shows the entry of your brother Robert in the orphanage asylum on January 3, 1942, is it a fact that you and your brother Robert entered the asylum at the same time?

Mr. PIC. To the best of my recollection, yes, sir.

Mr. JENNER. I direct your attention to this. There appears in the line designated "mother" written in longhand Marguerite Claverie Oswald, address, 1010 Bartholomew, and then right above it there is written 831 Pauline Street—January 28.

Do you recall your mother moving with Lee to a place on Pauline Street in January of 1942?

Mr. PIC. No, sir.

Mr. JENNER. All you recall is that she and Lee did move to a place, another place from the 1010 Bartholomew address?

Mr. PIC. Well, it shows it there. I thought it was Sherwood Forest, I don't know.

Mr. JENNER. It might have been shortly after that?

Mr. PIC. This is not familiar at all, sir.

Mr. JENNER. That is the 831 Pauline Street address is not at all familiar?

Mr. PIC. No, sir.

Mr. JENNER. Is any of this application blank, that is any of the longhand on it, in the hand of your mother other than her signature?

Mr. PIC. I wouldn't know, sir.

Mr. JENNER. Your religion is Lutheran, is it not?

Mr. PIC. Yes, sir.

Mr. JENNER. And you were baptized in the Lutheran church, were you not?

Mr. PIC. Yes, sir.

Mr. JENNER. Your recollection is that your brother Lee was taken from the orphanage home before you and Robert were?

Mr. PIC. Yes, sir.

Mr. JENNER. You were released in June of 1944?

Mr. PIC. I have—I may have. If you say it was June, sir, OK. It was May or June.

Mr. JENNER. May or June of 1944. And does it refresh your recollection that your brother Lee was released from that home the previous January, as a matter of fact on—

Mr. PIC. He didn't go when we went and he didn't leave, all I know is he didn't enter when we entered and he didn't leave when we left. It was between those periods the best I can state.

Mr. JENNER. The record (Pic Exhibit) shows he was released from the home on the 19th of January, 1944 (Pic Exhibit No. 2A), and that he entered the home on the 26th of December, 1942 (Pic Exhibit No. 2).

So he was there 2 years.

Mr. PIC. No, sir; that is not right.

Mr. JENNER. That doesn't square with your recollection, you mean?

Mr. PIC. No, sir. He may have been in and out of there off and on but he didn't spend full time there that long. You see she may have pulled him out there for a couple of weeks to stay with the Murrets, and things or even longer and still have him charged against Bethlehem.

Mr. JENNER. I misspoke when I said 2 years. It would be the period from December 26, 1942, to January 29, 1944, which is 1 year and 1 month.

Mr. PIC. No, sir; that would only be a year and 1 month.

Mr. JENNER. For the record then that span of time for your brother between January 29, 1944, when he was released, and December 26, 1942, when he entered is approximately 13 months.

Mr. PIC. Yes, sir.

Mr. JENNER. That is about what you remember, isn't it?

Mr. PIC. Well, I remember it about 6 months. But I guess that is right. I know he wasn't in there a full 13 months at a clip. He was in and out of there in 13 months. At that school if your parents wanted to take you home for a couple or 3 weeks they took you home for a couple or 3 weeks.

Mr. JENNER. And you do remember your mother did that?

Mr. PIC. Sure, I am sure he stayed at the Murrets also.

Mr. JENNER. Well, the Murrets recall that. Now, I show you an exhibit which we will identify as John Pic Exhibit No. 4 which for purposes of identification is a Xerox duplication of a letter from Mrs. Marguerite Oswald to the Reverend Harold of the Evangelical Lutheran Orphanage Asylum dated February 1, 1945, addressed 4801 Victor, Dallas, Tex.

It is in longhand. Would you please examine it for the purpose of answering a question I will put to you as to whether it is in the handwriting of your mother?

Mr. PIC. It appears to me, sir; to be her handwriting.

Mr. JENNER. I offer in evidence John Pic Exhibit No. 4.

(John Pic Exhibit No. 4 was marked for identification.)

Mr. JENNER. I have marked as John Pic Exhibit No. 5 another application for admission to Evangelical Lutheran Bethlehem Orphan Asylum Association dated December 23, 1942, for the admission of John Edward Pic and Robert Oswald to that orphanage, but the information on the application is confined to John Edward Pic.

Unfortunately, Mr. Pic, this application, for some reason by oversight was not signed by your mother. Do you remember a pastor by the name of Rev. J. H. Nau?

Mr. PIC. No, sir.

Mr. JENNER. At the Redeemer Lutheran Church?

Mr. PIC. No, sir.

Mr. JENNER. By the way, Mr. Reporter, for purposes of the record, there appears on this application the fact that the marriage of Sergeant Pic's mother Marguerite and his father Edward John Pic, Jr. was at Gulfport, La.

Mr. PIC. Mississippi.

Mr. JENNER. No, it says Gulfport, La. here and should have been Gulfport, Miss.?

Mr. PIC. Yes; Mississippi.

Mr. JENNER. Do you remember a pastor by the name of Reverend Scherer?

Mr. PIC. No, sir.

Mr. JENNER. The Trinity Evangelical Church.

Mr. PIC. No, sir.

Mr. JENNER. Do you remember a Rev. M. R. Lecron?

Mr. PIC. No, sir.

Mr. JENNER. Of the Redeemer Church?

Mr. PIC. No, sir.

Mr. JENNER. By the way, all you boys were christened in the Lutheran church, faith, were you not?

Mr. PIC. I don't know or remember if Lee was. I don't know about Lee.

Mr. JENNER. The record of the Bethlehem Children's Home show that he was baptised by the Rev. M. R. Lecron of the Redeemer Lutheran Church. The exact date, however, is not given.

Mr. PIC. They even have his birthday wrong there.

Mr. JENNER. 1 day. They have it as the 19th whereas it was 18th. As a matter of fact, your mother on one of her papers fixes it on the 19th.

Mr. PIC. So does one of the letters.

Mr. JENNER. I offer John Pic Exhibit No. 5 in evidence.

(John Pic Exhibit No. 5 was marked for identification.)

Mr. JENNER. We will adjourn now and reconvene at 3 o'clock.

(Whereupon, at 12:25 p.m., the proceeding was recessed.)

TESTIMONY OF JOHN EDWARD PIC RESUMED

The proceeding was reconvened at 3:25 p.m.

Mr. JENNER. All right, Sergeant.

Do you recall along about this time that you were in the Bethlehem Orphanage your mother became acquainted with a man by the name of E. A. Ekdahl and subsequently married?

Mr. PIC. Yes, sir.

Mr. JENNER. And it was about this time, around 1944, that you boys were withdrawn from the Bethlehem Orphanage and taken to Texas?

Mr. PIC. Yes, sir.

Mr. JENNER. Now, I will go back a little bit because I want you to put it in sequence. Before we adjourned for noon recess, I covered the matter of the period of the birth of Lee, the death of your stepfather Lee Oswald, and then brought you up to the Bethlehem School and stopped there.

To the extent you have impressions commencing with, let us say, your entry into grammar school, at that time your stepfather Lee Oswald was alive.

Mr. PIC. Yes, sir.

Mr. JENNER. You were, when you entered grammar school that was kindergarten you were only four and half years old.

Mr. PIC. Yes, sir.

Mr. JENNER. Do you recall moving from place to place before you finally settled in—

Mr. PIC. I just remember one residence prior to Alvez and Galvez.

Mr. JENNER. I see.

Mr. PIC. Where that would have been, I don't remember.

Mr. JENNER. O.K. But you sort of settled down in 2109 Alvar?

Mr. PIC. Yes, sir.

Mr. JENNER. That your stepfather had purchased that home in 1938?

Mr. PIC. Yes, sir.

Mr. JENNER. And then you went along, he died about a year and a half later after he purchased it.

Take us from the time that your stepfather died and tell us your impressions of how the home life changed; if it did change, what effect, if any, you observed that you now can recall that circumstances had on your mother; and what kind of life you and the boys began to lead as distinguished from the life you led while your stepfather was alive if there is any change now.

I don't want to put any words in your mouth.

Mr. PIC. Well, we were from the time of his death, placed in two boarding schools prior to Bethlehem, this Infant Jesus, and the other one I don't recall the name of, the other one being a day school.

Mr. JENNER. Sort of a day school, your mother took you in the morning and brought you back. That is two of the boys, not Lee?

Mr. PIC. Yes, sir.

Mr. JENNER. He was almost a suckling child?

Mr. PIC. I don't remember. I don't see how he could have been there.

Now this day school was prior to Infant Jesus, it had to be. We went to Infant Jesus and out of there back home for a year or so where we attended Washington and then into Bethlehem.

Like I said before, we were constantly reminded we were orphans and had financial difficulty.

Mr. JENNER. Excuse me, sir; when you just talked about Washington and Bethlehem you put Washington before Bethlehem, and this morning you put Washington into Bethlehem.

Mr. PIC. No, sir; we went to Washington before Bethlehem.

Mr. JENNER. I think you will find that the record of this morning, I am pretty sure, will show a different sequence. That is your impression, that you went into Bethlehem a few months after your stepfather died?

Mr. PIC. No, sir; Infant Jesus.

Mr. JENNER. Infant Jesus. I see. Go ahead. You are right.

Mr. PIC. We were constantly reminded we were orphans and there were financial difficulties, and I was rather young, I don't remember too much about this, but it was always something to do about money problems. We kind of liked Infant Jesus, it wasn't bad at all. We had a pretty good childhood while we lived on Bartholomew Street, there were no major problems there. And even at Bethlehem we both, Robert and I enjoyed Bethlehem. I mean we were all there with the kids with the same problems, same age groups, and everything. Things for myself became worse when Lee came there, that is why I know he wasn't there too long.

Mr. JENNER. Tell us about it?

Mr. PIC. At Bethlehem they had a ruling that if you had a younger brother or sister there and they had bowel movements in their pants the older brothers would clean them up, and they would yank me out of classes in school to go do this and, of course, this peeved me very much, and I wasn't but 10 or 9 or 11.

Mr. JENNER. He was only 3 years old?

Mr. PIC. Yes; but I was 10. And they did quite a few things like this. If there was an older brother or sister there they had to take care of the younger child. The people there didn't all the time.

Mr. JENNER. Was this 7-year spread as the years went on between you and Lee, did that affect your relationship with him as distinguished from your relationship with your brother Robert who was only 2 years younger?

Mr. PIC. Well, anything I was involved in Robert always was. Lee was left out because of the age difference. Robert and I went to all these homes together and all the schools together. Lee didn't, of course.

Mr. JENNER. During the course of the years your companions and friends, I assume were different, that is you and Robert on the one hand?

Mr. PIC. Yes, sir.

Mr. JENNER. And Lee on the other?

Mr. PIC. Yes, sir.

Mr. JENNER. His life differed a little from yours too, didn't it, that is at the outset of this early period your mother, except for this period at Bethlehem, when he was there, except for his being withdrawn for a few weeks at a time, he was largely with her?

Mr. PIC. Yes, sir.

Mr. JENNER. Living with her?

Mr. PIC. Yes, sir.

Mr. JENNER. And did she express problems on her part with him?

Mr. PIC. Well, she referred how would she work and take care of a child and things like this, both. It would seem that the problem with Robert and I was easier to solve than the problem with Lee.

Mr. JENNER. I interrupted you. Go ahead with your account.

Mr. PIC. Well, up until we left Bethlehem, I can only recall three places of employment for Mrs. Oswald, one being Oswald's notion store which was 1941-42, thereabouts.

Mr. JENNER. While you had the Bethlehem house?

Mr. PIC. No; that was before Bethlehem.

Mr. JENNER. I don't mean Bethlehem, Bartholomew Street?

Mr. PIC. Yes; after we were placed in Bethlehem she was a manager of Princess Hosiery on Canal Street and Pittsburgh Plate and Glass Co., I don't remember which one came first.

Mr. JENNER. Myrtle Evans referred to Pittsburgh Plate and Lillian Murret referred to Pittsburgh Plate. You do recall that?

Mr. PIC. Yes, sir; in fact, I think at the time she worked at Pittsburgh Plate she was going with Mr. Ekdahl. In fact, I think I remember him driving us over there or something once.

Mr. JENNER. When you were at Bethlehem, did your Aunt Lillian ever have occasion to visit?

Mr. PIC. She never visited us that I recall. We visited her many times.

Mr. JENNER. While you were at Bethlehem?

Mr. PIC. Yes, sir.

Mr. JENNER. Do you recall Myrtle Evans visiting on any occasion?

Mr. PIC. I don't remember. Wait a minute. Myrtle Evans, is she kind of heavy?

Mr. JENNER. She is now.

Mr. PIC. She was then too, that is the same one.

Mr. JENNER. Energetic?

Mr. PIC. Yes; I remember a Myrtle.

Mr. JENNER. She had taken some accounting and—

Mr. PIC. The name is familiar, sir. I can't place the lady.

Mr. JENNER. She had been a girl friend of your mother's?

Mr. PIC. Yes; I wouldn't speculate whether she visited us or not at Bethlehem, sir.

Mr. JENNER. Do you remember the Evanses coming over to see you when you were at Covington, one time?

Mr. PIC. I don't recollect, sir.

Mr. JENNER. Do you recollect Myrtle Evans coming and visiting when you first went to Texas?

Mr. PIC. Sir; I don't remember Myrtle Evans that much. The name Myrtle is familiar to me. Just like this woman that worked at Holmes for 30 years is familiar to me. Where I had seen her and different places?

Mr. JENNER. H-o-l-m-e-s?

Mr. PIC. Yes, sir; this is a department store in New Orleans.

Mr. JENNER. Of course you would recall the Murret family.

Mr. PIC. Yes; I recall them very good.

Mr. JENNER. There were a couple of those children about your age and Robert's, is that right?

Mr. PIC. I can only—let's see, Charles, there is Marilyn and Charles.

Mr. JENNER. Marilyn is the youngest?

Mr. PIC. Marilyn is the youngest, no, sir; Boogie is the youngest.

Mr. JENNER. B-o-o-g-i-e?

Mr. PIC. What is he doing now. I heard he was playing semipro ball.

Mr. JENNER. No. He is not doing that any more. Is Boogie John?

Mr. PIC. No. sir; I think——

Mr. JENNER. One is a dentist, one is with Squibb, Gene is a seminarian.

Mr. PIC. Gene is the priest. Gene is the one who is my age or thereabouts.

Boogie was closer to Robert's age.

Mr. JENNER. She had five children?

Mr. PIC. Right.

Mr. JENNER. Marilyn.

Mr. PIC. Joyce.

Mr. JENNER. Marilyn, Joyce, John, Gene——

Mr. PIC. Charles.

Mr. JENNER. And Charles. They are all alive?

Mr. PIC. Right.

Mr. JENNER. That was a fairly lively family, apparently all nice people.

Mr. PIC. Yes, sir; we enjoyed going there very much.

Mr. JENNER. How did Lee get along with them?

Mr. PIC. Well, I don't know how he got along with them. I know he was placed there several times to stay for a while. I don't know if the people resented this or was glad to have him or not.

Mr. JENNER. Well, they were glad to have him. They appeared to me to be generous people.

Mr. PIC. Yes, sir. We always could count on our uncle for a dollar or two.

Mr. JENNER. Yes. I take it from the questions I asked you this morning that you had little or no contact with your stepfather's family, with the Oswald family?

Mr. PIC. There was no contact that I remember at all, sir, after his death. Prior to his death, there was quite a bit of contact from what I remember. I remember maybe it was his mother, grandmother we would visit. He had this other Oswald who was either a brother or sister or something, we visited these people. I remember the older woman we visited always gave us kids, including me, it was just Robert and I, a whole bunch of toys for Christmas every Christmas. But after his death, there was no contact at all, sir.

Mr. JENNER. What is your impression as to why that took place?

Mr. PIC. I will speculate and say that——

Mr. JENNER. Give me the impression you have rather than speculate.

Mr. PIC. They couldn't get along with Mrs. Oswald.

Mr. JENNER. With your mother?

Mr. PIC. Yes, sir.

Mr. JENNER. Do you recall an incident, sergeant, when your mother went to work in 1942, and she had a couple, a Mr. and Mrs. Roach taking care of Lee who was then——

Mr. PIC. What was Roach's first name, sir?

Mr. JENNER. Thomas.

Mrs. PIC. What street did he live on?

Mr. JENNER. 831 Pauline.

Mr. PIC. No, sir; I don't. The only one I could think of that may have taken care of Lee was this milkman Bud and his wife.

Mr. JENNER. To help refresh your recollection, it is a fact that your mother lived with Lee at 831 Pauline Street in 1942, and a couple present there by the name of Mr. and Mrs. Thomas Roach, Thomas and Dora Roach. They had been living on de Lessups Street in New Orleans, in the 800 block.

Mr. PIC. No, sir.

Mr. JENNER. And moved into 831 Pauline, or your mother moved into 831 Pauline Street with them. There was a whole question as to who was the renter, whether it was the Roaches or your mother?

Mr. PIC. No, sir; this I don't recall at all.

Mr. JENNER. And it wasn't long after they were there that some difficulty arose with respect to Lee and that ended that. It was about 6 weeks or a month, 2 months. But you have no recollection of that?

Mr. PIC. No, sir.

Mr. JENNER. All right. The question I asked you and which I keep interrupting in was to give me your impressions of change, if any, with the coming of the death of your stepfather, and you were in the course of recounting that.

Mr. PIC. Well, it struck me or it strikes me that we became lower and lower in the class structure.

Mr. JENNER. As your financial status—

Mr. PIC. And our class structure, both.

Mr. JENNER. Would you elaborate on that? Your financial status went down?

Mr. PIC. Right.

Mr. JENNER. And then you say lower in the class structure?

Mr. PIC. Yes, sir.

Mr. JENNER. Tell me about that?

Mr. PIC. I would say we were in the middle classes while we lived on Alvez.

Mr. JENNER. While your father was alive?

Mr. PIC. And being we moved to Bartholomew, and being in orphan homes, I think we went to the upper lower class, one class structure dropped, two class structures dropped, something like that.

Mr. JENNER. Were you conscious of that even as a 10-year-old?

Mr. PIC. Well, I realized that we weren't living as good as we used to, sir.

Mr. JENNER. Go ahead.

Mr. PIC. Well, once we were placed in an orphan home, and we were with our own kind, so to speak. I had no feelings whatsoever. I mean, we enjoyed that place. They were rather strict but we enjoyed it. We had quite a bit of freedom even though they were strict. We would sneak out of the place at night and do all kinds of childish things. But Robert and I enjoyed it.

Mr. JENNER. I am thinking more of your relations with your mother. Was her personality affected by the death of your stepfather?

Mr. PIC. Probably she confided and put to me most of her problems since she didn't have a husband to do this with, always referring to me as the oldest and things like this. When we were in Bethlehem we didn't see that much of her.

Mr. JENNER. I see.

Mr. PIC. Maybe once every 2 weeks, that would be the most often. Maybe once in a while she would drop around.

Mr. JENNER. While you were at Bethlehem did you visit the Murrets?

Mr. PIC. Yes, sir; several times, lots of times. You see the home once or twice a year, would take us to the city park there in New Orleans. We would get on the rides and naturally the Murrets were right there, and so we would rent bikes for free. It was on the home and I would ride over to their house and visit with them a while, so did Robert. Whenever we had a chance we were more than glad to go there.

Mr. JENNER. While at least through the Bethlehem Orphanage period your present recollection is you accommodated to circumstances and within the limits of the circumstances your impression is that you lived a reasonably happy life?

Mr. PIC. We enjoyed it.

Mr. JENNER. Like all children you accommodated yourself to the circumstances?

Mr. PIC. Yes.

Mr. JENNER. Well, I think probably a good new start off point is Mr. Ekdahl. Tell us your recollection of him, what led up, your present recollection of the circumstances which brought him into your lives and when you first were aware of his existence and what your circumstance was at that time, what your mother's was?

Mr. PIC. Okay.

Mr. JENNER. Give times as best you can.

Mr. PIC. If you can date for me when I had my appendix out I can practically date for you Mr. Ekdahl's—

Mr. JENNER. I am afraid I can't. Were you at Bethlehem Orphanage?

Mr. PIC. Yes; I was at Bethlehem so it would be either 1943 or 1944, and I am sure she was at Pittsburgh at that time.

Mr. JENNER. Pittsburgh Plate?

Mr. PIC. Right. And it was right after I had my appendix out that he ap-

peared on the scene. And she visited us more often when she was going with him.

Mr. JENNER. And she brought him with her, did she?

Mr. PIC. Yes; he had the car.

Mr. JENNER. By the way, did your mother have an automobile during this period following your stepfather's death?

Mr. PIC. I don't think so, sir.

Mr. JENNER. But Mr. Ekdahl did have an automobile?

Mr. PIC. Yes, sir; he had a 1938 Buick.

Mr. JENNER. And your mother visited you more often?

Mr. PIC. Yes, sir.

Mr. JENNER. All right.

Mr. PIC. And they on weekends took us to Covington. I remember once, it may have been more.

Mr. JENNER. All right I wanted to ask you about that. While your stepfather was still alive, did you occasionally visit Covington?

Mr. PIC. Yes, sir; we did.

Mr. JENNER. Covington, as I understand it, Covington, La., is sort of a summer resort area, is it not?

Mr. PIC. Yes, sir; it is on the—it is north of New Orleans on the northern shore of Lake Pontchartrain, and the Murrets used to go to Mandeville, which is about 30 miles closer to New Orleans than Covington was, and we used to visit them back and forth during the summer.

Mr. JENNER. Do you recall the names of any of those people that you—whose homes you, the summer resort homes that you rented during the summer period?

Mr. PIC. To the best of my recollection, sir, we were in cabins at these tourist places. We were never at anybody's home. The Murrets were, I believe, at somebody's home in Mandeville. They had a large house there.

Mr. JENNER. Does Mrs. Benny C-o-m-m-a-n-c-e, is that name familiar to you?

Mr. PIC. No, sir.

Mr. JENNER. At 600 West 24th Street, Covington, familiar to you?

Mr. PIC. No, sir.

Mr. JENNER. Does the address 311 Vermont stimulate your recollection over in Covington?

Mr. PIC. No, sir; if it was this time period it doesn't. That may have been the street we lived on when we went there in 1946, I don't know.

Mr. JENNER. All right. I ask you to relate the circumstances respecting Mr. Ekdahl.

Mr. PIC. Well, in June 1944, we were removed from Bethlehem, and—

Mr. JENNER. Did you know about that in advance? Were you aware you were going to be removed and why?

Mr. PIC. I don't remember how much in advance we knew this. We knew maybe a couple of weeks ahead of time.

Mr. JENNER. Or maybe the more important thing is why were you being removed from Bethlehem? What were the circumstances of bringing that about?

Mr. PIC. Well, she was marrying Mr. Ekdahl, and if you had two parents they wouldn't allow you to stay at Bethlehem.

Mr. JENNER. She was not yet married to him?

Mr. PIC. No, sir.

Mr. JENNER. Didn't marry him until the 5th of March 1945?

Mr. PIC. That is about right, sir.

Mr. JENNER. So you were removed in June or May 1944, and the record shows in June. Describe Mr. Ekdahl, please, to the extent you now have a recollection?

Mr. PIC. He was—

Mr. JENNER. Who was he? Who did you understand he was?

Mr. PIC. He was an electrical engineer. His home was in Boston, Mass., somewhere around there. He was described to us as a Yankee, of course. Rather tall, I think he was over 6 feet. He had white hair, wore glasses, very nice man.

Mr. JENNER. Very nice man. I take it he was older than your mother?

Mr. PIC. Yes, sir; he appeared to be somewhat older, quite a bit.

Mr. JENNER. A man of at least, apparently of considerably better means than your mother?

Mr. PIC. Yes, sir.

Mr. JENNER. Than you boys had been accustomed to?

Mr. PIC. Yes, sir.

Mr. JENNER. What about his health, what did you understand as to that?

Mr. PIC. I have no recollection of knowing anything about his health at that time, sir.

Mr. JENNER. I see. When you were taken from Bethlehem Orphanage in June of 1944, where did you go?

Mr. PIC. Dallas, Tex., sir.

Mr. JENNER. And do you recall where you lived in Dallas, Tex.?

Mr. PIC. I remember what the house looks like, sir. I don't remember the address. You can probably refresh me on that.

Mr. JENNER. I will do so and I want to make it accurate. 4801 Victor was the address.

Mr. PIC. That sounds familiar.

Mr. JENNER. In Dallas. Would you please describe that 4801 Victor Street home?

Mr. PIC. It was white, two story.

Mr. JENNER. Frame, brick?

Mr. PIC. Frame. I think it contained four apartments, maybe only two. I am pretty sure it was four though, two up and two down. We lived on the lower right, in boxcar-type rooms.

Mr. JENNER. What do you mean by that?

Mr. PIC. Well, railroad style, living room, bedroom, bathroom, bedroom, kitchen.

Mr. JENNER. One lined the other, you mean?

Mr. PIC. Yes, sir.

Mr. JENNER. I see. With a long hallway to connect it; is that it?

Mr. PIC. The hall ran into each room as you walked by it.

Mr. JENNER. Yes; you lived there with your mother, with Lee, and with Robert?

Mr. PIC. Yes, sir.

Mr. JENNER. At the outset?

Mr. PIC. Yes, sir.

Mr. JENNER. Mr. Ekdahl did not live with you when you first went to Dallas, Tex.?

Mr. PIC. No, sir.

Mr. JENNER. Do you have any recollection where he lived? First, was he in Dallas?

Mr. PIC. I think he was in Fort Worth, sir. And he used to come over to Dallas to see us. Is that right?

Mr. JENNER. I think that is right. I can't answer.

Mr. PIC. Okay.

Mr. JENNER. That was one of the reasons why I asked my first question.

Mr. PIC. I think that is the way the setup was, sir.

Mr. JENNER. I think that is so but I don't know. He would come over from Fort Worth and visit you?

Mr. PIC. Yes, sir.

Mr. JENNER. You boys, when you reached Dallas in 1944, you entered school, grammar school at that time, did you?

Mr. PIC. Robert—just a moment, sir; I remember I attended a summer school session of the 6th grade. Robert may have. I don't really remember. I think he did.

Mr. JENNER. We are in the summer of 1944?

Mr. PIC. Yes, sir; we went to summer school. I did, I know. I think he may have.

Mr. JENNER. Do you remember that it was the Davy Crockett—

Mr. PIC. No, sir; it was not the Davy Crockett. It was another school. Davy Crockett is where we entered in September. We meanwhile went to summer school.

Mr. JENNER. I see.

Mr. PIC. If you can give me a map of Dallas?

Mr. JENNER. You never heard of it?

Mr. PIC. Give me a map of Texas and I can show you where approximately the school was and I will show you where it was.

Mr. JENNER. You did, after that summer school period in the summer of 1944, enter grammar school in Dallas?

Mr. PIC. That is right. Davy Crockett Elementary School. I entered the 7th grade and Robert entered the 5th.

Mr. JENNER. Let's see, Lee is now almost 5 years old. Did he enter Davy Crockett at that time?

Mr. PIC. To the best of my recollection, no, sir.

Mr. JENNER. At that age he would be going to kindergarten anyhow. All right, you and Robert then entered Davy Crockett?

Mr. PIC. Yes, sir.

Mr. JENNER. You continued on at Davy Crockett in the fall semester?

Mr. PIC. Just a moment.

Mr. JENNER. Yes?

Mr. PIC. This house we went to in Dallas.

Mr. JENNER. Yes.

Mr. PIC. My mother owned it and rented the rest of it or she owned one side of it.

Mr. JENNER. It was a duplex?

Mr. PIC. Right.

Mr. JENNER. Myrtle Evans testified that she recalled visiting you, the family, on a trip she made to Dallas on one occasion, on a buying trip or something or accompanied a friend of hers, it was on a ladies' apparel buying trip and she remembered it as what she called them, two-place houses. To me they are duplexes.

Mr. PIC. Right; duplex.

Mr. JENNER. So her recollection is fairly good then. Does that affect your recollection that it was a four-apartment building rather than it was a two-apartment building?

Mr. PIC. I am pretty sure it was four apartments.

Mr. JENNER. Okay; go ahead.

Mr. PIC. Well, I was under the impression and always have been that she owned the house, and there was some arrangement with Mr. Ekdahl as to how she got it or something. She was renting to one couple upstairs, I know; is this right?

Mr. JENNER. Yes.

Mr. PIC. We are in Davy Crockett Elementary School, sir.

Mr. JENNER. Carry on.

Mr. PIC. Well, that would be September 1944. In the summer of 1945 she married Mr. Ekdahl. I think you dated that as March or April.

Mr. JENNER. She married him, in fact, on May 7, 1945. I said March before; I misspoke. It was May 7, 1945.

Mr. PIC. I have got summer. It is pretty good.

Mr. JENNER. Did he then move into the 4801 Victor Place?

Mr. PIC. Yes, sir; she took a short honeymoon for a day or two and came back and moved in.

Mr. JENNER. In the summer of 1945 did you and Robert continue on at—through that summer in Dallas?

Mr. PIC. Yes, sir.

Mr. JENNER. That following September, however, you transferred to some other school; did you not?

Mr. PIC. Yes, sir; and we were aware of this school before the school session ended in 1945. I knew before we left Davy Crockett we were going.

Mr. JENNER. What was the name of that?

Mr. PIC. In September 1945, sir, Robert and I entered Chamberlain-Hunt Academy, military school for boys, Port Gibson, Miss.

Mr. JENNER. And you were aware of that—that that was forthcoming?

Mr. PIC. Yes, sir; as early as May 1945 I think.

Mr. JENNER. And what were the circumstances?

Mr. PIC. Mr. Ekdahl had to travel and so we were going to boarding school.

Mr. JENNER. I exhibited to you earlier, and you identified a letter of your mother's dated February 1, 1945, to the Bethlehem Orphanage, John Pic Exhibit No. 4 in which your mother is petitioning the Bethlehem Orphanage for the return of you two boys to the orphanage.

Mr. PIC. I don't think I was aware of this letter.

Mr. JENNER. You were not aware?

Mr. PIC. No, sir.

Mr. JENNER. No circumstances that you can recall now of the possible relationship between your mother and Ekdahl that might have led to her seeking to do this?

Mr. PIC. No, sir.

Mr. JENNER. She says in her letter she is thinking in terms of returning you to Bethlehem because she is going to be traveling with her husband when she does marry him—that is Mr. Ekdahl. There was no discussion in your presence that you can recall on that subject?

Mr. PIC. Not returning to Bethlehem, no, sir; not that I remember. I have to find Victor Street and from there I can just about guess where the school was. I am lost on this map. I can't find Victor Street and where I lived.

Mr. JENNER. Was Davy Crockett Grammar School near your home at 4801 Victor Street?

Mr. PIC. About three blocks, sir. Three long blocks.

Mr. JENNER. Describe that neighborhood to us.

Mr. PIC. I think it would be middle class.

Mr. JENNER. A level up from what you had been accustomed back in New Orleans?

Mr. PIC. Yes, sir. There were fine brick homes; in fact, I had a paper route out there that I delivered, and easily middle class. Maybe some upper middle class.

Mr. JENNER. Was your life there pleasant?

Mr. PIC. Yes, sir.

Mr. JENNER. And when Mr. Ekdahl moved in were the relationships generally among all, now five of you, pleasant?

Mr. PIC. Between Mr. Ekdahl and the three boys they were pleasant, sir. I think there were some arguments between Mr. Ekdahl and my mother from time to time.

Mr. JENNER. You were aware of those?

Mr. PIC. Yes, sir. I am going to need a map with a listing of the schools. This one doesn't seem to have one. This summer school was about a good 2 miles away. We walked it in the morning.

Mr. JENNER. You and Robert?

Mr. PIC. I think me and Robert. We had other friends that we went to school with.

Mr. JENNER. Of course.

Mr. PIC. And there were always a group of us. I don't remember if Robert went or not, sir, to tell you the truth.

Mr. JENNER. I see. When you came around to the fall of 1945, however, you entered the Chamberlain-Hunt Military Academy?

Mr. PIC. Yes, sir; in fact, the trip to Chamberlain-Hunt was a side trip because Mr. Ekdahl, my mother, and Lee were on their way to Boston to visit his folks. And so they dropped us off at the school and then proceeded to Boston.

Mr. JENNER. Was that a motor trip?

Mr. PIC. Yes, sir; it was in a 1938 Buick.

Mr. JENNER. You remained at Chamberlain-Hunt Military Academy except for summer vacation, or something of that nature, for how long?

Mr. PIC. Well, sir, you just want a blanket statement. I have got a whole bunch of goodies while I was at Chamberlain-Hunt.

Mr. JENNER. All right. Go ahead.

Mr. PIC. During Christmas vacation of 1945 Robert and I received money to go home for the Christmas holidays. We were to take the train from Vicksburg, Miss., to Shreveport, La. These were instructions and when we arrived at

Shreveport, we were to wait for Mr. Ekdahl to pick us up. We arrived and he wasn't there. So I think we waited around, I have an estimate of between 1 and 2 hours, and then he showed up. He then drove us to Fort Worth, Benbrook, Tex., and we had a house about 15 miles below Fort Worth in Benbrook, it was way out. It wasn't the same Benbrook house, it was further. This was a brick house.

Mr. JENNER. The first house in Benbrook?

Mr. PIC. Yes, sir.

Mr. JENNER. Had you known the family had moved to Benbrook, Tex.?

Mr. PIC. Yes, sir; because we was writing.

Mr. JENNER. Because of correspondence?

Mr. PIC. Yes, sir.

Mr. JENNER. This was your first view of that house?

Mr. PIC. Yes, sir.

Mr. JENNER. Tell us what it was; describe it to us?

Mr. PIC. It was rather isolated on one of the main highways. In fact, I just drove that way recently and I couldn't find the place. When I went up to Fort Worth in 1962 I was looking for the house, I couldn't find it.

Mr. JENNER. Was it Granbury Road, Box 567, Benbrook, Tex.?

Mr. PIC. Yes, sir; that sounds familiar. This was a brick house, with quite a bit of ground. I think way back they told us that one of the Roosevelt sons had a house out there, that is how I remember. We arrived there sometime the next day or two; my mother quizzed us on why we were so late. One reason we were late besides the wait was the heavy fog, and I informed her we had to wait a while for Mr. Ekdahl, and she kind of hinted to me, I think I was 15 at the time, did I see another woman or was there anything shady about it or something. That is all I have to say about that. She was under the impression years later, she told me that he had met some woman in Shreveport and they were having some fun.

Mr. JENNER. You were in Benbrook, Tex., then for the Christmas holiday?

Mr. PIC. Yes, sir.

Mr. JENNER. You and Robert?

Mr. PIC. Yes, sir.

Mr. JENNER. Lee was living with Mr. Ekdahl and your mother at the Benbrook, Tex., home out on the outskirts of Fort Worth; I guess this is——

Mr. PIC. Yes, sir; that is correct.

Mr. JENNER. And you returned after the Christmas holiday to——

Mr. PIC. It would be January 1946 we returned to, back to Chamberlain-Hunt.

Mr. JENNER. Did you return home at all from then on until the summer of 1946?

Mr. PIC. No, sir.

Mr. JENNER. Where were you during the summer of 1946?

Mr. PIC. In the summer of 1946, Robert and I were informed that we would stay at the academy to attend summer session there. Well, school let out in May and I think summer session starts in June, so there was a waiting period of about 2 to 3 weeks, so we just stayed there. This suited us fine. We really liked the school.

Sometime during that waiting period my mother showed up and informed us that her and Mr. Ekdahl had separated, and she showed up with Lee, of course, and she was going to take us to Covington where we would stay the summer. We had—the commandant of the school was an attorney, and I think she got some legal assistance from him about divorce proceeding or something. She talked to him about it, I know. His name was Farrell, Herbert D. Farrell. He was commandant of the school. Did you ever talk to him?

Mr. JENNER. Not that I know of.

Mr. PIC. A real nice man, too. She had the car.

Mr. JENNER. The 1938 Buick?

Mr. PIC. Yes, sir. She had it.

Mr. JENNER. Had she taken a home or a house in Covington?

Mr. PIC. Yes, sir. When we arrived there she looked for a house, and there always is one neighborhood two or three blocks from the downtown area that

we stayed in during the summers and she took a house in this area. That address I don't remember.

Mr. JENNER. Does the address, the street Vermont Street refresh your recollection, 311 Vermont?

Mr. PIC. The only thing I remember about the house is a lady next door was plagued by squirrels throwing nuts on her roof because she was out every morning chasing them with a broom.

Mr. JENNER. The squirrels?

Mr. PIC. The squirrels. This was a one-story brick house, and we lived on the right side.

Mr. JENNER. You stayed there throughout the summer?

Mr. PIC. Yes, sir.

Mr. JENNER. Did you return to Chamberlain-Hunt that fall?

Mr. PIC. Yes, sir; we returned to Chamberlain-Hunt in September 1946. Then for the Christmas holidays, 1946, 1947, we returned to Covington where she and Lee still were, and spent those holidays there. During those holidays we made one trip to New Orleans with this other boy who lived in Covington also that we went to school with, and they were driving to New Orleans so we all bummed a ride and went to New Orleans and visited the Murrets a day or so. I think it was 1 day.

Mr. JENNER. Did your mother accompany you?

Mr. PIC. Yes, sir.

Mr. JENNER. Had Lee entered grammar school at this time?

Mr. PIC. I wouldn't know, sir.

Mr. JENNER. Our records show that he entered—

Mr. PIC. He probably did.

Mr. JENNER. He entered in September 19, 1946, and continued to January 23, 1947, old Covington Grammar School.

Mr. PIC. Probably.

Mr. JENNER. Is that your impression at the time that he was in school, he is now 7 years old?

Mr. PIC. I think he had to be in school or they came and got him. My next note says that sometime between January 1947 until May 1947 Mr. Ekdahl and my mother were reunited. Robert and I—

Mr. JENNER. Had she returned to—

Mr. PIC. To Fort Worth. She didn't return to Fort Worth. They moved to Fort Worth. We had never been to Fort Worth before that except in Benbrook.

Mr. JENNER. I see. This was from Benbrook, Tex., to Fort Worth?

Mr. PIC. Right. This address I don't remember, sir.

Mr. JENNER. Does the address 1505 Eighth Avenue, Fort Worth, refresh your recollection?

Mr. PIC. Yes, sir; that is it.

Mr. JENNER. All right. Go ahead.

Mr. PIC. OK. During that summer her and Mr. Ekdahl had their ins and outs.

Mr. JENNER. You were home?

Mr. PIC. Yes, sir; I was assistant manager of an ice cream parlor. Now let's go back further than that. When we first got there I got a job for the summer at Walgreen's, and I worked there for a couple of weeks before they fired me.

Mr. JENNER. You are now 15 years old?

Mr. PIC. Yes, sir. And while I was working there I met this other boy, his name was Sammy, his last name I don't remember, he was from California. He was working in Walgreen's in Fort Worth, also. So, after I lost my job at Walgreen's I got this other job, assistant manager of Tex-Gold Ice Cream Parlor which was on Eighth Avenue, about 6 blocks from the house.

Mr. JENNER. Describe that house, please.

Mr. PIC. It was the second house from the corner. On the corner lived the McLeans who was an attorney and I think he was her attorney or his brother was her attorney in her divorce proceedings. They had a couple of boys we became friendly with. The house itself was a brick, I remember brick with a garage in the back. I think there was an upstairs or side.

Mr. JENNER. Describe the neighborhood, please.

Mr. PIC. I would say it would be middle class.

Mr. JENNER. It was comparable to the neighborhood you lived in at 4801 Victor in Dallas?

Mr. PIC. Yes, sir. I was assistant manager of this Tex-Gold Ice Cream Parlor.

Mr. JENNER. What was Robert doing?

Mr. PIC. Nothing.

Mr. JENNER. He didn't work?

Mr. PIC. I don't think so.

Mr. JENNER. All right.

Mr. PIC. That is right, he was playing around with girls at that time.

Like I said, my mother and Mr. Ekdahl were having problems. It would seem they would have a fight about every other day and he would leave and come back. Well, it seems one night, as I was returning from work, I think we closed the store about 10 o'clock, Mr. Ekdahl and she drove up and told me that they wouldn't be home that night, that they were going downtown to the Worth Hotel. This was one of their reunions, and this was one of their longer separation periods.

So, I went back and I told Lee and Robert, and this seemed to really elate Lee, this made him really happy that they were getting back together. Mr. Ekdahl, while Robert and I were at the academy would write us, he was a great one for writing poetry. He would send us a poem about ourselves or something, treated us real swell. Well—

Mr. JENNER. I—what is your impression of Mr. Ekdahl, did Lee like him?

Mr. PIC. Yes, sir.

Mr. JENNER. That is your definite impression that he liked him.

Mr. PIC. Yes, sir; I think Lee found in him the father he never had. He had treated him real good and I am sure that Lee felt the same way, I know he did. He felt the same way about it, because Mr. Ekdahl treated all of us like his own children.

Mr. JENNER. There appears to be in the file at Chamberlain-Hunt Military Academy a letter from Mr. Ekdahl to you—to you boys dated August 1946, carrying a return address of the Fayette Hotel on Third Street of Fort Worth.

Mr. PIC. I don't know, sir.

Mr. JENNER. This would be at the time when your mother was living in Covington. During that period.

Mr. PIC. I didn't know about it.

Mr. JENNER. You have no recollection of it?

Mr. PIC. I don't know where Mr. Ekdahl was when she was in Covington. I know he was in the Fort Worth-Dallas area is all I knew.

Mr. JENNER. Your mother and Ekdahl, this incident you mentioned, you mentioned that because it impressed you that they were getting back together again, more friendly?

Mr. PIC. No, sir; I mentioned it because it impressed Lee.

Mr. JENNER. I see.

Mr. PIC. I think it impressed him more than it did either of the older boys.

Mr. JENNER. Did anything else occur during that summer?

Mr. PIC. A whole bunch of stuff.

Mr. JENNER. All right. Go ahead.

Mr. PIC. I think this is the same summer when we made the raid. I don't know if you know about the raid or not.

Mr. JENNER. I don't think so.

Mr. PIC. Well, this guy Sammy that I knew had another—knew a couple, a young married couple named Marvin and Goldie, I don't remember their last names, sir, and Sammy and I were friends, Sammy lived in a downtown hotel, and Marvin and Goldie had a house somewhere in the Fort Worth area. So we became friendly the four of us, and then they would come over to my house, and they got to know my mother and everything. Well, after they broke up again, after this last incident.

Mr. JENNER. This was still during the summer of 1947?

Mr. PIC. Yes, sir; this is still during the summer, my mother had strong sus-

picious that Mr. Ekdahl was seeing another woman and she was following him, I don't know how. I know she had the lead, she knew where the woman lived and everything.

So, one night Marvin, Goldie, Sammy, my mother and I all piled into this young couple's car, went over to these apartments, and Sammy acted as a messenger, and knocked on the door and said, "Telegram" for this woman, whoever she was, I don't remember the name. When she opened the door, my mother pushed her way in, this woman was dressed in a nightgown negligee, Mr. Ekdahl was seated in the living room in his shirt sleeves and she made a big fuss about this. She's got him now and all this stuff. That is about it. Well, that is all to that incident.

In September, Robert—well, in August—Robert and I in September returned to Chamberlain-Hunt, this is September 1947. During the school year 1947-48 I was informed about divorce proceedings. Christmas holidays, 1947, Robert and I returned to the house on Eighth Avenue in Fort Worth and those are the pictures of Lee sitting on the bike, it is in that time period.

Mr. JENNER. Let's identify those. I hand you Pic Exhibit Nos. 52 and 53.

Mr. PIC. Yes, sir; this was taken during that time period. This is the front lawn of the house on Eighth Avenue and the white house in the background would be that of the attorney Mr. McLean.

Mr. JENNER. Did you take those pictures?

Mr. PIC. Sir?

Mr. JENNER. Did you take the pictures?

Mr. PIC. My brother Robert and I each had a box camera we received—no, we had the box camera before that. We took it with our box camera.

Mr. JENNER. All right. I offer those exhibits in evidence.

(John Pic Exhibits Nos. 52 and 53 were marked for identification.)

Mr. JENNER. Was Mr. Ekdahl living in the home at that time?

Mr. PIC. We did not see him during those holidays.

Mr. JENNER. You returned to the academy following the Christmas vacation?

Mr. PIC. Yes, sir.

Mr. JENNER. And you continued on through the end of that school year, did you?

Mr. PIC. Yes, sir; to May 1948.

Mr. JENNER. Give me your impressions of Lee, he is now getting to be 8 or 9 years old, his attitudes and course of conduct, and his relationships with other children, either in the neighborhood or at school.

Mr. PIC. Well, sir; when we were home, Robert and I, of course, that was the only time we seen Lee, he would tag along with us to the movies and everything. He did what we did, got in the same trouble we did and so forth. I don't remember observing him with the other children. I had my own problems at the age of 14. We did know that during the school year of 1947-48, divorce proceedings were going to take place shortly.

We returned from Chamberlain-Hunt in May 1948, to a house I don't remember the address of, sir, but we were back down in the lower class again.

Mr. JENNER. The house at—

Mr. PIC. It was right slap next to the railroad tracks.

Mr. JENNER. 3300 Willing Street, Fort Worth.

Mr. PIC. If that is next to the railroad tracks, that is it. I remember we had to listen to the trains going back and forth. She had moved in this house a couple or 3 months prior to us returning from school.

Mr. JENNER. The divorce had taken place in the meantime?

Mr. PIC. No, sir; it had not.

Mr. JENNER. Was Mr. Ekdahl in this lower class house?

Mr. PIC. No, sir.

Mr. JENNER. Did you see him during that summer?

Mr. PIC. No, sir—yes, sir. But not prior to May 1948. I seen him later during the summer.

Mr. JENNER. Yes. You and Robert were home during that summer of 1948, were you?

Mr. PIC. May I continue?

Mr. JENNER. Yes.

Mr. PIC. When we returned home I seen this house and my first impressions were that we are back to where we were. Lee had a dog that a woman had given him, I think it is the same dog we have pictures of, and I kind of had the feeling that our days at Chamberlain-Hunt were ended even though it didn't come officially. Then sometime in the summer of 1948, the divorce took place in Tarrant County, city of Fort Worth. I had to testify. I think they attempted to put Lee on the stand but he said that he wouldn't know right from wrong and the truth from a falsehood so they excused him as a witness being he was under age.

I don't remember my testimony completely. I do remember that my mother had made the statement that if Mr. Ekdahl ever hit her again that she would send me in there to beat him up or, something which I doubt that I could have done.

I was told by her that she was contesting the divorce so that he would still support her. She lost, he won. The divorce was granted. I was also told that there was a settlement of about \$1,200 and she stated that just about all of this went to the lawyer. Right after this is when she purchased the house in Benbrook, Tex., the little house.

Mr. JENNER. Describe that house.

Mr. PIC. It was an L-shaped house, sir, being the top of the L was her bedroom, bathroom, kitchen, and living room with a screened-in porch. She and Lee slept together. My brother and I slept in the living room in the screened-in porch on studio couches. When we moved into this house and after the divorce and everything became final, I was—

Mr. JENNER. Excuse me, was that 101 San Saba?

Mr. PIC. No, sir; I don't know nothing about 101 San Saba.

Mr. JENNER. Do you recall the street you were on in Benbrook; this first house?

Mr. PIC. There were no streets. We used a post office box number up at the post office there. Because I was sending away for stamps at the time from different companies, and I was collecting stamps and I would go pick up the mail at the post office.

Mr. JENNER. The first house in Benbrook was on Granbury Road, that is your recollection? That is the one you have already mentioned heretofore?

Mr. PIC. Granbury Road is familiar, sir, if that is the one that is way far south of town on Granbury Road, then that is it.

Mr. JENNER. Well, there is a letter in the file at the Hunt Military Academy in October of 1945 informing them that a new address would be Granbury Road, Route 5, Box 567 in Benbrook.

Mr. PIC. That is the one further south of Fort Worth.

Mr. JENNER. That is the first one?

Mr. PIC. Right.

Mr. JENNER. The house you are now mentioning in Benbrook was the summer of 1948 is different from the first one?

Mr. PIC. Yes, sir; it is.

Mr. JENNER. You can't remember the street address?

Mr. PIC. There was no street address. This was the first and only house built there.

Mr. JENNER. I see.

Mr. PIC. They just built up this area and she got the very first house. Two pictures there, Lee and Lee's dog and this is taken at the house in Benbrook, that house.

Mr. JENNER. Would you select those, please?

Mr. PIC. These were taken in Covington.

Mr. JENNER. Excuse me, the witness has referred to two pictures marked John Pic Exhibits Nos. 50 and 51. Those were taken when?

Mr. PIC. It would be the summer of 1946 at Covington, La.

Mr. JENNER. And those pictures are pictures of whom?

Mr. PIC. Lee Harvey Oswald.

Mr. JENNER. All right.

Mr. PIC. Holding a fish.

Mr. JENNER. I offer in evidence John Pic Exhibits Nos. 50 and 51.

(John Pic Exhibits Nos. 50 and 51 were marked for identification.)

Mr. JENNER. The witness has now handed me two pictures, Pic Exhibits Nos. 54 and 55 one of which shows a young boy with a black-and-white dog, and the other shows—with a house in the background. The other shows a house in the background and a black-and-white dog in front and an automobile. Could you decipher, referring to the exhibit numbers, the handwriting appearing at the top of each of those? You are looking at Exhibit what now?

Mr. PIC. Exhibit No. 55, sir, shows Lee's dog and the family car. This car belonged to us, that is why I brought it. The house in the background was the one and only grocery store, groceteria, whatever you want to call it, and laundromat in the area. This is where we did all of our food buying.

Mr. JENNER. Shopping?

Mr. PIC. As far as the neighborhood was concerned.

Mr. JENNER. There is some writing at the top of the picture, what does it say?

Mr. PIC. This says "Blackie, 1949."

Mr. JENNER. Blackie was the name of the dog?

Mr. PIC. Yes, sir.

Mr. JENNER. Take that other exhibit and tell us what it was.

Mr. PIC. This was the same dog Lee had in 1948 when we returned from the school. Exhibit No. 54 shows the same store in the background and Lee Harvey Oswald, and a dog named Blackie. And to the right of the picture is the roof and corner of the house.

Mr. JENNER. The house in which you lived?

Mr. PIC. Yes, sir.

Mr. JENNER. I offer in evidence John Pic Exhibits Nos. 54 and 55.

(John Pic Exhibits Nos. 54 and 55 were marked for identification.)

Mr. PIC. After the divorce she bought the house in Benbrook, Tex., and then she was either working at or just got the job at Leonard Bros., Fort Worth, department store, Fort Worth, Tex.

At this time Robert and I were informed that we would not return to Chamberlain-Hunt in the fall. This, I think, was the first time that I actually recall any hostility towards my mother.

Mr. JENNER. On your part?

Mr. PIC. Yes, sir; this was quite a blow to me because we did want to go back. I had 2 more years in high school and I was going to be in the 11th grade and I did want to finish there.

Mr. JENNER. How did Robert react to that?

Mr. PIC. He felt the same way, sir. He wanted to go back. But we were informed because of the monetary situation it would be impossible for us to go back. In fact, my mother informed me that the best thing for me to do was not return to school but to get a job and help the family supplement its income.

Mr. JENNER. That is withdraw from school entirely?

Mr. PIC. Yes, sir; I was 16 at this time. In September, Lee and Robert returned to school, and I went to work. I obtained a job at Everybody's Department Store which belonged to Leonard Bros. I was a shoe stock boy at the salary of \$25 a week.

Mr. JENNER. Did you pay some of that money to your mother?

Mr. PIC. I think at least \$15 out of every pay check I did.

Mr. JENNER. \$15 a week?

Mr. PIC. Yes, sir; I think my take-home pay was \$22.50 after taxes. Which left me \$7.50 to ride back and forth on the bus with.

Mr. JENNER. Did you continue to live in this home in Benbrook?

Mr. PIC. No, sir; about the same time that I went to work and Lee and Robert returned to school is when my mother bought the house at 7408 Ewing.

Mr. JENNER. In Fort Worth?

Mr. PIC. That is right, sir. It was just impossible for her and I to go to work and leave them out in the sticks, but being we moved on Ewing they could walk to school. In fact, I left for work earlier than she did, a couple of hours, in fact.

Mr. JENNER. Had Lee attended school in Benbrook, Tex.?

Mr. PIC. No, sir; not in the little house because we moved in the summer and moved out in the early fall.

Mr. JENNER. Had he attended a day school or a nursery school in Benbrook, Tex., at anytime to your knowledge over this period of years?

Mr. PIC. During the summer, sir, my mother worked at Leonard Bros., the three boys were left alone at home.

Mr. JENNER. What about the previous years?

Mr. PIC. She didn't work the previous years. She was still married to Mr. Ekdahl.

Mr. JENNER. I appreciate that. I wonder if he went to nursery school—when you first went to Benbrook, Tex., when you were on Granbury Road?

Mr. PIC. I wouldn't know that, sir.

Mr. JENNER. You have no impression?

Mr. PIC. That I don't remember.

Mr. JENNER. All right. You now started to work in the fall of 1948.

Mr. PIC. Yes, sir.

Mr. JENNER. The family moves into Fort Worth at 7408 Ewing Street.

Mr. PIC. That is correct, sir.

Mr. JENNER. And Lee and Robert enter school in Fort Worth.

Mr. PIC. Yes, sir.

Mr. JENNER. Is that correct? Do you remember the school, one would be a grammar school and one a junior high school.

Mr. PIC. I think Robert went to Sterling Junior High School. In fact, she would drive him there in the morning, and Lee was going to Ridglea, West Ridglea Elementary School, something like that.

Mr. JENNER. What happened to Lee? You were working.

Mr. PIC. Right.

Mr. JENNER. Robert was in school.

Mr. PIC. Right.

Mr. JENNER. And Lee was in school.

Mr. PIC. Right.

Mr. JENNER. Did Robert come home from school to take care of Lee when he finished?

Mr. PIC. Lee returned home before Robert did, sir.

Mr. JENNER. What did he do?

Mr. PIC. I have no idea, sir.

Mr. JENNER. Your mother was at work?

Mr. PIC. Yes, sir.

Mr. JENNER. He would just come home and wait until somebody came home?

Mr. PIC. Yes, sir; there was no TV at that time so—

Mr. JENNER. Was he—what about his habits in that respect? Did—your mother taught him to return home immediately and to stay in the house until she arrived?

Mr. PIC. I am sure he always did, sir, knowing his personality. He was not the type to goof off in things like this.

Mr. JENNER. Did you notice any tendencies on his part to do heavy reading at this stage of his life?

Mr. PIC. He always read a lot, sir.

Mr. JENNER. He did?

Mr. PIC. Yes, sir.

Mr. JENNER. What about his—was he gregarious or not? Did he exhibit tendencies to be with other people and children in the neighborhood or the contrary?

Mr. PIC. Not to much, sir. There weren't that many children his age in the neighborhood. In fact, most of them were my age and my brother Robert's.

Mr. JENNER. Did this age gap between you and Lee and between Lee and your brother Robert affect your relationships with him now that you had reached the age you were now 16, Robert was 14, and Lee was 9.

Mr. PIC. We played with Lee. Lee had his dog. On the weekends, Sunday, we would all go to the movies, the whole family. I usually went to work at sunup and returned at dark myself.

In the fall of 1948 it was the fad among high school students and young teenagers to join either the National Guard or Naval Reserve or some reserve outfit like this, so I was only 16 at the time, and I wanted to do this, and

my mother thought it would be a real good way to supplement the income. So—

Mr. JENNER. Did you get paid for this service?

Mr. PIC. Yes, sir; we would meet once a month and draw a day's salary, something like this. It wasn't much money, a couple or \$3 a meeting; something like that. So we went to the notary, I think, this was McLean's office and she swore to a notary that I was 17.

Mr. JENNER. But you were not in fact 17?

Mr. PIC. No, sir; I was 16. She gave my birthday as 17 January 1931. Can we go off the record?

(Discussion off the record.)

Mr. PIC. OK, so I joined the Marine Corps Reserve sometime in October 1948. I was attached to the 2d, 155th Military Howitzer Battalion, U.S. Marine Corps Reserve, Fort Worth, Tex. About that time I started thinking and decided regardless of how my mother felt what happened, I was going to go back to school. So in January 1949 I went back to school and finished my high school education.

Mr. JENNER. To what school did you return?

Mr. PIC. I attended Arlington Heights High School, sir.

Mr. JENNER. In Fort Worth?

Mr. PIC. Yes, sir.

Mr. JENNER. Did you work after school? Did you do anything to supplement your income?

Mr. PIC. I was able to retain my job at Everybody's as a stock boy for about 1 month on this part-time basis but at the end of February they informed me there was no way I could be kept on a part-time basis so I left the job and I then got a job at Burt's shoestore. At Burt's shoestore I was working part time but really making more than full time because I was a stock boy at \$15 and all the commissions I could make in their stockroom plus all day Saturday.

Mr. JENNER. Selling shoes?

Mr. PIC. Yes, sir.

Mr. JENNER. What was your mother doing at this time?

Mr. PIC. I believe at this time, sir, she was working at Sterling's Department Store in Fort Worth after leaving Leonard Bros., before I left Everybody's, I think.

Mr. JENNER. Was Robert working after school?

Mr. PIC. Yes; he was working at the A & P.

Mr. JENNER. Had he been working at the A & P after school from the previous fall?

Mr. PIC. This would be 1949. February 1949, and I am sure he was working at A & P and going to school at that time, some time during that period. He and I were both working and going to school, both.

So, in January 1949, I returned to high school, Arlington Heights High School, Fort Worth, Tex., and was a junior, 11th grade there.

The school session ended and then I attended summer school to make up for what I had lost at Paschal High School, Fort Worth, Tex.

Mr. JENNER. P-a-s-k-a-l?

Mr. PIC. P-a-s-c-h-a-l, sir; is the way they spell it, sir. I still had the job at Burt's. So I attended summer school at Paschal, the summer of 1949. September of 1949—

Mr. JENNER. Excuse me, what did Lee do now? Had he been in school in the fall and winter of 1948 and the winter and spring of 1949?

Mr. PIC. Yes, sir.

Mr. JENNER. All right. Now, vacation is here. What did he do during the summer? You went to school, and you worked at Burt's, what was he doing?

Mr. PIC. Playing around home. And going to this Camp Carter that we ran across in the letter, I guess, I don't remember.

Mr. JENNER. What was Robert doing during the summer?

Mr. PIC. He was working at the A & P, sir; I believe.

Mr. JENNER. Were both of you boys contributing to the support of your mother during this period?

Mr. PIC. Yes, sir.

Mr. JENNER. Both of you?

Mr. PIC. Yes, sir.

Mr. JENNER. Were you continuing to give your mother the \$15 a week you had started to give her in the fall of 1948?

Mr. PIC. Well, as far as I am concerned, being that I had no set income, I worked on a guaranteed salary of \$15 plus commissions my pay might fluctuate between \$20, \$35 a week depending on how good a week I had. And I prorated this accordingly with her.

Mr. JENNER. And was Robert contributing something as well?

Mr. PIC. Yes, sir; he was.

Mr. JENNER. Lee didn't work at any time?

Mr. PIC. No, sir.

Mr. JENNER. Did you ever recall Lee up through this time through the summer of 1949 doing any work?

Mr. PIC. No.

Mr. JENNER. He is now 10 years old?

Mr. PIC. No, sir.

Mr. JENNER. He didn't have any paper routes or do the things that a 10-year-old sometimes does?

Mr. PIC. No, sir.

Mr. JENNER. All right.

Mr. PIC. Yes, sir.

Mr. JENNER. We have now reached the fall of 1949.

Mr. PIC. Yes, sir; September 1949, I decided—well, let's go back to when I went back to high school.

Mr. JENNER. All right. It is January of 1949.

Mr. PIC. Yes, sir.

Mr. JENNER. Lee was at Ridglea.

Mr. PIC. OK. I figured since I was smart enough to decide to go back to high school and my mother tried to talk me out of it I felt it was my own doing and therefore it was my own responsibility, so I decided since that is the way she felt and that was the way I felt I would sign my own report cards and take care of my own notes and everything.

My hostility towards her increased at this time because she pushed me to work and make money, and I knew an education, as much as I could get would be the best thing for me.

Since I took on the responsibility of going back to school I figured I could take care of the rest of it and I wanted nothing from her in this regard. This I did. I signed my own report card, wrote my own notes when I played hooky and missed school.

Mr. JENNER. Signing her name?

Mr. PIC. Yes, sir; so in—

Mr. JENNER. By the way what kind of a student were you?

Mr. PIC. I was a pretty good student at Chamberlain-Hunt. I had an A-B average at Chamberlain-Hunt, I believe, I did not do too good in the public schools, it was a little bit different, in Chamberlain-Hunt. The classes being a little larger, no individualized concern, just mass teaching. This was a little hard for me to adjust to. I did, I think I had a B or C average at Arlington Heights.

My summer school session, I think I maintained a B-C average. Maybe an A in one subject. So that in the 1949, the summer of 1949, I went to Paschal High School for the summer session, and I decided at this time that I liked Paschal better than Arlington Heights, so I fixed up my own transfer papers and I transferred to Paschal High School in the fall of 1949, which I did enjoy the school better.

Arlington Heights was rather a snobbish school, the rich kids went there and everything, and being I was enrolled in what was called distributive education which means you go to school and work part time you are kind of looked down upon in these type schools. But in Paschal it wasn't that way. The kids weren't snobbish and they weren't so high class, the majority of them.

I didn't do too good that particular year. I was working pretty hard, and I think I flunked one subject. So right after the Christmas holidays 1949, I was

coming towards my 18th birthday and I decided I had just about finished school and I would be graduated, if I passed everything I would, and I decided to join the service, the Coast Guard, and then I processed my paper work, and 3 days prior to graduation I quit school and joined the Coast Guard.

At this time to get in the Coast Guard was rather hard to do. You had to get on a waiting list and when they called you and you didn't show up for it you didn't get in maybe for 6 months or so. I joined the Coast Guard because it was the hardest service to get into. I wasn't interested in the Army or the Marine Corps or the Navy. I took the one that was hardest, the hardest requirement and I got into it.

So, in January, approximately 25 January 1950 I joined the Coast Guard, and left for Cape May, N.J. I did not see Robert, Lee, or my mother until October 1950, 9 months later.

Mr. JENNER. October of 1959?

Mr. PIC. No, sir; 1950. 1950.

Mr. JENNER. Before we get to that or probe that any further, Lee returned to school in the fall of 1949?

Mr. PIC. That is right.

Mr. JENNER. He was still at Ridglea Elementary, then?

Mr. PIC. As far as I know, sir.

Mr. JENNER. What was his general attitude and his activities during this period 1948, 1949, through the summer of 1949.

Mr. PIC. Sir; I was 17 years old, I wasn't interested in what an 8-9-year old kids activities were in school. I mean I had girls on my mind and other things like that, you know.

Mr. JENNER. Yes.

Mr. PIC. To be honest with you.

Mr. JENNER. Yes, of course. What was your impression of him at that time?

Mr. PIC. He would get into his trouble, and maybe he would have trouble with a neighbor now and then about walking across their lawn or something. I remember once there was a fight on the bus because of Lee that my brother Robert got beat up because. Robert probably would remember that better than I did.

Mr. JENNER. I don't know whether he mentioned that.

Mr. PIC. I know he got his rear end whipped because of Lee.

Mr. JENNER. All right.

You entered the Coast Guard, and then you didn't see either of your brothers or your mother from the time of your enlistment in January of 1950.

Mr. PIC. That is right.

Mr. JENNER. Until when?

Mr. PIC. October 1950, sir. Early October 1950.

Mr. JENNER. What was that occasion?

Mr. PIC. I went back home on leave, back to Fort Worth on leave, sir.

Mr. JENNER. How long were you home on leave?

Mr. PIC. I think I took 20 days' leave. I think I stayed there 15, 16, something like that, about 2 weeks.

Mr. JENNER. What was the general atmosphere around the house at that time?

Mr. PIC. Well, everybody was glad to see me. I was—well, I come home with a couple of hundred dollars, you know a sailor off the high seas always saves his money and the mother right away wanted to hold it for me and so she conned me into that, and she let me have a few dollars of my own.

Then I spent most of my time looking up old girl friends and things, and visiting Mr. Conway. He and I were always playing chess together.

Mr. JENNER. Mr. Conway, I took his deposition.

Mr. PIC. Yes, very nice man.

Mr. JENNER. He spoke of playing chess with you a great deal.

Mr. PIC. Yes, sir.

Mr. JENNER. I had forgotten that. Lived across the street.

Mr. PIC. No, sir; about five doors, four doors to the right of us.

Mr. JENNER. On the same side of the street?

Mr. PIC. Same side.

Mr. JENNER. Hiram Conway.

Mr. PIC. Hiram P. Conway.

Mr. JENNER. You then returned to the service?

Mr. PIC. Yes. I reported back to my ship.

Mr. JENNER. When next did you see your mother or Lee or Robert?

Mr. PIC. August 1952, sir.

Mr. JENNER. When you were back in the fall of 1950, was Lee in school?

Mr. PIC. Yes, sir; as far as I know.

Mr. JENNER. At Ridglea Elementary?

Mr. PIC. Yes, sir; as far as I know.

Mr. JENNER. Robert was still in school. He is now 16½ years of age?

Mr. PIC. I don't know if he was. Going through those letters there was a time period he was in school, out of school. I don't really remember. I don't think he was in school when I returned on leave.

Mr. JENNER. What was he doing?

Mr. PIC. A & P, sir.

Mr. JENNER. Working. Are you now and were you then aware of the fact that your father contributed to your support during all the years actually until you reached your 18th birthday?

Mr. PIC. Yes, sir; that is when I decided to make it all on my own since she reminded me of the fact that she wouldn't get no money after I was 18 so that was one thing that contributed to me deciding to leave.

Mr. JENNER. Were you aware during all these years of what the amount of that contribution was?

Mr. PIC. No, sir; I wasn't.

Mr. JENNER. But you were aware of the fact that your father was making contributions?

Mr. PIC. I was always told it wasn't enough, sir.

Mr. JENNER. Apart from that you were aware of the fact your father was making contributions?

Mr. PIC. Right. She reminded me the day I became 18 that the payments stopped right then and there.

Mr. JENNER. The fact is that they did.

Mr. PIC. I know. I have no reason to doubt that. What was the amount? (Discussion off the record.)

Mr. JENNER. When you were in the service did you make any allotment to your mother?

Mr. PIC. No, sir.

Mr. JENNER. Did you send her any money at any time while you were in the service?

Mr. PIC. Quite frequently, sir.

Mr. JENNER. Tell us about that. Tell us as best you can the amount.

Mr. PIC. When I was in boot camp from January 1950 to May 1950, the only amount they paid us was \$15 every 2 weeks and they held back the rest of our pay until we would graduate and then we would have money to go to our next station with. They do this to recruits. I don't remember if I sent any of this 15 or not, sir.

Mr. JENNER. Did you send any of the excess when you got it?

Mr. PIC. In those letters I presented you could add them up and see how much I sent in the year 1950. I think I sent \$10, \$20 at a time when I had it. I was making \$80 a month. How much could I send and still be a sailor?

Mr. JENNER. This is not in any sense a criticism, sergeant. All I am doing is seeking some facts.

Mr. PIC. Well, sir, in the letters she refers to 10, 20, 40, sometimes.

Mr. JENNER. I show you John Pic Exhibits Nos. 48 and 59, and referring to No. 48, at the bottom of which is written Lee, age 2½. Would you identify that, please?

Mr. PIC. Yes, sir; this is Lee Harvey Oswald age 2½ as the picture states written in the handwriting of Mrs. Marguerite Oswald. This picture was taken at Lillian Murret's at Sherwood Forest Drive.

Mr. JENNER. That was your aunt's home in Sherwood Forest, New Orleans.

Mr. PIC. Yes, sir; I am sure of that.

Mr. JENNER. I show you John Pic Exhibit No. 49 which—would you identify that?

Mr. PIC. Yes, sir; this is a picture of Lee Harvey Oswald, I guess at the same time, with a dog, and I am sure this was taken at Lillian Murret's in Sherwood Forest Drive.

Mr. JENNER. At the same time that John Pic Exhibit No. 48 was taken?

Mr. PIC. Yes; I think so.

Mr. JENNER. All right. I hand you now John Pic Exhibit No. 56, a photograph of a young man. Would you identify that as to time and place if you can, and age, his age, the subject's age?

Mr. PIC. Sir, this is a picture of Lee Harvey Oswald which I believe to have been taken when he was in about the second or third grade.

Mr. JENNER. That would be when you were living in Dallas?

Mr. PIC. Fort Worth, sir.

Mr. JENNER. Fort Worth, yes; 7408 Ewing.

Mr. PIC. Yes, sir.

Mr. JENNER. I hand you John Pic Exhibits Nos. 57 and 58. I don't know which depicts this young man at the younger age. Take the younger one.

Mr. PIC. Exhibit No. 57, sir, I believe was taken either in late 1951 or early 1952, and it shows a picture of Lee Harvey Oswald approximately how he looked when he came to New York to stay with my wife and I in August of 1952.

Exhibit No. 58, to my best recollection, I think, is a picture sent to me by my mother in approximately 1954, 1955, maybe in 1956, from New Orleans, La. It is a picture of Lee Harvey Oswald.

Mr. JENNER. It is after they returned to New Orleans?

Mr. PIC. I am pretty sure that picture was taken in New Orleans.

Mr. JENNER. All right. I offer in evidence John Pic Exhibits Nos. 48, 49, 56, 57, and 58.

(John Pic Exhibits Nos. 48, 49, 56, 57, and 58 were marked for identification.)

Mr. JENNER. What were the circumstances surrounding and leading up to your mother and Lee coming to New York City in the summer of 1952?

Mr. PIC. I think this was brought on because Robert joined the service sometime previous to that. That would be about right, April 1952, did he join the service. I don't know when. He wasn't there at the time. He was in the service when they came.

Mr. JENNER. Yes. He entered the service as soon as he reached his majority.

Mr. PIC. So that would be April 1952.

Mr. JENNER. Was there an incident respecting, between Robert and your mother and some young lady in which, in whom he was interested just before he entered the service?

Mr. PIC. Yes, sir.

Mr. JENNER. You came to know about that?

Mr. PIC. Yes, sir.

Mr. JENNER. By what means?

Mr. PIC. By way of my mother, sir.

Mr. JENNER. All right, what was it?

Mr. PIC. Robert had been seeing this girl and she had a club foot. My mother didn't feel that they should be married. He wanted to marry her, and she conned him out of it.

Mr. JENNER. All right. Had you received any letters from Robert on that subject at anytime?

Mr. PIC. No, sir.

Mr. JENNER. Between the time you were home in October of 1950 and the summer of 1952, had you seen your mother or either of your brothers?

Mr. PIC. No, sir.

Mr. JENNER. All right. Now, my question to you was what led up to and what were the circumstances involving or surrounding the visit of your mother and Lee to New York in the summer of 1952.

Mr. PIC. Well, Robert had joined the service in April 1952. It was the summer months, so Lee was not in school, and the trip to New York was feasible, being Lee would have no schooltime lost, it was my impression and also my wife's—meanwhile, I was married, you know, if you are interested in this.

Mr. JENNER. Yes; I am.

Mr. PIC. August 18, 1951, I married my wife Margaret Dorothy Fuhrman.

Mr. JENNER. You had met her after you had entered the service and while you were stationed in the New York area?

Mr. PIC. That is correct, sir.

Mr. JENNER. At this time, that is the summer of 1952 you were living where?

Mr. PIC. 325 East 92d Street, sir.

Mr. JENNER. Did you have any children at that time?

Mr. PIC. In August 1952; yes, sir. I did.

Mr. JENNER. Your first child was born?

Mr. PIC. Yes, sir; John Edward Pic, Jr.

Mr. JENNER. Was the child born before or after your mother and Lee arrived.

Mr. PIC. Before, sir.

Mr. JENNER. All right.

Mr. PIC. He was born 14 May 1952, approximately 3 months before they arrived.

Mr. JENNER. All right. Did you invite your mother and Lee to come to New York?

Mr. PIC. The impression that my wife and myself had was they were coming to visit, sir, and we had nothing against this. My mother-in-law, we lived with her at the time, she was visiting her other daughter, Mrs. Emma Parrish, in Norfolk, Va., she was staying with them, so we had the room for them.

Mr. JENNER. But that was your mother's apartment or home?

Mr. PIC. Mother-in-law's.

Mr. JENNER. Was it an apartment or a home?

Mr. PIC. Yes, sir; it was a box, freight-car type railroad apartment.

Mr. JENNER. One room in back of the other?

Mr. PIC. Yes, sir.

Mr. JENNER. So you were then guests of your mother-in-law at that particular time, that is, living in her home or apartment? And your impression was that your mother and Lee they were just visiting for the summer months or for a period, to visit for the summer months or a period during the summer that was your definite impression.

Mr. PIC. That is correct, sir.

Mr. JENNER. All right, what happened?

Mr. PIC. At this time I was stationed at U.S. Coast Guard, Port Security Unit, Ellis Island, New York. My status there, I was, I worked once every fourth night, also every fourth weekend so I wasn't home all the time. When they came I took leave so I could spend more time with them.

Mr. JENNER. "I took Lee," would you elaborate on that? What do you mean you took Lee.

Mr. PIC. I am allowed 30 days leave a year and I took off, I took a week or so, I think.

Mr. JENNER. I misunderstood you, I thought you said you took Lee but you said you took leave.

Mr. PIC. Leave.

Mr. JENNER. You took 30 days leave.

Mr. PIC. No, sir; maybe a week or two.

Mr. JENNER. What was your impression, you were with them or tried to be with them during that 2-week period.

Mr. PIC. Just a minute, sir. That is where I began my notes. August 1952, my mother and Lee came to New York. They brought with them quite a bit of luggage, and their own TV set. On my way home I had to walk about 8 to 10 blocks to the subway, and Lee walked up to meet me as I was walking home, I told my wife and Lee decided to go up and meet me. We met in the street and I was real glad to see him and he was real glad to see me. We were real good friends. I think a matter of a few days or so I took my leave. Lee and I visited some of the landmarks of New York, the Museum of Natural History, Polk's Hobby Shop on 5th Avenue. I took him on the Staten Island ferry, and several other excursions we made.

Mr. JENNER. Go ahead.

Mr. PIC. Well, sir; it wasn't but a matter of days before I could sense they moved in to stay for good, and this not being my apartment, but my mother-in-law's apartment, my wife kind of frowned upon this a little bit. We didn't

really mind as long as my mother-in-law wasn't there, but she was due back in a matter of a month or so.

During my leave I was under the impression that I may get out of the service in January of 1953, when my enlistment was up, so I went around to several colleges. My mother drove me to these colleges, Fordham University, for one, and Brooklyn, some college in Brooklyn, a couple of other ones I inquired about. I remember one conversation in the car that she reminded me that even though Margy was my wife, she wasn't quite as good as I was, and things like this. She didn't say too many good things about my wife. Well, naturally, I resented this, because I put my wife before my mother any day.

Things were pretty good during the time I was on leave. When I went back to work I would come home my wife would tell me about some little problem they would have. The first problem that I recollect was that there was no support for the grocery bill whatsoever. I don't think I was making more than \$150 a month, and they were eating up quite a bit, and I just casually mentioned that and my mother got very much upset about it. So every night I got home and especially the nights I was away and I would come home the next day my wife would have more to tell me about the little arguments. It seems it is my wife's impression that whenever there was an argument that my mother antagonized Lee towards hostility against my wife.

My wife liked Lee. My wife and I had talked several times that it would be nice if Lee would stay with us alone, and we wouldn't mind having him. But we never bothered mentioning this because we knew it was an impossibility.

It got toward schooltime and they had their foothold in the house and he was going to enroll in the neighborhood school, and they planned to stay with us, and I didn't much like this. We couldn't afford to have them, and took him up to enroll in this school.

Mr. JENNER. You did?

Mr. PIC. No, sir; my mother did. I think this is a public school in New York City located on about 89th, 90th Street between Third Avenue and Second Avenue. Lee didn't like this school. I didn't much blame him.

Mr. ELY. When you visited these colleges, had you received credit for finishing high school somehow?

Mr. PIC. No.

Mr. JENNER. Did you hear anything to the effect that the reason why your mother and Lee had come to New York had anything to do with Lee's being given some sort of mental tests?

Mr. PIC. No, sir.

Mr. JENNER. Was there a period of time just before the enrollment of Lee in the New York Public School, that he attended for about a month a Lutheran denominational school?

Mr. PIC. I don't know, sir. I am not up to that yet.

Mr. JENNER. I see. All right.

Mr. PIC. At about the same time that Lee was enrolled in school that we had the big trouble. It seems that there was an argument about the TV set one day, and—between my wife and my mother. It seems that according to my wife's statement that my mother antagonized Lee, being very hostile toward my wife and he pulled out a pocketknife and said that if she made any attempt to do anything about it that he would use it on her, at the same time Lee struck his mother. This perturbed my wife to no end. So, I came home that night, and the facts were related to me.

Mr. JENNER. When the facts were related to you was your mother present, Lee present, your wife present? If not, who was present?

Mr. PIC. I think my wife told me this in private, sir. I went and asked my mother about it.

Mr. JENNER. Your mother was home?

Mr. PIC. Yes, sir; she was home.

Mr. JENNER. You went and spoke with your mother?

Mr. PIC. Yes, sir.

Mr. JENNER. Was Lee present when you spoke to your mother?

Mr. PIC. No, sir.

Mr. JENNER. What did you say to your mother and what did she say to you?

Mr. PIC. I asked her about the incident and she attempted to brush it off as not being as serious as my wife put it. That Lee did not pull a pocketknife on her. That they just had a little argument about what TV channel they were going to watch. Being as prejudiced as I am I rather believed my wife rather than my mother.

Mr. JENNER. Did you speak to Lee about the incident?

Mr. PIC. I am getting to that, sir. So I approached Lee on this subject, and about the first couple of words out of my wife he became real hostile toward me, and let me get my notes on it. When this happened it perturbed my wife so much that she told them they are going to leave whether they liked it or not, and I think Lee had the hostility toward my wife right then and there, when they were getting thrown out of the house as they put it.

When I attempted to talk to Lee about this, he ignored me, and I was never able to get to the kid again after that. He didn't care to hear anything I had to say to him. So in a matter of a few days they packed up and left, sir. They moved to the Bronx somewhere.

Mr. JENNER. Did you see them from time to time thereafter?

Mr. PIC. Yes, I can continue if you wish. Unless you want to stop there and ask me something about it.

Mr. JENNER. Well, at this point, yes, I would like to ask you this: You hadn't seen them from October of 1950 until the summer of 1952. Did you notice any change in him, his overall attitude, his relations with his mother, his demeanor, his feelings towards others, his actions toward others?

Mr. PIC. He was definitely the boss.

Mr. JENNER. Now, tell us on what you base that?

Mr. PIC. I mean if he decided to do something, regardless of what my mother said, he did it. She had no authority whatsoever with him. He had no respect for her at all. He and my wife got along very well together when they were alone, when she wasn't present, she and Lee got along very well. She always reminded me of this.

Mr. JENNER. Your wife reminded you of that?

Mr. PIC. Yes, sir. Without my mother present she could make it with Lee.

Mr. JENNER. But as soon as your mother came within contact with Lee in your home, then the attitude changed?

Mr. PIC. That is correct, sir.

Mr. JENNER. Up to this incident when this knife pulling incident occurred, how had your relations with Lee been?

Mr. PIC. Been very good, sir. He and I had gone on all these excursions throughout New York City, and I tried to show him what I could, and spend as much time as I could with him.

Mr. JENNER. You found him to have—he was interested in that sort of thing?

Mr. PIC. Yes, sir; he loved to go to the Museum of Natural History, anything like that he liked.

Mr. JENNER. Did you speak to him about this relationship he appeared to have with his mother in which he minded her or not as he saw fit and did as he wished?

Mr. PIC. Not until the knife pulling incident.

Mr. JENNER. And you did discuss that subject with him on that occasion?

Mr. PIC. I attempted to, sir.

Mr. JENNER. Did you attempt to do it thereafter when you saw him from time to time?

Mr. PIC. Sir, he would have nothing to do with me thereafter.

Mr. JENNER. He would not.

Mr. PIC. No, sir; he wouldn't even speak to me.

Mr. JENNER. There was an absolute, complete change then in his relations with you?

Mr. PIC. Yes, sir; that is correct.

Mr. JENNER. It was a marked one?

Mr. PIC. That is correct. I have a couple of more incidents in which I can relate that even more so.

Mr. JENNER. Would you do that?

Mr. PIC. Well, the day they moved out they had done this before I came home from work.

Mr. JENNER. They had moved out before you came home from work?

Mr. PIC. That is correct, sir. To elaborate, in my notes I have "after I approached Lee about this incident his feelings toward me became hostile and thereafter remained indifferent to me and never again was I able to communicate with him in any way."

Mr. JENNER. Sergeant, if you can, instead of just reading from your notes, read your notes, and if they refresh your recollection and then give in your own words the facts.

Mr. PIC. Well, prior to this particular incident, I would consider us the best of friends as far as older brother-younger brother relationship. My wife always says that he idolized me and thought quite a bit of me.

Mr. JENNER. Up to this time, the relationship between you and your brother Lee, and your brother Robert, all three of you, had been a cordial normal friendly relationship that you expect to exist among brothers?

Mr. PIC. That is correct, sir.

Mr. JENNER. What was your nickname?

Mr. PIC. Pic.

Mr. JENNER. What was your brother Robert's nickname?

Mr. PIC. In Chamberlain-Hunt we referred to him as "Mouse". I think that hung on a while after that.

Mr. JENNER. What nickname did he have before that?

Mr. PIC. None that I recall.

Mr. JENNER. Why did he get that? Was he a quiet boy?

Mr. PIC. He was the littlest one in Chamberlain-Hunt and that was why they called him that.

Mr. JENNER. I see, size.

Mr. PIC. Yes, sir.

Mr. JENNER. Did Lee ever have a nickname?

Mr. PIC. Not that I know of, sir.

Mr. JENNER. You had the feeling, did you, up until this incident at least that Lee is a young boy, 7 years younger than you, and his brother Robert 5 years older than he, and he looked up to both of you as older brothers?

Mr. PIC. That is correct, sir.

Mr. JENNER. And you had, both you and your brother Robert had love in your heart for your brother Lee?

Mr. PIC. That is correct, sir.

Mr. JENNER. And you felt he reciprocated that?

Mr. PIC. That is correct, sir.

Mr. JENNER. And the relationship between yourself and your brother Robert was cordial?

Mr. PIC. They always have, and still are, sir.

Mr. JENNER. I may say to you that he so testified. All right.

Mr. PIC. So they moved out in about September 1952, maybe it was late September, early October, somewhere around there, so from about somewhere between September of 1952 and January 1953, my brother Robert came to New York on leave, and we were all invited up to the Bronx.

Mr. JENNER. To visit whom?

Mr. PIC. Sir?

Mr. JENNER. To visit whom?

Mr. PIC. To visit my mother and my brother.

Mr. JENNER. Your brother?

Mr. PIC. That is correct.

Mr. JENNER. Did your brother's wife accompany him?

Mr. PIC. He wasn't married at that time, sir.

Mr. JENNER. He wasn't married?

Mr. PIC. I think this was, his leave was probably in October or November 1952, a matter of a month or two after they had moved out. We visited their apartment in the Bronx.

Mr. JENNER. Excuse me, where did your brother stay?

Mr. PIC. I think he stayed at the Soldier-Sailor-Airmen Club in New York.

Mr. JENNER. In any event he did not stay with you.

Mr. PIC. No, sir; he may have stayed with my mother also. I don't think so. Maybe for a night or two. We went out, my wife fixed him up with a date with one of her girl friends and we went out together a couple of times. So, we were invited up there for this Sunday dinner. So it was my mother, Lee, Robert, my wife, myself, and my son.

Robert was already there when we arrived. When Lee seen me or my wife he left the room. For dinner he sat in the front room watching TV and didn't join us whatsoever.

Mr. JENNER. He did not join you for dinner?

Mr. PIC. No, sir. Didn't speak to me or my wife.

Mr. JENNER. That put a kind of pall on the visit, did it not?

Mr. PIC. Yes, sir.

Mr. JENNER. Did you—he didn't speak to you. Did you attempt to speak with him?

Mr. PIC. Yes, sir; I did.

Mr. JENNER. Did he answer you?

Mr. PIC. He shrugged his shoulders a couple of times maybe. He wasn't interested in anything I had to say.

Mr. JENNER. He was definitely hostile to you and to Mrs. Pic?

Mr. PIC. Yes, sir.

Mr. JENNER. And that continued throughout the entire visit that evening or was it an evening?

Mr. PIC. It was early afternoon until dusk. We did have an infant son we had to get home.

Mr. JENNER. Was it a Sunday or Saturday?

Mr. PIC. I am sure it was a Sunday. In January 1950—

Mr. JENNER. Excuse me, what did you observe with respect to the attitude of Lee toward his mother on that occasion?

Mr. PIC. When he was eating he came and got what he wanted, picked up his plate, went to the living room and watched TV. He decided what he wanted to eat and maybe she helped him. I don't really remember too much about it. I know he did not eat with us.

Mr. JENNER. Did you notice his relation, if any, with Robert?

Mr. PIC. From what I was told later and so forth when I wasn't present him and Robert got along real good.

Mr. JENNER. Excuse me. My question was did you observe on this occasion.

Mr. PIC. There was nothing to observe while I was present, sir. He was completely withdrawn from the crowd.

Mr. JENNER. He withdrew from everybody?

Mr. PIC. That is correct, sir.

Mr. JENNER. All right.

Mr. PIC. Personally, I didn't know if he was more hostile towards me or my wife. I still don't know this fact. Maybe it was her, maybe it was me, maybe it was both of us.

In January 1953, I did reenlist in the Coast Guard. I decided to stay in rather than quit, and so forth.

Mr. JENNER. From the time of that October visit of Robert to January 1953, did you see Lee at any time during that period?

Mr. PIC. No, sir; I did not. I seen my mother on several occasions. She was working on 42d Street in a Lerner's Dress Shop. I guess I would see her maybe once every 3 weeks to once a month, we dropped downtown, my wife and I, to see her.

Mr. JENNER. What did she say about Lee during that time when you saw her on those occasions?

Mr. PIC. Whenever I seen her, whether I was alone or with my wife, I was usually alone, I went to see her myself, my wife didn't care to see my mother, she would complain about her financial status and when I would ask her about how Lee was doing she would say, "OK" but would not elaborate.

Said "He is OK, but he doesn't have a brother, an older brother to talk to or no one to do anything with."

Mr. JENNER. During this period of time and up to January 1953, in any of the

contacts you had with your mother did you learn or were you advised or did you become aware that there was difficulty with Lee with respect to truancy in attendance at school?

Mr. PIC. I am not quite there, sir.

Mr. JENNER. All right. The answer is, I take it, that up to this point of January 1953 you were not aware.

Mr. PIC. That is correct, sir.

Mr. JENNER. Despite the fact that you had seen your mother from time to time during that period?

Mr. PIC. That is correct, sir.

Mr. JENNER. All right, we are at January 1953, when you reenlisted in the Coast Guard.

Mr. PIC. That is right. So in February 1953, my wife and I were again invited to their apartment. This may or may not have been the same apartment we originally visited. I don't remember, sir. I know it was up in the Bronx. I think it may have been a different apartment. Is that right?

Mr. JENNER. Yes.

Mr. PIC. As my wife and I walked in, Lee walked out and my mother informed us that he would probably go to the Bronx Zoo. We had Sunday dinner, and in the course of the conversation my mother informed me that Lee was having a truancy problem and that the school officials had suggested that he might need psychiatric aid to combat his truancy problem.

She informed me that Lee said that he would not see a head shrinker or nut doctor, and she wanted any suggestions or opinions from me as to how to get him to see him, and I told her just take him down there. That is all I could suggest.

Mr. JENNER. What was her response to that?

Mr. PIC. Well, Lee was still the boss. If he didn't want to go see the psychiatrist, he wasn't going.

Mr. JENNER. She had no control over him?

Mr. PIC. No, sir.

Mr. JENNER. And you were quite aware of that, were you?

Mr. PIC. Yes, sir.

Mr. JENNER. Did you discuss that with her?

Mr. PIC. No, sir; she discussed it with me. I mean she told me that she couldn't control him and so forth. This I knew.

Mr. JENNER. Did you get the impression from anything she said to you that this truancy or this lack of control problem had been something that had suddenly arisen or—

Mr. PIC. I think it was gradual, and getting worse and worse as time went by.

Mr. JENNER. Sergeant, when you were still home and up to the time you enlisted which was in January 1950, had there been any control problems with respect to Lee? In other words, had you noticed this problem developing, any headstrong attitudes on his part? Cudgel your mind and take yourself back.

Mr. PIC. I would say, sir, that whenever there was a disciplinary problem to be taken care of that it wasn't enforced with Lee by his mother prior to 1950. She always reminded Robert and I that we were the older and we should see to these things that he don't do them and so forth.

Mr. JENNER. What did you and Robert do about it?

Mr. PIC. Not much, sir.

Mr. JENNER. Did you speak to him? You were his older brother. He had the love and affection for you?

Mr. PIC. Well, sir; what was serious to her probably wasn't serious to a 13- and 15-year old kid or 14-16. There was no big troubles he got into that any kid does.

Mr. JENNER. What did you notice up until the time you enlisted in January 1950, of Lee's relations with other children in the neighborhood or his schoolmates. What was your overall impression, first?

Mr. PIC. To my best recollection, sir; there were no other children in the neighborhood of his age group that he played consistently with. I think most of the time he went to play with other children it was a matter of a couple, couple of blocks away or so, with his own age group.

Mr. JENNER. Was he inclined to remain in the house rather than go out and play with other children?

Mr. PIC. Yes, sir; he was more inclined to stay in the house than go out and play.

Mr. JENNER. Was that noticeable to you?

Mr. PIC. I wasn't there that much, sir; I was working and going to school, both. I wasn't there to observe this.

Mr. JENNER. I see.

Mr. PIC. Except maybe on a weekend occasionally.

Mr. JENNER. But you did notice that when they came to New York in 1952, particularly in the fall of 1952, that by that time he had become quite headstrong?

Mr. PIC. Yes, sir.

Mr. JENNER. And that his mother and your mother Marguerite, had pretty well lost any influence or control over him?

Mr. PIC. That is absolutely true, sir.

Mr. JENNER. All right. Now, we brought you up to enlistment in January 1953.

Mr. PIC. On the occasion when we visited them in February 1953.

Mr. JENNER. Yes.

Mr. PIC. At this same time in February 1953, I received orders to go aboard ship again, so from the time period February 1953, until September 1953, I was in and out of New York at sea.

Mr. JENNER. Did you see either your mother or Lee during that period of time?

Mr. PIC. I did not see Lee after the February visit, sir. I had seen her on several occasions.

Mr. JENNER. During this——

Mr. PIC. Downtown where she worked.

Mr. JENNER. She was still working in Lerner's in the spring and summer of 1953 or had she changed jobs?

Mr. PIC. To my best recollection it was still Lerner's.

Mr. JENNER. Do you recall her working at a hosiery shop during this period of time rather than Lerner's?

Mr. PIC. I wouldn't remember, sir.

Mr. JENNER. She might have been but you just don't have a recollection?

Mr. PIC. Wherever she was working at the time, I mean she shifted jobs quite often and it is kind of hard keeping track of them.

Mr. JENNER. Did she have difficulty with her employers, get along with fellow workers at these various shops?

Mr. PIC. Whenever she changed jobs she always gave me a rationalized answer.

Mr. JENNER. Well, that is a conclusion. Tell me what it was.

Mr. PIC. I remember once, it may have been the Lerner shop or it may have been this hosiery shop which you are referring to, that she told me that they let her go because she didn't use an underarm deoderant. That was the reason she gave me, sir. She said she couldn't do nothing about it. She uses it but if it don't work what can she do about it.

Other times whenever she changed jobs it was always because the next job was better.

Mr. JENNER. During the time, on the occasions when you saw her, which was relatively infrequent from January of 1953 to, what is the next date you gave, September of 1953?

Mr. PIC. August-September 1953.

Mr. JENNER. August of 1953, September of 1953, was there any discussion with her about Lee?

Mr. PIC. When I asked about him it was the same old stuff, he is getting along better. She would tell me that he still doesn't have anybody to confide in, things like this.

Mr. JENNER. Was there any further discussion about truancy, any possibility of care for him by a psychiatrist?

Mr. PIC. No, sir; when I asked about this she said everything was working out fine.

Mr. JENNER. All right.

Mr. PIC. Whenever I would meet her it would be the same old song and dance, like hinting around I should help support her which I couldn't afford to do, sir.

Mr. JENNER. You had a wife and child by that time?

Mr. PIC. Yes, sir.

Mr. JENNER. What was your compensation?

Mr. PIC. For what, sir?

Mr. JENNER. In the service at this time.

Mr. PIC. I was petty officer, second class, I guess my base pay was maybe \$190, plus extras, quarters allowances, maybe total \$300 a month.

Mr. JENNER. Was your wife still residing with your mother-in-law?

Mr. PIC. Yes, sir.

Mr. JENNER. And were you contributing to the support of that whole family unit?

Mr. PIC. Yes, sir.

Mr. JENNER. Mother-in-law, wife and child?

Mr. PIC. Yes, sir; I was paying the rent and buying the groceries. In fact, that year I claimed my mother-in-law as a dependent on my income tax, sir.

Mr. JENNER. By the way, you had claimed, did you, at some point in your service your mother as a dependent?

Mr. PIC. In one of her letters she refers to that. I don't recollect that, sir. I think it was prior to my joining the service that she referred to. When I was working full time, maybe the year right after, I don't remember, sir, that incident at all.

Mr. JENNER. All right.

Mr. PIC. Well, on these visits that I would spend with her downtown, we would eat lunch or something on Saturday. It got old after a while listening to her so I knew I was getting transferred to Virginia in September, 1953, so my wife left in August of 1953 to live with her sister until I was stationed there in September, 1953.

Mr. JENNER. Where did her sister live?

Mr. PIC. Norfolk, Va. And I was to be stationed at Portsmouth, Va., at the Naval hospital there for school purposes.

When I did finally get transferred from the ship to Portsmouth, Va., I did not make known to my mother our whereabouts or our address.

Mr. JENNER. Why not?

Mr. PIC. Like I said, sir; it was getting kind of old. The only time I had seen her would be downtown and she didn't have much to say to me and I didn't have too much to say to her.

Mr. JENNER. During this period of time there came about a substantially complete rupture then between yourself and your mother?

Mr. PIC. To a certain degree.

Mr. JENNER. Did you see your brother at any time thereafter?

Mr. PIC. No, sir; I did not.

Mr. JENNER. Was there an occasion in Thanksgiving 1962 when you saw him?

Mr. PIC. Yes, sir; I can get to that. There are things happened prior to that.

Mr. JENNER. You did see him—

Mr. PIC. No, sir; I did not see him. I seen my mother.

Mr. JENNER. I see. All right; go ahead.

Mr. PIC. I returned from Portsmouth, Va., in April 1954, sir; and took up residency at 80 St. Marks Place, Staten Island, N.Y. We returned really to 325 East 92d Street, stayed there a matter of a couple of days until I found us a place to live in Staten Island and then my wife and I moved over to Staten Island leaving my mother-in-law in the apartment, being I felt because my wife had six brothers and sisters that they could worry about her. I didn't see that it was my responsibility much longer. My wife was the youngest child, and we lived there almost 2 years.

I was then assigned to the U.S. Coast Guard Cutter *Halfmoon*, which is a weather vessel, and this is where I am in and out for 6-, 7-week periods at a

time. It was during this time that she wrote me at the base, my mother, and informed me that they were back in New Orleans, and you have the letters referring to this, sir.

It was either sometime in the fall of 1955 or the winter of 1956 that my mother called me from New Orleans.

Mr. JENNER. By telephone?

Mr. PIC. Yes, sir; and said she wanted to visit again.

Mr. JENNER. You were then in New York?

Mr. PIC. Yes, sir; well, Lee was still with her, and my wife frowned upon this, and being that we did have a one-bedroom apartment, and we did have two children at this time there was no way at all we could accommodate two of them. She was very upset about this that I wouldn't have her up. There was nothing I could do about it, though. I knew if she came up they were coming up to stay, and I didn't want a repeat of what we had. So in February 1956, I joined the Air Force and was stationed at Mitchel Air Force Base in New York which is about 30, 40 miles east of New York City. In October 1956, Lee joined the Marine Corps.

Mr. JENNER. How did that come to your attention?

Mr. PIC. My mother informed me of this fact.

Mr. JENNER. By letter?

Mr. PIC. We were writing again. So, it was just a matter of corresponding by mail up until the Christmas holidays of 1957 when my mother—let me make sure that date is right—I am fairly certain, sir; that it was the Christmas holidays of 1957 rather than the Christmas holidays of 1958—that she visited us.

Mr. JENNER. She did come to New York?

Mr. PIC. Right. She come to—we had moved to 104 Avenue C East Meadow, on Long Island. I had two children but we had a 3-bedroom apartment which was part of base housing and we could accommodate her here.

She came from Fort Worth when she arrived. Somehow or another between New Orleans and this visit she and Lee had gone back to Fort Worth.

Mr. JENNER. You were aware of the fact she had returned to Fort Worth?

Mr. PIC. Yes, sir.

Mr. JENNER. And you learned that through correspondence?

Mr. PIC. Yes, sir.

Mr. JENNER. With her.

Mr. PIC. Yes, sir; her position at that time, so she told us, was that she was a greeter for the city of Fort Worth. She would welcome people to town and things like this.

Mr. JENNER. I think she was employed for a while in an organization called Welcome Wagon. That is a national organization.

Mr. PIC. When she was employed is when she visited us. I think this was Christmas of 1957, is that right?

Mr. ELY. I think that would be the same thing probably, Welcome Wagon greets people.

Mr. PIC. Is this 1957 when she had that job?

Mr. JENNER. I am not sure of the date but it is true that during that, when she returned to Fort Worth sometime along there she did have a position of that character.

Mr. PIC. She stayed over the Christmas holidays, left approximately the 10th of January, sometime.

Mr. JENNER. Did you have conversations here about Lee during that time?

Mr. PIC. Yes, sir.

Mr. JENNER. What did she say?

Mr. PIC. Lee was in the Marine Corps, Lee was very happy to be in the Marine Corps, Lee was proud to be in the Marine Corps. Lee loved the Marine Corps. He just liked it.

Mr. JENNER. I see. What had occurred to Robert in the meantime? This is December of 1957. Was he still in the service?

Mr. PIC. No, sir; he was not, I don't believe. I think he had gotten discharged and gotten married, was residing in Fort Worth with his wife.

Mr. JENNER. He was discharged in the spring of 1956—1957, rather; and stayed at Exchange Alley for a short while.

Mr. PIC. I don't know that.

Mr. JENNER. Then went to Fort Worth and your mother and your brother Lee followed and your brother Lee attended high school for about 6 or 7 weeks in the fall of 1957 in Fort Worth, Arlington Heights High School, and enlisted in October 1957, in the Marines.

Mr. PIC. Lee enlisted in 1956, I believe.

Mr. ELY. 1956.

Mr. JENNER. 1956 was it. Then your brother Robert was discharged, mustered out in 1956?

Mr. PIC. That sounds about right. And stayed in Exchange Alley a short time, didn't like it, went on to Fort Worth.

After she left in January of 1958 we continued to communicate by mail and every now and then a phone call.

Then in August of 1958 I received my orders to Japan, and we left Mitchell and departed cross country.

Mr. JENNER. You and your wife and children?

Mr. PIC. Yes, sir.

Mr. JENNER. By what, automobile?

Mr. PIC. Yes, sir.

Mr. JENNER. By this time you owned an automobile?

Mr. PIC. My second one.

Mr. JENNER. Second one?

Mr. PIC. I purchased my first one when I was stationed in Virginia. We arrived in Fort Worth, approximately 28, 29 October 1958. I remember we were in her house on Halloween night because I pulled the car up behind and locked the gates so I would not have my hub caps stolen.

Mr. JENNER. Where did she reside then?

Mr. PIC. I think you ought to refresh my memory on that. It was a little circle. Did she have an address with a little circle, some kind of circle or something?

Mr. JENNER. Do you have that?

Mr. PIC. What she lived on described the street, it was a circle, something like that.

Mr. JENNER. Her first house and apartment in New York was 325, that was your apartment, 325 East 92. And then she moved over to 1455 Sheridan Avenue in the Bronx, and then 825 East 179th Street in the Bronx. 3124 West Fifth Street, Fort Worth.

Mr. PIC. That isn't familiar.

Mr. JENNER. It is not familiar?

Mr. PIC. It could be it, though, I can probably find it on the map of Fort Worth if we still have got it because I remember that place real well. I was thrown out of there. Some people hold a grudge a long time. Sir, that is probably it, West Fifth Street, because the location West Fifth Street is probably about the same place.

Mr. JENNER. You said you were thrown out of there. I assume an incident occurred?

Mr. PIC. Yes, sir; I am getting to that.

Mr. JENNER. All right.

Mr. PIC. While we were staying there, I was traveling cross country and really didn't know where I was going or what time I would have to be there. We were waiting for our port call to know when we would have to be in San Francisco to catch our flight out of there, and so I had no idea how long I would be in Fort Worth, and so I made a phone call from there to Mitchell to try to find out, and didn't find out anything.

Then the Sunday that we were there—well, prior to this, when we arrived there the same day my brother Robert came over to see us. He was then working for a milk company, Borden's Milk Co., I believe. He was giving my mother free milk, all the extras that he had and so forth.

Mr. JENNER. This is the first time you had seen your brother Robert, I take it, since his visit to New York City, is that correct?

Mr. PIC. That is correct.

Mr. JENNER. And that was a cordial reunion, was it?

Mr. PIC. Yes; it was.

Mr. JENNER. Was your mother working at that time?

Mr. PIC. She was working, sir, when we arrived there, at Cox, I believe, Department Store at the candy counter, I believe it was Cox, I know she was working at a candy counter.

Mr. JENNER. All right.

Mr. PIC. When we got there, my mother informed us she had no food in the house so my wife and I went and bought a whole bunch of groceries for our stay which we expected to do. I got in contact with some old friends, and they invited me over for Sunday dinner the following Sunday at their house, and being I was pressed for time I had another Sunday dinner invitation at my brother Robert's house. My mother was invited to this dinner.

Mr. JENNER. At your brother's?

Mr. PIC. Yes, sir.

Mr. JENNER. Yes.

Mr. PIC. He then resided at 7313 Davenport Street, I believe. Well, it seems that my mother declined her part of the invitation, and was quite put out that my wife and I did not decline our part because she decided that we should spend Sunday dinner eating with her. So, my wife and I and two children drove off to my brother Robert's house to go eat. After we were there for about a half hour, she called us up and told me to come get our bags, that we would have to leave.

So, my wife and I, we left the kids at my brother Robert's because we knew there would be a big scene with all the trimmings, and we went back and we walked in, didn't say nothing, just packed up our bags and she was yelling and screaming reminding us about the time we threw her out of the apartment in New York and she was getting even with us for this when we threw her and Lee out.

I then informed her that I wanted nothing more to do with her and that everytime she and my wife got together, that she had nothing but bad things to say about her. And I let her know that our relationship ends right then and there, and since that time, sir, I have not written her, talked to her, anything.

Mr. JENNER. Or seen her.

Mr. PIC. Or have seen her, except in magazines and stuff. She has sent me a bunch of junk in the mail. During this conversation when we was getting thrown out, I reminded her that she made nothing but trouble for us and especially my wife, she was always on my wife. And so I owed her a few dollars for the phone call I had made, so I gave her \$10 and this seemed to satisfy, well, probably accomplished what she set out to do, get some money off of me one way or the other. This is how I looked at it. This didn't upset her, after we left, after I gave her \$10. So, we went to my brother Robert's, we ate, we stayed at their house until Tuesday morning, and we left and then went to Japan, sir.

Mr. JENNER. All right. Let's suspend for dinner.

Mr. PIC. Could I just add one thing, sir?

Mr. JENNER. Yes.

Mr. PIC. While we were there, I was informed that Lee was in Japan.

Mr. JENNER. You were informed by your mother?

Mr. PIC. Yes, sir. And that we should see him when we get there.

Mr. JENNER. Were you advised as to where in Japan he was?

Mr. PIC. I was given his address, sir. After arriving there it was just a matter of a week or so I received a letter from my mother which I never acknowledged or maybe it was my brother, it was one of the two, saying Lee was traveling across the United States at the same time I was. He had left Japan before I arrived in Japan. I arrived in Japan 10 November 1958 and I don't know what date he left, sir. I never got to see him in Japan. This would probably be a good time to suspend.

Mr. JENNER. Before we do that, did you have any conversation with your brother about, your brother Robert about your brother Lee while you were there in 1958?

Mr. PIC. I think I may have let him know how Lee acted toward me. He

didn't want nothing to do with me. The only things I heard about Lee was that he was in the Marine Corps and he liked it.

Mr. JENNER. Did your brother Robert say anything about having been in New Orleans before he came to Fort Worth?

Mr. PIC. He told me about a trip that he made to pick them up or something down there. They called him up one time and he drove down and got them and drove back all in the same trip.

Mr. JENNER. That must have been the time when they left New Orleans and came to Fort Worth.

Mr. PIC. Sir, in the testimony of Marilyn Murret, I am going to make a statement.

Mr. JENNER. What testimony of Marilyn Murret?

Mr. PIC. This is what I am going to tell you that prior to his defection she knew he was in Europe and everywhere that I read in here, no one knew he was going to Europe. She informed me before anyone knew he defected that he was in Europe.

Mr. JENNER. Who informed you?

Mr. PIC. Marilyn Murret in Japan. She was in Japan. She visited with me.

Mr. JENNER. All right. I will go into that right after dinner.

Mr. PIC. All right, sir.

Mr. JENNER. We will suspend until 7:30.

(Whereupon, at 6:30 p.m., the proceeding was recessed.)

TESTIMONY OF JOHN EDWARD PIC RESUMED

The proceeding was reconvened at 7:55 p.m.

Mr. JENNER. When we adjourned for dinner you were telling us the incident in August, I believe it was 1958, when you visited your mother and your brother on your way to California on your assignment to Japan.

Mr. PIC. Yes, sir.

Mr. JENNER. Would you read me the last answer of the witness, please?

(The answer, as recorded, was read by the reporter.)

Mr. JENNER. Marilyn Murret is your cousin?

Mr. PIC. Yes, sir.

Mr. JENNER. One of the children of Charles and Lillian Murret?

Mr. PIC. Yes, sir.

Mr. JENNER. By the way, did your wife and children accompany you to Japan?

Mr. PIC. Yes, sir.

Mr. JENNER. And you arrived in Japan about when?

Mr. PIC. 10 November 1958, sir.

Mr. JENNER. Were you aware before you left for Japan that Marilyn Murret, was in Japan?

Mr. PIC. She was not in Japan then, sir.

Mr. JENNER. All right. You arrived in Japan and went over there sometime while you were in Japan. By the way, first where were you stationed?

Mr. PIC. My military address was U.S.A.F. Hospital, Tachikawa, APO 323, San Francisco, Calif.

Mr. JENNER. You heard from or saw Marilyn Murret after you got there?

Mr. PIC. Right. In approximately October–November, early November, the end of October 1959 she called me up at the hospital, and it had been years since I had seen her, and she told me she had come from Australia. She was traveling around the world, and I invited her out to the house the next weekend.

She couldn't come during the week. She was teaching school in Japan and as a freelance teacher working for no agency, just doing this to earn her own traveling money. So she visited us on a Sunday, I believe.

We talked about the family and everything. She talked about Lee, about how proud he was to be in the Marine Corps, and he really put on a big show about this.

Mr. JENNER. How did she know that, did she reveal?

Mr. PIC. She had seen him, evidently, when he was first in the Marine Corps. She described him in uniform, and—

Mr. JENNER. You had the impression she had actually seen him in Japan?

Mr. PIC. No; she wasn't in Japan the same time he was. This is a year after I am in Japan, sir, before I had seen her.

Mr. JENNER. I see.

Mr. PIC. And she had seen him when he first joined the Marine Corps, is my impression, sometime while he was in the Marine Corps and in the States.

Mr. JENNER. You had the impression that Lee had visited their home in New Orleans?

Mr. PIC. Yes, sir; that is the impression I got.

Mr. JENNER. Go on.

Mr. PIC. Well, at this time, my mother was still writing to me, I never answered any of her letters. Maybe I would receive a letter from her every once, every 2 or 3 months. I also was aware of the fact that Lee was going to be discharged from the Marine Corps.

Mr. JENNER. You became aware of that through what means?

Mr. PIC. The letters I would receive from my mother. She informed me that Marilyn Murret—that Lee upon his discharge had gone to Europe. I asked her how did he ever decide that, and where did he get the money and she said he saved it while he was in the Marine Corps.

Mr. JENNER. Did she say he had gone to Europe?

Mr. PIC. Yes, sir. Her quote, sir, to the best of my knowledge, "Do you know that Lee is in Europe?" I said, "No, I don't know that." I had no way of knowing that. So I started asking her about him, and this is what she told me that Lee had gone to Europe.

It was that night, sir, on the 9 o'clock news that I learned that Lee had defected.

Mr. JENNER. You say 9 o'clock news—was that—

Mr. PIC. Japan time, sir, that night.

Mr. JENNER. I mean, what source was the news?

Mr. PIC. American Armed Forces Network. My wife and I were in bed, and I was about half asleep, and the radio was closest to her and she nudged me and told me, and I said, "No, it couldn't be." So the next day it appeared in the paper.

Mr. JENNER. What paper?

Mr. PIC. The Stars and Stripes, sir. Then I heard it on the radio again the next day. There were a couple or three articles in the Stars and Stripes about his defection. And I reported to the OSI and told them who I was, and I told them who he was. Then I got in contact with the Embassy in Japan.

Mr. JENNER. That is the American Embassy?

Mr. PIC. Yes, sir; and attempted to contact Lee. The only thing I could get out was a telegram. I think my quote in the telegram was "Please reconsider your actions." This, I understand, was delivered to him at the Metropole Hotel in Moscow. After this defection I received several—

Mr. JENNER. Excuse me.

Mr. PIC. Yes, sir.

Mr. JENNER. When you heard this what was your reaction?

Mr. PIC. I didn't believe it. I mean my wife told me it was him, and I think I stayed awake until the 10 o'clock news to hear it and they mentioned it, and that was it, and so the next day it was in the paper and that is when I reported to the OSI.

Mr. JENNER. What is OSI?

Mr. PIC. Office of Special Investigator, I believe, for the Air Force.

Mr. JENNER. Well, after the rebroadcasts and you became convinced it was your brother what was your reaction?

Mr. PIC. It was hard to believe. It was just something you never expect.

Mr. JENNER. Had he done or said anything during all your life together which served to lead you to think, well maybe it is so that he has?

Mr. PIC. Well, sir, ever since he was born and I was old enough to remember, I always had a feeling that some great tragedy was going to strike Lee in some way or another, and when this happened I figured this was it. In fact, on the very day of the assassination I was thinking about it when I was getting ready to go to work, and just, I was thinking about him at that time and I figured

well, when he defected and came back—that was his big tragedy. I found out it wasn't.

Mr. JENNER. Would you give me—elaborate on that. Why did you have a feeling for some time that someday he would have, would suffer a great tragedy?

Mr. PIC. I don't know. It was just one of those things I can't explain. I always had this feeling about him. Not as a kid, of course, but in my young adulthood I thought that about him, especially after the incident in New York. I thought this way. I had this feeling.

Mr. JENNER. You had a feeling at any time that he was groping for a position or station in life, that he realized was beyond his attainment, or any resentment on his part of his station in life?

Mr. PIC. I think he resented the fact that he never really had a father, especially after he lost Mr. Ekdahl and his one and only chance to get what he was looking for. Maybe that is why he looked to Robert and I like he did.

Mr. JENNER. Did you see Marilyn Murret again?

Mr. PIC. Yes, sir; she and I never discussed this. Those were the orders of OSI, not to discuss it with anyone. I made them aware of her, her presence in Japan. I don't know if they ever contacted her or not, sir. I told them about her mentioning this to me that she knew he was in Europe. How she knew, I don't know, sir. And everything I have read states that no one knew he was going.

Mr. JENNER. But she was in your home?

Mr. PIC. Yes, sir.

Mr. JENNER. The very day that the announcement was made?

Mr. PIC. Yes, sir.

Mr. JENNER. That Lee had defected to Russia?

Mr. PIC. Yes, sir; and the radio wasn't on or anything. I had the hi-fi, she liked classical music, and I was playing some of my records for her, and at no time during the day did we have any radio broadcasts. She came about noon. Maybe it was on prior to this, I don't think so, because at 9 o'clock—

Mr. JENNER. If it had been on, prior to that time, she didn't mention any defection? All she said to you was, "Did you know that Lee was in Europe?" Is that correct?

Mr. PIC. That is correct, sir. She didn't specify any country. In fact, I asked her what country, and she said she didn't know. She just knew he was in Europe. She had come from Australia to Japan. I think she may have been in Japan a month prior to contacting me, a month, a little less probably.

Mr. JENNER. You saw her again after that, did you?

Mr. PIC. Yes, sir; she visited our house several times. I think the last time we seen her was about April or May 1960 when she left Japan. We never seen her again. She said she would contact us and tell us when she was leaving, but she never did.

Mr. JENNER. What was your assignment in Japan?

Mr. PIC. I was a medical laboratory technician at the hospital there, sir.

Mr. JENNER. When did you return to the United States?

Mr. PIC. July 1962, sir.

Mr. JENNER. And to where did you return?

Mr. PIC. To Lackland Air Force Base where I am presently stationed. In Japan, there is more that happened, sir.

Mr. JENNER. All right.

Mr. PIC. I received—I wrote Lee, I mean Robert, and asked him about this. Of course in Japan we didn't get much news and the OSI wouldn't tell me too much. The Embassy, all they confirmed is that he did defect. I guess in a period of 2, 3 months I got information from Robert through several letters. Every time I got some information I went to the OSI about this. It seems there was a letter, I don't remember if Robert had copied it from Lee's letter or he had sent me the original letter. I showed this, I gave it to the OSI. If they gave it back, it is destroyed now, sir. In this letter he said that no one should try to contact him because the American capitalists would be listening over the phone. He mentioned that he had been contemplating this act for quite awhile. That no one knew it. This is all in my OSI report.

And from what other information I had, I received the impression that him

turning toward communism or Marxism, whichever you want to call it, took place while he was in Japan and in the Marine Corps, sir, from the insinuations that were involved in the letter or from his own statements.

Mr. JENNER. Up to this time, Sergeant, in all your association with your brother, had there been occasions when there were discussions with him in the family about any theories or reactions of his toward democracy, communism, Marxism, or any other form of government?

Mr. PIC. Sir, the last time he talked to me, I think he was only about 12, 13 years old.

Mr. JENNER. Well, the answer is no?

Mr. PIC. No, sir; that is the answer—no, sir.

Mr. JENNER. That is that there hadn't been any such discussions?

Mr. PIC. That is correct, sir.

Mr. JENNER. You—I take it from that answer—you never heard him assert any views?

Mr. PIC. No, sir.

Mr. JENNER. On his part, with respect to that subject matter?

Mr. PIC. No, sir.

While I was processing to return to the States, I had seen in the paper and everything that Lee was returning to the United States. When I got my assignment to Lackland, the OSI kind of put it to me that if I didn't want to be in the same vicinity as Lee that they could change my orders, and I told them that the United States felt he was reliable enough for, confident enough in him to let him return, that I would see no reason to change my assignment. The OSI authorities said there was no objection to me visiting him, talking to him or anything else. So I didn't make any attempt to get my assignment changed because of these reasons. Being it was close enough, you know, to see him fairly easily.

Mr. JENNER. Did anything else occur that you think is pertinent to the time of your return to the United States?

Mr. PIC. No, sir; the only thing I knew about him was what I read in the newspaper about him returning with his wife and child.

Mr. JENNER. When you say newspapers this is the Stars and Stripes?

Mr. PIC. Yes, sir; Stars and Stripes.

Mr. JENNER. That is before you returned to this country you had read in the Stars and Stripes that he had returned to the United States?

Mr. PIC. No, sir; he was on his way, sir.

Mr. JENNER. He was on his way back?

Mr. PIC. He was on his way back at the same time I was on my way back.

Mr. JENNER. You knew he was on his way back, according to the Stars and Stripes, with his wife and child?

Mr. PIC. Yes; sir.

Mr. JENNER. And you arrived at Lackland Air Force Base when?

Mr. PIC. I arrived in the San Antonio area approximately the 21st of July 1962, and got a house, got settled and then I signed in on my base in August. I was permitted 30 days leave, 13 days travel time, which I took advantage of. I think I took 27 days leave. So I started work in August, the latter part of August.

Mr. JENNER. During that period of time of your 30 days' leave, after arriving at Lackland Air Force Base and San Antonio, did you make any attempt to find out anything about your brother, where he was?

Mr. PIC. Yes, sir; I called Robert, and we wrote a couple of letters, and he told me Lee was back, and he was living in Dallas and working there, and everything seemed to be okay.

Mr. JENNER. Did your brother tell you that Lee, when he returned to this country, had lived with him for a while?

Mr. PIC. I don't know if it was in these conversations. I learned at the Thanksgiving reunion that he did.

Mr. JENNER. Which was Thanksgiving of 1962?

Mr. PIC. That is correct, sir.

Mr. JENNER. Up to the time you saw your brother, I take it, you saw him Thanksgiving 1962?

Mr. PIC. Yes, sir; we arrived at my brother Robert's Thanksgiving Day between about 11:30, 12:30.

Mr. JENNER. In the morning?

Mr. PIC. In the morning. We were to meet Lee and his wife at the Greyhound bus station approximately 2 o'clock. So Robert and I went down to pick him up. We picked them up outside the Greyhound bus station. Whether or not they—we had no way of seeing them getting off a bus. They were at the station when we got there. We did all the friendly sayings and I was—

Mr. JENNER. Tell us what happened now? What was the attitude, what were your impressions?

Mr. PIC. Well, I still was wondering if he was going to have this feeling of hostility toward me that he had shown the last time he had seen me, but it didn't manifest itself whatsoever. He introduced me to his wife, and I gave her a kiss, and his child. We got in the car, and he said I hadn't changed much, and we just talked like that. At no time did Marina speak any English. She would ask him questions in what I believe was Russian and he would talk back to her in—and talk through.

Mr. JENNER. Did you have any discussion with him on that subject—where he had learned Russian?

Mr. PIC. Well, sir, I knew he had been in Russia over 2 years, so evidently he had learned Russian while there.

Mr. JENNER. There was no occasion because of that, it never occurred to you to ask him about how and when he had learned?

Mr. PIC. I wasn't going to pry into his affairs, sir.

Mr. JENNER. You didn't?

Mr. PIC. No, sir; I didn't.

Mr. JENNER. Did you inquire of him as to his life in Russia?

Mr. PIC. We let him do the talking, sir.

Mr. JENNER. Did he speak of it?

Mr. PIC. Yes, sir; he did.

Mr. JENNER. What did he say?

Mr. PIC. He told us he worked in a factory there.

Mr. JENNER. Did he say what kind of work he did?

Mr. PIC. No, sir; he didn't.

Mr. JENNER. What kind of a factory it was?

Mr. PIC. Something to do with metalwork, aluminum, something like that, I believe. He told me he was making about \$80 a month, I think, while he worked there.

Mr. JENNER. Did he say he had accommodations that supplemented that salary? Was there anything about whether he had to pay rent or not pay rent for his quarters?

Mr. PIC. He didn't talk about anything prior to him and Marina being married.

Mr. JENNER. He did not?

Mr. PIC. No, sir; all the conversation was after their marriage.

Mr. JENNER. No discussion of his as to why he went to Russia in the first place?

Mr. PIC. No, sir.

Mr. JENNER. Was there any discussion of his defection or attempted defection?

Mr. PIC. Per se, no, sir.

Mr. JENNER. You are qualifying that. You say per se.

Mr. PIC. Right. He did mention that because of his actions he had received a dishonorable discharge from the Marine Corps and that he was attempting to get this changed to an honorable status.

Mr. JENNER. Did he appear bitter about it?

Mr. PIC. He showed us his card which stated dishonorable or bad conduct, something like that. I think it was dishonorable. He showed it to me.

Mr. JENNER. What was his—what impression did you have as to his overall attitude? What impression did you have as to his state of mind?

Mr. PIC. He impressed me that he was glad to be back, that he didn't really enjoy his stay in Russia. He commented about the hard life they had there.

Mr. JENNER. What did he say about that?

Mr. PIC. What did he say, sir?

Mr. JENNER. Yes.

Mr. PIC. A shortage of food, rationing of certain items, about eating a lot of cabbage. He did say that the U.S. Government gave him the money to come back on. He was in the process of paying them back. In fact, he let it be known that regardless of anything else he was going to pay the Government back.

Mr. JENNER. Did he say "regardless of anything else, I am going to pay them back"? On what do you base that conclusory statement?

Mr. PIC. Well, he made the statement they paid and he is paying them back, and he has got this job and he was telling me his financial situation, and saying so much money is going to pay the Government back.

Mr. JENNER. What did he say about his financial situation?

Mr. PIC. He didn't give me—this is what he gave me for an address. He said he lived in an apartment, one room apartment. They had no television, no radio, no coffee pot. In fact, we brought him a coffee pot for a present. Gave them a coffee pot and bought the little girl a stuffed animal of some type.

Mr. JENNER. Thanksgiving Day you did this?

Mr. PIC. Yes, sir.

Mr. JENNER. How come you brought him a coffee pot?

Mr. PIC. I was going to give him a present.

Mr. JENNER. It is the coffee pot that interests me. Here you hadn't seen him for a long time, you were bringing him a gift—why were you—

Mr. PIC. Well, my wife being a Yankee—

Mr. JENNER. Why did you bring him a coffee pot?

Mr. PIC. My wife in her Yankee ways believed when you don't see people a long time you bring them a gift. It's just a token. We brought my brother Robert a present, a set of dishes I had in Japan, I bought them in Japan, and so naturally we couldn't give them anything without giving the other people something.

Mr. JENNER. It isn't the fact that you brought him a gift. I can understand that. That would be, I might be even a little surprised if you hadn't. It is the particular gift in which I am interested. Why did you select a coffee pot? Was there something that led to that particular selection on your part?

Mr. PIC. No, sir; we didn't know what really to bring them, and my wife says, it was one of these glass coffee pots that you put the candle under, you see, it wasn't a regular percolator. It was one of these that a hostess always likes to have available to pour coffee out of.

Mr. JENNER. I see.

Mr. PIC. And my wife had one, and she liked it so she figured we would give them one.

Mr. JENNER. All right.

Tell us everything that occurred on that day, what he said, what Robert said that is pertinent, what you said, things that occurred, just completely exhaust your recollection.

Mr. PIC. Well, Lee informed us that he was working at some type photography printing company.

Mr. JENNER. In Dallas?

Mr. PIC. Yes, sir; in Dallas.

Mr. JENNER. You were advised during the course of that day he was then at that time living in Dallas?

Mr. PIC. Yes, sir; that is what he said.

Mr. JENNER. And working in some kind of photographic work in Dallas?

Mr. PIC. Yes, sir.

Mr. JENNER. All right.

Mr. PIC. I said he referred to their living conditions.

Mr. JENNER. What did he say?

Mr. PIC. They had a one-room, I think it was one room. They ate and slept in the same room, I believe. They had no radio, no TV. That Marina, when they first arrived, was really astounded about supermarkets. Every time she went in one she lost control of herself.

Marina herself wore no lipstick, very plainly dressed. Lee appeared to be

a good father in that he would relieve Marina the burden of holding the child and taking care of it.

Mr. JENNER. How was he attired when you met him at the bus station?

Mr. PIC. He had on a sport jacket and tie. Sports jacket and tie.

Mr. JENNER. He was clean and neat?

Mr. PIC. Yes, sir.

Mr. JENNER. How did Marina and your brother Lee appear to be getting along?

Mr. PIC. Well, sir; being they only spoke Russian to each other, I don't know what they said, but they appeared to be just like any other married couple married a year or 2.

Mr. JENNER. Was there any conversation during the course of the day in which you participated or overheard as to Marina's undertaking to learn English?

Mr. PIC. Well, my sister-in-law, Vada—

Mr. JENNER. That is Robert's wife?

Mr. PIC. Wife. Of course, she had, she and my wife had a lot to say to each other, and through my wife, I found out what Vada had said to her, that Lee did not permit Marina to wear any lipstick, he did not permit her to learn English. My wife, she thought this was really absurd and said the best thing to do was to get them a TV set and let her sit home and learn English. My wife thought it was terrible the way her conditions were as far as this was concerned. The girls seemed to gather in the dinette and we sat around in the living room, talking.

Mr. JENNER. Was anything said by Vada or your wife on that occasion as to the reason why Lee was not permitting Marina to learn English and speak it and write it?

Mr. PIC. Well, my wife assumed that if she did ever learn English she would wise up, being we had seen the Japanese wise with their husbands. For example, while they were living over in Japan and the wife is usually meek and mild but when they get over here they change, you see, she gets her American ways, and lowers the boom on the husband like all the other American wives do. And my wife was under the impression that this would happen if once she did learn English and everything.

Mr. JENNER. All right. Keep talking about what occurred on this particular day, what was said, what your impressions were until you exhaust all of your recollection.

Mr. PIC. Well, Marina and the two wives helped prepare the meal, set the table, and we ate, and there was family talk. At no time did we mention our mother. She wasn't present. In fact—I will take that statement back.

Some time during our stay there Vada mentioned that she had seen my mother driving around with a man and she thought she had remarried. This may have been that day, it may have been a day or so later. We stayed there Thursday, Friday, and Saturday and we left Sunday.

Mr. JENNER. Was anything said during the course of that occasion or in your presence or reported to you by your wife, as to how Vada and Marina had gotten along while the Oswalds, your brother, and she lived with your brother Robert and your sister-in-law Vada?

Mr. PIC. I wouldn't remember that, sir. If it was any talk it was probably on caring, and so forth, about the child and so forth, which is small talk to the men, of course.

Mr. JENNER. Did you learn on that day that Lee had lived with your brother for a while?

Mr. PIC. I had learned during that time period that Lee and Marina had lived with Robert when they returned, and that an attempt was made by the press and TV to contact them, but Robert wouldn't let them. He wasn't going to go through it again. Robert only had a one—two-bedroom apartment, I mean house, and I am sure when we stayed there we were crowded a little bit. My wife and I slept on the floor, and I am sure Marina and Robert, I don't know where they slept—I mean Lee.

Mr. JENNER. Your children slept in the bed and you and your wife slept on a mattress on the floor?

Mr. PIC. A couple of blankets on the floor, sir.

Mr. JENNER. Did you learn during that period of time that Lee had lived with your brother for a time?

Mr. PIC. Possibly, sir; I don't recall.

Mr. JENNER. Was anything said about the fact or any allusion to the fact that during this period, up to Thanksgiving Day, there had been a time when Marina had not lived with your brother Lee?

Mr. PIC. No, sir. I understood they arrived from New York, at New York together, and proceeded—there was a short stay, I think, mentioned in New York. Where they stayed, I don't know, sir, and then they proceeded to Texas and lived with Robert.

Mr. JENNER. I am referring particularly to September and October and part of November 1962. Was there any reference or any discussion of it or anything said in your presence of the fact that Marina had lived apart, separate and apart from Lee?

Mr. PIC. No, sir.

Mr. JENNER. During one or more periods of time in September or October and November 1962?

Mr. PIC. Possibly it could have been being Marina stayed there while Lee went to look for a job in Dallas, I think, that may have been mentioned.

Mr. JENNER. Was there at any time mentioned even while he was working in Fort Worth, fully employed that she had separated from him and gone to live elsewhere?

Mr. PIC. I am not aware that he did work in Fort Worth, sir, at any time.

Mr. JENNER. You didn't learn at that time, Thanksgiving, that he had worked in Fort Worth?

Mr. PIC. No, sir.

Mr. JENNER. Was the Leslie Welding Co. mentioned at all?

Mr. PIC. Something about welding was mentioned, that he tried it when he first came back, now that you mention it.

Mr. JENNER. Was it your impression or did you gain the impression then that he had had some employment in Fort Worth then as a welder?

Mr. PIC. I don't remember if it was Fort Worth, sir, or where it was. I just know that welding was mentioned.

Mr. JENNER. In that connection, was it mentioned or in any fashion indicated to you that he had been employed as a welder whether in Fort Worth or otherwise, but he had been employed as a welder?

Mr. PIC. It was my impression because of his experience in the Soviet Union working with metals that this helped him in getting his job as a welder.

Mr. JENNER. When he first returned?

Mr. PIC. Yes, sir.

Mr. JENNER. And that that was a position or work that he had had prior to the time that he obtained the position in Dallas about which he spoke?

Mr. PIC. Yes, sir.

Mr. JENNER. That is a position preceding his work in the photography field in some firm in Dallas?

Mr. PIC. Right.

Mr. JENNER. Anything said about his financial status—that is, his and Marina's, and the child?

Mr. PIC. Well, he said he wasn't making very much money, but they were managing to get by. They couldn't afford a TV, couldn't afford a radio, couldn't afford these necessities of life.

Mr. JENNER. Did he say anything during the course of that day on the subject of any political philosophy of his?

Mr. PIC. No, sir; not at all.

Mr. JENNER. Politics wasn't discussed?

Mr. PIC. No, sir.

Mr. JENNER. Whether party politics or politics in the broad sense?

Mr. PIC. No, sir; not at all.

Mr. JENNER. How did he look to you physically as compared with when you had seen him last?

Mr. PIC. I would have never recognized him, sir.

Mr. JENNER. All right. Your brother Robert said something along these lines. You had last seen him in 19—that was prior to this occasion, the last time you had seen him was when he was in New York City?

Mr. PIC. Which was a little over 10 years.

Mr. JENNER. Well, just about 10 years.

Mr. PIC. Yes, sir.

Mr. JENNER. Of course you had seen him in February 1953, I think you said.

Mr. PIC. Right. But we walked in and he walked out.

Mr. JENNER. But you saw him?

Mr. PIC. Right, I had seen him for a moment.

Mr. JENNER. He was then at that particular time in the neighborhood of 13 years of age?

Mr. PIC. Yes, sir.

Mr. JENNER. Now, when you saw him 10 years later he was 23.

Mr. PIC. Yes, sir.

Mr. JENNER. You noticed, did you, a material change, physically first, let's take his physical appearance?

Mr. PIC. Yes, sir. Physically I noticed that.

Mr. JENNER. What did you notice?

Mr. PIC. He was much thinner than I had remembered him. He didn't have as much hair.

Mr. JENNER. Did that arrest your attention? Was that a material difference? Did that strike you?

Mr. PIC. Yes, sir; it struck me quite profusely.

Mr. JENNER. What else did you notice about his physical appearance that arrested your attention?

Mr. PIC. His face features were somewhat different, being his eyes were set back maybe, you know like in these Army pictures, they looked different than I remembered him. His face was rounder. Marilyn had described him to me when he went in the Marine Corps as having a bull neck. This I didn't notice at all. I looked for this, I didn't notice this at all, sir.

Mr. JENNER. He seemed more slender?

Mr. PIC. Yes, sir.

Mr. JENNER. He had materially less hair?

Mr. PIC. Yes, sir.

Mr. JENNER. His eyes seemed a little sunken?

Mr. PIC. Yes, sir.

Mr. JENNER. Did he give you the appearance of—was he taut, was he relaxed or taut, or just what appearance did he have in that connection?

Mr. PIC. Sir, he didn't strike me as being relaxed because I was not with him.

Mr. JENNER. You were not?

Mr. PIC. No, sir; because of these other feelings we had developed 10 years prior to this. I wondered about how he still felt about that.

Mr. JENNER. But nothing occurred to lead you to believe that he still remembered it vividly, or did or didn't?

Mr. PIC. When he was introduced to my wife again he did mention that he remembered her. But other than that, he completely ignored her.

Mr. JENNER. Was that pretty obvious?

Mr. PIC. To her it was, sir. She mentioned it to me several times. He arrived about 2.

Mr. JENNER. In the afternoon?

Mr. PIC. Right; and that is when we picked him up, so I guess we ate about 3, 4 o'clock or so. And then the girls cleared off the table and they sat and had coffee and I took them out, they wanted to see my car.

Mr. JENNER. Took who out?

Mr. PIC. Lee and Robert both. They looked at my car.

Mr. JENNER. Did you take Marina out with you?

Mr. PIC. No; she stayed in the house with the girls, and we talked about cars.

Mr. JENNER. What did he say about a car?

Mr. PIC. I was made aware sometime during the day that he wasn't driving. Other than this—

Mr. JENNER. How did you become aware of that?

Mr. PIC. He said he couldn't get a license, to me.

Mr. JENNER. Did he say why he couldn't get a license?

Mr. PIC. He said it and give me the impression because of his citizenship status being he had a dishonorable discharge.

Mr. JENNER. Did you ever see your brother Lee Harvey Oswald drive an automobile?

Mr. PIC. No, sir; never in my life.

Mr. JENNER. While you boys were still in Fort Worth and before you enlisted in the Coast Guard in January 1950 had you—you had an automobile, didn't you?

Mr. PIC. I drove the family car.

Mr. JENNER. Did your brother Robert drive?

Mr. PIC. He may have known how. He was not permitted to drive the family car.

Mr. JENNER. I remember when I was a boy I wasn't permitted to drive the family car, in the broad sense.

Mr. PIC. Right. He never swiped it.

Mr. JENNER. I was permitted to drive it up and down the driveway or when my father was with me, I could drive it around the block or something like that the way kids do. Was Robert permitted to do that on a limited scale?

Mr. PIC. I wouldn't remember that, sir.

Mr. JENNER. Did you own what we used to call in my day an old jalopy while you were still in Fort Worth?

Mr. PIC. That picture of that automobile there was quite an old jalopy, sir.

Mr. JENNER. That was before you enlisted?

Mr. PIC. Yes, sir.

Mr. JENNER. Did your brother Robert ever drive that?

Mr. PIC. To the best of my recollection, no, sir. In fact, I only drove it a few times myself. This is the picture with the dog.

Mr. JENNER. That is the picture of the car in John Pic's Exhibit No. 55?

Mr. PIC. Yes, sir.

Mr. JENNER. Lee never drove it, to your knowledge?

Mr. PIC. No, sir.

Mr. JENNER. Was your brother Robert interested in automobiles?

Mr. PIC. All kids are interested in automobiles.

Mr. JENNER. No; please—was he interested in automobiles?

Mr. PIC. Sure, he wanted to drive. He seen I was driving so he wanted to drive and he wasn't as old as I was, I was permitted to drive and he wasn't.

Mr. JENNER. What about your brother Lee Harvey Oswald in that respect?

Mr. PIC. I don't know if he ever was really interested at that age to drive a car or not, sir.

Mr. JENNER. Was anything said on the day, Thanksgiving Day 1962, to lead you to believe that he knew how to drive or operate an automobile?

Mr. PIC. No, sir.

Mr. JENNER. By the way, are you right handed?

Mr. PIC. Yes, sir.

Mr. JENNER. Is your brother Lee right or left handed?

Mr. PIC. I think he was right handed, sir. I think we were all right handed, Robert had tendencies toward the left hand and I think my mother made him change.

Mr. JENNER. Was anything said during the course of that occasion when you saw him about his experiences in the Marines?

Mr. PIC. There probably was, sir, but I don't remember what they referred to.

I know he told me he was at Atsugo Naval Air Station. This I didn't know until he told me exactly where he was in Japan. I was familiar with the Atsugo area.

Mr. JENNER. Did he say anything about having been in the Philippines?

Mr. PIC. Reading the magazine I now know that—

Mr. JENNER. Did he say anything then?

Mr. PIC. No, sir; at that time I don't remember knowing that he had been in the Philippines.

Mr. JENNER. Did he say anything about ever having been in Formosa?

Mr. PIC. No, sir. Just Japan, I think possibly Korea, maybe, was mentioned.

Mr. JENNER. But there was no discussion of his marine career to speak of?

Mr. PIC. He was affiliated with radar, he told me, radio radar.

Mr. JENNER. Did the subject arise of why he went to Russia?

Mr. PIC. No, sir.

Mr. JENNER. That was not discussed at all?

Mr. PIC. No, sir.

Mr. JENNER. Nothing was said? Anything said about his experiences in Russia prior to the time he became married there?

Mr. PIC. No sir; he didn't mention that at all to me.

Mr. JENNER. And anything said about his problems with the—I will withdraw that.

Was anything said about his defection or attempted defection to Russia?

Mr. PIC. No, sir; he did not mention his defection at all. Why he did it or how he did it, he didn't mention anything, and I didn't ask him.

Mr. JENNER. During the several days you were in Fort Worth visiting your brother Robert, did you and he go hunting?

Mr. PIC. We went fishing, sir.

Mr. JENNER. Fishing? I take it you did not go hunting.

Mr. PIC. No, sir; not at that particular time. When I first went there in 1958, we did go hunting.

Mr. JENNER. I see. When you three boys were in Fort Worth, that is before you enlisted in January 1950, did you boys occasionally go hunting?

Mr. PIC. We had no firearms whatsoever, sir, in the house.

Mr. JENNER. So you did not go hunting?

Mr. PIC. I didn't. Robert possibly did with some friends of his. I don't think Lee ever did. We went fishing several times.

Mr. JENNER. After you returned to this country in 1962, thereafter there were occasions, where there, or some one occasion, at least, when you did go squirrel or rabbit hunting with your brother Robert?

Mr. PIC. No, sir; that was in 1958.

Mr. JENNER. Oh, yes. When you were traveling across country to California?

Mr. PIC. Yes; we went to his in-law's farm and we did a little hunting on his father-in-law's property.

Mr. JENNER. What kind of firearms?

Mr. PIC. .22, sir.

Mr. JENNER. Single shot?

Mr. PIC. Yes, sir.

Mr. JENNER. You say the subject of your mother was not mentioned in the course of this Thanksgiving Day visit?

Mr. PIC. No, sir; Robert and I never brought her up in any conversations we had.

Mr. JENNER. Did Lee?

Mr. PIC. Yes, sir.

Mr. JENNER. What did he say about her?

Mr. PIC. He mentioned her, that he had seen her or been in touch with her when he first came back, maybe even stayed with her for a week or two when he first came back, I don't remember. My wife later told me that Marina couldn't get along with my mother.

Mr. JENNER. Marina told your wife that she couldn't get along with your mother?

Mr. PIC. No, sir; I think it was Vada told my wife that Marina couldn't. I think she rather observed this rather than being told by Marina.

Mr. JENNER. I see.

Mr. PIC. That the two of them, not that they didn't get along, but that Marina disliked her.

Mr. JENNER. Is that the last time you saw your brother Lee?

Mr. PIC. Well, sir, in the course of that Thanksgiving Day, my brother Robert offered to drive him back to the bus station. Lee made a phone call and it was my understanding that the people that he phoned were of Russian descent, and that Marina often visited with them or talked with them, so she

could talk in her own native tongue, and that their boy, who was attending, I believe, the University of Oklahoma—

Mr. JENNER. Paul Gregory?

Mr. PIC. Sir, I don't remember his name at all, because I was mad at the time I was introduced to him.

Mr. JENNER. Introduced to whom?

Mr. PIC. This gentleman who picked him up.

Mr. JENNER. Was he a young man?

Mr. PIC. Yes, sir.

Mr. JENNER. All right, tell us the circumstances, tell us what led up to this incident, and tell us all about the incident.

Mr. PIC. Well, they made the phone call, and Lee said that they would be picked up by their friends, and I think sometime between 6 and 7 that night he came by. Now, my brother Robert, whenever he introduces me to anyone always refers to me as his brother. Lee referred to me as his half brother when he introduced me.

Mr. JENNER. On this occasion?

Mr. PIC. It was very pronounced. He wanted to let the man know I was only his half brother. And this kind of peeved me a little bit. Because we never mentioned the fact that we were half brothers.

Mr. JENNER. You never had that feeling?

Mr. PIC. No, sir.

Mr. JENNER. Was this the first time that your brother had ever introduced you to anyone as his half brother? I am talking about your brother Lee now.

Mr. PIC. I think possibly, sir, this is the first time he ever introduced me to anyone.

Mr. JENNER. Was this the first time he had ever referred to you as your half brother?

Mr. PIC. Yes, sir.

Mr. JENNER. His half brother?

Mr. PIC. Yes, sir.

Mr. JENNER. Is that so?

Mr. PIC. Yes, sir.

Mr. JENNER. And that irritated you on this occasion?

Mr. PIC. Yes, sir. Right then and there I had the feeling that the hostile feeling was still there. Up until this time it didn't show itself, but I felt then, well, he still felt the same way.

Mr. JENNER. This young man from the University of Oklahoma, whose name, by the way, was Gregory—

Mr. PIC. He was at the University of Oklahoma.

Mr. JENNER. Yes.

Mr. PIC. I have said this three or four times, I wasn't certain, but I am sure he was and I was introduced to him as Lee's half brother, and the man was studying Russian at the school. His parents were from Russia.

Mr. JENNER. He came alone, did he?

Mr. PIC. The car was parked out front, sir.

Mr. JENNER. Well, he was alone when he came in?

Mr. PIC. He was in the house alone.

Mr. JENNER. Was it night?

Mr. PIC. Yes; it was dark between 6 and 7 in November.

Mr. JENNER. Did you go out to the car?

Mr. PIC. No; I didn't. We stayed in the house.

Mr. JENNER. Did Robert go out to the car?

Mr. PIC. I don't remember, sir. I don't think so.

Mr. JENNER. Did Marina appear to be acquainted with this young man?

Mr. PIC. Yes; as soon as he walked in she started talking Russian to him.

Mr. JENNER. Did he respond in Russian?

Mr. PIC. Yes, sir.

Mr. JENNER. Lee spoke to him in Russian?

Mr. PIC. Yes, sir.

Mr. JENNER. Except when he was introducing you to him he introduced you in English as his half brother?

Mr. PIC. Well, Lee would speak to him part Russian, part English. He was only there maybe a couple or 3 minutes. I had the impression that this gentleman could speak Russian better than Lee.

Mr. JENNER. What gave you that impression?

Mr. PIC. Because Lee wouldn't converse fully with him in Russian whereas him and Marina did converse fully in Russian.

Mr. JENNER. Any other impressions you got of this several hours visit with your brother Lee?

Mr. PIC. Well, right before they left, sir; I told him that if he needs any help or anything, to let me know. I told him I was unable to help him financially but he is welcome to pay us a visit any time he wished, stay with us, talk like that.

Mr. JENNER. What did he say?

Mr. PIC. He said OK. He told me to write to him, and in this book, sir, which I had there he wrote his post office box address in Dallas.

Mr. JENNER. We will give that little book, to which you make reference, John Pic Exhibit No. 60.

(The document referred to was marked John Pic Exhibit No. 60 for identification.)

Mr. JENNER. I have John Pic Exhibit No. 60 in my hand. What is this?

Mr. PIC. A black memo book, I guess.

Mr. JENNER. Of yours?

Mr. PIC. Yes, sir; I had it in my car at the time. Whenever I travel I keep a little book with my mileage on it and so forth.

Mr. JENNER. I notice that the first ruled page of this book on which there appear some figures, the letter "B" and then there are some handwritings which appears to be Russian. I show that to you.

Mr. PIC. Yes, sir.

Mr. JENNER. In whose handwriting is that?

Mr. PIC. That is in the handwriting of Marina Oswald, sir.

Mr. JENNER. What was the occasion of her writing in this book?

Mr. PIC. Only part of this, sir, is in the handwriting of Marina Oswald. This right here [indicating].

Mr. JENNER. That is the word beginning with the letter, it looks like the letter "N" or "M" and the word right below that beginning with the letter "D," and a word right below that beginning, it looks like a capital "H"?

Mr. PIC. That is right, sir. The other ones are in my handwriting.

Mr. JENNER. The others are all figures?

Mr. PIC. Right.

Mr. JENNER. What was the occasion of her writing that on the page?

Mr. PIC. She being a pharmacist, and me being in the medical field, we tried to communicate with each other just to make small talk with medical terminology, metric system and so forth, just some way to kill time with each other she and I seemed to be able to do this to some degree.

Mr. JENNER. That is to communicate?

Mr. PIC. Yes; as long as we stuck within the pharmacy and medical field.

Mr. JENNER. Did she know some English terms in the pharmacy, medical field?

Mr. PIC. She used Latin phrases, some of which were familiar to me.

Mr. JENNER. Just what was that writing, some medical terms?

Mr. PIC. Yes; I think these are names of drugs she was writing down. I wouldn't know.

Mr. JENNER. There is a large letter "B" on that page. How did that get on there?

Mr. PIC. I don't know, sir. I don't know, sir. I wouldn't venture a guess whose handwriting it is.

Mr. JENNER. There is a square to the left of the handwriting in Russian, what does that signify?

Mr. PIC. This was placed there by the Secret Service, in San Antonio, sir, to identify the handwritings in this book, the square being the handwriting of Marina Oswald, the parentheses being the handwriting of myself and the mark with the circle being the handwriting of Lee Harvey Oswald.

Mr. JENNER. So that wherever throughout that book a zero appears that is the handwriting of Lee Harvey Oswald?

Mr. PIC. Yes, sir.

Mr. JENNER. Wherever the parentheses mark appears that is your handwriting?

Mr. PIC. That is correct, sir.

Mr. JENNER. And wherever the square appears that is Marina's handwriting?

Mr. PIC. That is correct, sir.

Mr. JENNER. Turn the page over. On the reverse side of that page that is all your handwriting?

Mr. PIC. Except this up here, sir.

Mr. JENNER. The reverse side of the previous page.

Mr. PIC. Yes, sir; that is my handwriting.

Mr. JENNER. All right. Now, the front side of the next page which has the letter "A" printed on it, in the upper right-hand corner. Is that in your handwriting?

Mr. PIC. Everything except this top portion, sir.

Mr. JENNER. The top portion?

Mr. PIC. Starting with liquid measure would be my handwriting.

Mr. JENNER. And then there is something above that?

Mr. PIC. Yes, sir.

Mr. JENNER. Whose handwriting is that?

Mr. PIC. I believe that to be Marina Oswald's, sir.

Mr. JENNER. Everything below that is yours?

Mr. PIC. Yes, sir.

Mr. JENNER. All right. The reverse side of that page, that is the reverse side of the "A" page is in whose handwriting?

Mr. PIC. My handwriting, sir.

Mr. JENNER. Then the page opposite that?

Mr. PIC. That is in my handwriting, sir.

Mr. JENNER. The reverse side of that page is blank. Then the face of the next page is some figures and the words "Highway start, Fort Worth," and "highway" again, those are all in whose handwriting?

Mr. PIC. My handwriting, sir.

Mr. JENNER. Then the series of pages are blank, and the first writing we see thereafter is on the "C" page, some letters and a figure. Whose handwriting is that?

Mr. PIC. That is mine, sir.

Mr. JENNER. The next handwriting appears on the last ruled page. Whose handwriting is that?

Mr. PIC. That is the handwriting of my wife, sir.

Mr. JENNER. All of it?

Mr. PIC. Yes, sir; she loves to write her name.

Mr. JENNER. All right. Then on the next to the last page in the book which is a plain white page, appears P.O. Box 2195, Dallas, Tex.

Mr. PIC. That is the handwriting of Lee Harvey Oswald, sir.

Mr. JENNER. And on the opposite page, which is the inside of the back cover—

Mr. PIC. This is the identifying mark in the band of Secret Service Agent Ben A. Vidles, in San Antonio, Tex.

Mr. JENNER. This book is in the same condition now as it was?

Mr. PIC. When I gave it to the Secret Service.

Mr. JENNER. When you gave it to the Secret Service.

Mr. PIC. Yes, sir.

Mr. JENNER. Plus the identifying marks you have described?

Mr. PIC. That is correct, sir.

Mr. JENNER. I offer in evidence a document, memorandum book now marked as "John Pic Exhibit No. 60."

(The document heretofore marked for identification as John Pic Exhibit No. 60 was received in evidence.)

Mr. JENNER. Did you thereafter prior to November 22, up to but prior to November 22, 1963, hear anything about your brother?

Mr. PIC. The day or two after they left Robert and I went fishing. While we

were in the boat there was Robert, myself, and my oldest boy, and at this time I asked him about Lee, I asked him if he considered or thought that Lee was a little on the pink side and just how he was getting along. Robert informed me that he had had seen FBI agents once in awhile who said Lee was doing pretty good and that there was nothing to worry about. And all reports that he had had were favorable towards Lee.

Mr. JENNER. Robert did tell you that the FBI had checked with him?

Mr. PIC. He had seen an agent now and then, sir.

Mr. JENNER. He didn't elaborate as to whether the FBI had come to visit him or whether he had merely run into some FBI agent?

Mr. PIC. I had the impression that they had visited him where he worked, sir.

Mr. JENNER. Did you hear anything else about your brother from that occasion up to but not including November 22, 1963?

Mr. PIC. Well, other information I gathered from my talks with Robert in those few days was that Lee and Marina made the trip to see them in Fort Worth fairly regular, to have dinner, things like this. It seems that Vada and Marina were at one time, I was told, talking—

Mr. JENNER. By whom?

Mr. PIC. By Vada, Marina was trying to make a point about her wedding ring being she couldn't speak English, Vada got the impression that Marina had been married before.

Mr. JENNER. That Marina had been married before?

Mr. PIC. Yes, sir; this is the only thing she could gather from Marina flashing her wedding ring and talking about this. The four of us were present, Robert, myself, and the two wives. But this was done over coffee.

Mr. JENNER. This was after Lee and Marina had left?

Mr. PIC. Yes, sir; this was after they had left.

Mr. JENNER. What did Robert say on that subject, if anything?

Mr. PIC. Nothing. That he didn't think she had been married before.

Mr. JENNER. Did you visit your brother Robert, and did he visit you subsequent to that occasion on Thanksgiving up to but not including November 22, 1963?

Mr. PIC. A couple or 3 days prior to Christmas of 1962, Robert and his family returned the visit to our home in San Antonio, sir. I asked Robert this time if he had seen or heard from Lee since we had last seen him and he told me, no.

Mr. JENNER. Was there any comment on that subject that he had not heard from Lee up to that time?

Mr. PIC. It was really only a matter of 3 or 4 weeks at the most, sir.

Mr. JENNER. So it didn't occasion any surprise on your part?

Mr. PIC. No, sir.

Mr. JENNER. Were you given any other information by Robert with respect to Lee?

Mr. PIC. No, sir; not that I recall.

Mr. JENNER. Did you see Robert again subsequent to this pre-Christmas Party 1962?

Mr. PIC. No, sir.

Mr. JENNER. And up to but not including November 22, 1963?

Mr. PIC. I still haven't seen him since Christmas 1962.

Mr. JENNER. Have you corresponded?

Mr. PIC. We have written a few letters, and I was permitted to make a phone call to him right after the assassination.

Mr. JENNER. What did he say in the course of that conversation? What did you say?

Mr. PIC. This was—I was permitted to make the phone call after Lee's murder. The Secret Service said I could contact Robert. He had called where I worked and left a number. I contacted the Secret Service. They told me go ahead and call this number, call them back and tell them the gist of the conversation.

I called him up at this number. Someone answered the phone and I asked for Robert and they called him to the phone. He told me that he and his—told me his wife and children were at the farm with her folks, I believe that is what he told me. That he was—he couldn't tell me where he was but he was in Arlington, Tex.

Mr. JENNER. Robert was?

Mr. PIC. Yes, sir; under custody of the Secret Service.

Mr. JENNER. What day of the week was this?

Mr. PIC. This was Sunday, sir.

Mr. JENNER. The day of the death of your brother?

Mr. PIC. Yes, sir.

Mr. JENNER. The 24th of November 1963?

Mr. PIC. Yes, sir.

Mr. JENNER. What-else was said?

Mr. PIC. He told me that some local business people would make arrangements for the funeral and there would be no expense to him. I told him I was sorry it happened and everything.

Mr. JENNER. Did he say anything about having seen your brother at the Dallas City Police Station prior to this telephone conversation?

Mr. PIC. No, sir; he didn't.

Mr. JENNER. Was there any discussion in this telephone conversation about the assassination of President Kennedy?

Mr. PIC. No, sir; there wasn't.

Mr. JENNER. About the possible involvement of your brother in that connection?

Mr. PIC. No, sir; there wasn't.

Mr. JENNER. I take it, then, it was confined largely, if not exclusively, to the death of your brother?

Mr. PIC. The conversation was just about as I related it, sir. It was mostly confined to the death of Lee.

Mr. JENNER. And his burial?

Mr. PIC. Yes, sir.

Mr. JENNER. Did you attend the funeral services?

Mr. PIC. No, sir; I was not permitted. In fact, the Secret Service did not let me write Robert for, I think, 7 to 8 days after the assassination. At that time they granted me permission to freely correspond with him.

Mr. JENNER. And you did so?

Mr. PIC. I think we have written about two, three letters back and forth. I am the one who fails to write. He never fails to write.

Mr. JENNER. The subject matter of these letters involved Lee; any of them?

Mr. PIC. I think the very first one I got concerned the welfare of his family. They were out at the farm. That his company treated him very good about all the time lost. That Marina asked about us and how we were getting along. In my return letter to him I told him nobody had bothered us and we were getting along just fine. He informed me that he was—I suggested if they could, to come down and stay with us awhile. We had just purchased a new house, we had the room, and he wrote back and told me that because he had missed all the time because of the incidents he was unable to get any more time from his company without losing his job.

Mr. JENNER. Have you seen Marina in the meantime?

Mr. PIC. No, sir.

Mr. JENNER. The last time you saw her, I take it, then, was Thanksgiving Day 1962?

Mr. PIC. That is correct, sir.

Mr. JENNER. Has there been any correspondence between you?

Mr. PIC. No, sir.

Mr. JENNER. Has there been any correspondence that was indirect in any fashion?

Mr. PIC. My last letter I received from Robert was right after he appeared here. He mentioned that Marina often asked about my wife and I. Other than this, there has been no mention. He has mentioned about the grave being desecrated, and some information concerning the gravesite of Lee.

Mr. JENNER. Before I return to some specifics, is there anything else that has occurred to you in your reflection on this matter that you would like to mention?

Mr. PIC. The actual assassination, that time period or what, sir?

Mr. JENNER. Well, anything you think that might be relevant to the Commission's investigation as to the circumstances surrounding the assassination

of President Kennedy, any persons involved therein, the subsequent death of your brother.

Mr. PIC. Most of the information that I have seen and heard has been all new to me, like his escapades in New Orleans, passing out the leaflets and his radio program.

Mr. JENNER. Those incidents, by the way, were unknown to you until after the assassination, I take it?

Mr. PIC. Yes, sir; I assure you if I had known he was doing his escapades again I would have went to the proper authorities about it.

Mr. JENNER. I show you an exhibit, a series of exhibits, first Commission Exhibit No. 281 and Exhibit No. 282 being some spread pages of an issue of Life magazine of February 21, 1964. I direct your attention first to the lower left-hand spread at the bottom of the page. Do you recognize the area shown there?

Mr. PIC. No, sir.

Mr. JENNER. Do you see somebody in that picture that appears to be your brother?

Mr. PIC. This one here with the arrow.

Mr. JENNER. The one that has the printed arrow?

Mr. PIC. That is correct, sir.

Mr. JENNER. And you recognize that as your brother?

Mr. PIC. Because they say so, sir.

Mr. JENNER. Please, I don't want you to say—

Mr. PIC. No; I couldn't recognize that.

Mr. JENNER. Because this magazine says that it is.

Mr. PIC. No, sir; I couldn't recognize him from that picture.

Mr. JENNER. You don't recognize anybody else in the picture after studying it that appears to be your brother? When I say your brother now, I am talking about Lee.

Mr. PIC. No, sir.

Mr. JENNER. In the upper portion there are a series of photographs spread from left-hand page across to the right-hand page. Take those on the left which appears to be a photograph of three young men. Do you recognize the persons shown in that photograph?

Mr. PIC. Yes; I recognize this photograph, the people from left to right being Robert Oswald, the center one being Lee Oswald, and the third one being myself. This picture was taken at the house in Dallas when we returned from New Orleans.

Mr. JENNER. You mean from—when you came from New Orleans after being at the Bethlehem Orphanage Home?

Mr. PIC. Yes, sir.

Mr. JENNER. And you went to Dallas?

Mr. PIC. Yes, sir.

Mr. JENNER. It was taken in Dallas at or about that time?

Mr. PIC. Yes, sir.

Mr. JENNER. The next one is prominent; in front is a picture of a young boy. There is a partially shown girl and apparently another boy with a striped shirt in the background. Do you recognize that picture?

Mr. PIC. Yes; I recognize that as Lee Harvey Oswald.

Mr. JENNER. Do you have any impression as to when and where that was taken?

Mr. PIC. Just looking at the picture, I would guess first, second grade, maybe. I would have to guess at it.

Mr. JENNER. Then there is one immediately to the right of that, a young man in the foreground sitting on the floor, with his knees, legs crossed, and his arms also crossed. There are some other people apparently in the background.

Mr. PIC. I recognize that as Lee Harvey Oswald.

Mr. JENNER. Does anything about the picture enable you to identify as to where that was taken?

Mr. PIC. No, sir.

Mr. JENNER. Then to the right there is a picture of two young men, the upper portion of the—one young man at the bottom and then apparently a young man

standing up in back of that person. Do you recognize either of those young people?

Mr. PIC. Yes; I recognize Lee Harvey Oswald.

Mr. JENNER. Is he the one to which the black arrow is pointing?

Mr. PIC. Yes, sir.

Mr. JENNER. Then right below that is a picture of a young man standing in front of an iron fence, which appears to be probably at a zoo. Do you recognize that?

Mr. PIC. Sir, from that picture, I could not recognize that that is Lee Harvey Oswald.

Mr. JENNER. That young fellow is shown there, he doesn't look like you recall Lee looked in 1952 and 1953 when you saw him in New York City?

Mr. PIC. No, sir.

Mr. JENNER. Commission Exhibit No. 284—do you recognize anybody in that picture that appears to be Lee Oswald?

Mr. PIC. No, sir.

Mr. JENNER. There is a young fellow in the foreground—everybody else is facing the other way. He is in a pantomime, or grimace. Do you recognize that as Lee Harvey Oswald?

Mr. PIC. No, sir; looking at that picture—and I have looked at it several times—that looks more like Robert than it does Lee, to my recollection.

Mr. JENNER. All right. On Exhibit No. 286, the lower right-hand corner, there is another picture. Do you recognize that as your brother Lee in that picture?

Mr. PIC. Yes, sir; that is about how he looked when I seen him in 1962, his profile.

Mr. JENNER. Do you recognize the person, the lady to the right who is pointing her finger at him?

Mr. PIC. No, sir; I don't.

Mr. JENNER. Exhibit No. 287 is two figures, taking them from top to bottom and in the lower right-hand corner, do you recognize those?

Mr. PIC. No, sir; I don't.

Mr. JENNER. Neither one of them?

Mr. PIC. No, sir. The lower one appears to me to look like Robert rather than Lee. The upper one, unless they tell me that, I would never guess that that would be Lee, sir.

Mr. JENNER. All right. Exhibit No. 288, there is in the lower left-hand corner, there is a reproduction of a service card and a reproduction, also, of a photograph with the head of a man. Do you recognize that?

Mr. PIC. That looks to me approximately how Lee Oswald looked when I seen him Thanksgiving 1962.

Mr. JENNER. Directing your attention to Exhibit, Commission Exhibit No. 289, do you recognize any of the servicemen shown in that picture as your brother Lee?

Mr. PIC. No, sir; I do not recognize them.

Mr. JENNER. Exhibit No. 290, the lower left-hand corner there is a photograph of a young lady and a young man. Do you recognize either of those persons?

Mr. PIC. He appears to me as Lee Harvey Oswald in 1962 when I seen him.

Mr. JENNER. And the lady?

Mr. PIC. She is his wife, Marina, sir.

Mr. JENNER. Commission Exhibit No. 291, at the bottom of the page, there is a picture of a young man handing out a leaflet, and another man to the left of him who is reaching out for it. Do you recognize the young man handing out the leaflet?

Mr. PIC. No, sir; I would be unable to recognize him.

Mr. JENNER. As to whether he was your brother?

Mr. PIC. That is correct.

Mr. JENNER. Exhibit No. 292, in the upper right-hand corner, is a picture of a lady, a young lady with a child. Do you recognize either of those persons?

Mr. PIC. Yes; I recognize Marina Oswald.

Mr. JENNER. And the baby?

Mr. PIC. No, sir; I couldn't recognize the baby.

Mr. JENNER. Below that is a picture purporting to be that of your brother with

a pistol on his right hip, and with a firearm, a rifle in his left hand holding up what appear to be some leaflets. Do you recognize that as your brother Lee?

Mr. PIC. That is how he looked to me in 1962 when I seen him, sir.

Mr. JENNER. That is a duplicate of the picture on the cover. You have produced for us a series of letters from your mother to yourself, from your brother Lee to yourself, and from your brother Robert to yourself which have been marked John Pic Exhibits Nos. 6 through 47, inclusive.

Did you assist Mr. Ely, in the preparation of this list of exhibits?

Mr. PIC. No, sir; I arranged the stacks. He took it from the stacks I arranged previously.

Mr. JENNER. For the purpose of the record, then, John Pic Exhibit No. 6 is a letter from Marguerite Oswald to John Pic, postmarked May 8, 1950, and its accompanying envelope as John Pic Exhibit No. 6-A. John Pic Exhibit No. 7 is a letter from your mother to you, postmarked May 23, 1950, or the envelope is so postmarked. Its accompanying envelope being marked John Pic Exhibit No. 7-A. John Pic Exhibit No. 8, a letter from Marguerite Oswald to John Pic enclosed in envelope, Exhibit No. 8-A, postmarked at Fort Worth, May 24, 1950.

By the way, Exhibit No. 6-A is postmarked Fort Worth. All of these exhibits until I indicate otherwise from here on are marked with a return address to M. Oswald, 9048 Ewing, Fort Worth, Tex.

Mr. PIC. 7408.

Mr. JENNER. What did I say? 7408; that is correct. You are right.

Exhibit No. 9 is a letter from Marguerite Oswald to John Pic, accompanying envelope is Exhibit No. 9-A postmarked June 9, 1950.

Exhibit No. 10 and its reverse side, which is marked Exhibit No. 10-B, is a letter from Lee Harvey Oswald to John Pic enclosed in envelope marked John Pic Exhibit No. 10-A, postmarked at Fort Worth, Tex., on August 23, 1950. This envelope has no return address on it.

Exhibit No. 11 is a letter from Marguerite Oswald to John Pic in an envelope postmarked August 15, 1950, marked Exhibit No. 11-A.

Exhibit No. 12 is a letter from Marguerite to John Pic enclosed in envelope postmarked November 6, 1950, and identified as John Pic Exhibit No. 12-A.

The next is John Pic Exhibit No. 13, a letter from Marguerite Oswald to John Pic enclosed in envelope postmarked December 13, 1950, the envelope being marked John Pic Exhibit No. 13-A. This does have the return address Lee Oswald, 7408 Ewing, Fort Worth, Tex.

The next is a short longhand note on a small sheet marked John Pic Exhibit No. 14 which is undated, Lee Harvey Oswald to John Pic, which was enclosed with Exhibit No. 13.

The next is a card, Christmas card, marked John Pic Exhibit No. 15, inside cover of which in longhand says, "Dear Pic," and then there is in longhand and pencil "I sure am sorry that you can't come home for Christmas so I am sending you this fruitcake. Merry Christmas"—spelled Mary—"from Lee."

The next is John Pic No. 16, a letter from Marguerite Oswald to John Pic enclosed in envelope marked Pic Exhibit No. 16-A and postmarked in Fort Worth, April 16, 1951, with the usual return address.

Exhibit No. 17 is a letter from Marguerite Oswald to John Pic enclosed in envelope postmarked at Fort Worth on April 23, 1951. That envelope is marked John Pic Exhibit No. 17-A. The previous envelope in which Exhibit No. 16 was enclosed was marked Exhibit No. 16-A. I will say for the record in each instance where there is a letter accompanied by an envelope, the envelope is marked with a letter "A" but with the same number as the letter.

Exhibit No. 18 is a letter from Marguerite Oswald to John Pic enclosed in an envelope marked Exhibit No. 18-A, postmarked at Fort Worth, May 22, 1951.

The next is Exhibit No. 19, a letter from Marguerite Oswald to John Pic enclosed in an envelope marked Exhibit No. 19-A, postmarked at Fort Worth on June 18, 1951.

Exhibit No. 20 is a letter from Marguerite Oswald to John Pic and Exhibit No. 20-B is a birthday card from Marguerite. Both are enclosed in an envelope marked John Pic Exhibit No. 20-A, postmarked at Fort Worth, Tex., June 14, 1952, bearing the usual return address.

Exhibit No. 21 is a letter from Marguerite Oswald to John Pic enclosed in an envelope marked Pic Exhibit No. 21-A, postmarked Fort Worth, July 14, 1952, with the usual return address.

The next is a letter without an envelope which is marked John Pic Exhibit No. 22. The letter is dated May 10, 1954.

The Exhibit No. 23 is a letter from Marguerite Oswald to John Pic enclosed in an envelope, Exhibit No. 23-A, postmarked in New Orleans on June 14, 1954, containing the return address, M. Oswald, 1454 St. Mary, New Orleans, La.

The next is Exhibit No. 24; it is a letter from Marguerite Oswald to John Pic enclosed in an envelope postmarked at New Orleans, October 14, 1954, which in turn is marked John Pic Exhibit No. 24-A. It contains the return address, M. Oswald, 126 Exchange, New Orleans, La. If I neglected to do so, Exhibit No. 22 is the letter from Marguerite Oswald to John Pic.

Exhibit No. 25 also is a letter from Marguerite Oswald to John Pic enclosed in an envelope marked Exhibit No. 25-A, postmarked at New Orleans, La., on November 12, 1954, containing return address, M. Oswald, 126 Exchange, New Orleans, La.

Exhibit No. 26 is a letter from Marguerite Oswald to John Pic enclosed in an envelope marked Exhibit No. 26-A, postmarked at New Orleans, La., on November 11, 1954, return address, Mrs. M. Oswald, 126 Exchange, New Orleans, La. Mr. Pic, are Exhibits Nos. 6 and 6-A, 7 and 7-A, 8 and 8-A, 9 and 9-A, 10 and 10-A, 11 and 11-A—excuse me, strike out that 10 and 10-A—11 and 11-A, 12 and 12-A, 16 and 16-A, 17 and 17-A, 18 and 18-A, 19 and 19-A, 20 and 20-A, 21 and 21-A, 22, 23 and 23-A, 24 and 24-A, 25 and 25-A, 26 and 26-A, all in the handwriting of your mother Marguerite Oswald?

Mr. PIC. Yes, sir.

Mr. JENNER. And were those envelopes addressed to you at various places you were then, that is as of the time they were postmarked received by you at or about the postmarked dates or shortly thereafter which each envelope bears?

Mr. PIC. Yes, sir.

Mr. JENNER. There is one exhibit that doesn't have an envelope. Was that letter received by you shortly after the date it bears?

Mr. PIC. You refer to Exhibit No. 22, sir?

Mr. JENNER. Yes, sir.

Mr. PIC. To the best of my knowledge; yes, sir.

Mr. JENNER. These are all, they all consist of correspondence from your mother to you?

Mr. PIC. Yes, sir.

Mr. JENNER. And they happen to be correspondence which you have retained over the years?

Mr. PIC. Yes, sir.

Mr. JENNER. Except for the exhibit marks on those, they are in the same condition now as they were at the time you received them and opened them in the case of the envelopes?

Mr. PIC. Yes, sir.

Mr. JENNER. And that the letters are in the condition they were at the time you read them?

Mr. PIC. Yes, sir.

Mr. JENNER. Go back to Pic Exhibit No. 10, in whose handwriting is that exhibit?

Mr. PIC. Exhibit No. 10, sir, is in the handwriting of—there is Exhibits Nos. 10, 10-A, and 10-B.

Mr. JENNER. Exhibit No. 10, I am referring to.

Mr. PIC. They are both in the handwriting of Lee Harvey Oswald.

Mr. JENNER. Exhibits Nos. 10 and 10-A; correct?

Mr. PIC. No, sir; Exhibits Nos. 10, 10-A, and 10-B. Exhibit No. 10 is the insert in envelope Exhibit No. 10-A.

Mr. JENNER. Then look at Exhibits Nos. 13 and 13-A.

Mr. PIC. They are marked Exhibits Nos. 13 and 13-A, sir.

Mr. JENNER. All right. The contents are marked Exhibit No. 13.

Mr. PIC. Yes, sir.

Mr. JENNER. In whose handwriting is the envelope?

Mr. PIC. Lee Harvey Oswald's.

Mr. JENNER. And whose handwriting is that which appears in the inside of that card?

Mr. PIC. My mother's, sir.

Mr. JENNER. Is there any handwriting of Lee Harvey Oswald on that card?

Mr. PIC. No, sir.

Mr. JENNER. The card was enclosed, was it in the exhibit marked John Pic No. 13-A?

Mr. PIC. Yes, sir.

Mr. JENNER. Turn to Exhibit No. 14. That is a note you received from your brother?

Mr. PIC. Yes, sir.

Mr. JENNER. Is that in his handwriting?

Mr. PIC. Yes, sir.

Mr. JENNER. It is undated.

Mr. PIC. Yes, sir.

Mr. JENNER. Do you have the envelope in which that was enclosed?

Mr. PIC. Sir, it may be Exhibit No. 13-A, I don't know.

Mr. JENNER. It may have been enclosed in Exhibit No. 13-A?

Mr. PIC. It may have been enclosed in Exhibit No. 10-A, I don't know, sir.

Mr. JENNER. In any event, it is in the handwriting of your brother?

Mr. PIC. Yes, sir.

Mr. JENNER. And you received it in due course some time?

Mr. PIC. Yes, sir.

Mr. JENNER. On or about the holiday period—

Mr. PIC. I would guess that Exhibit No. 15 goes in envelope Exhibit No. 13-A.

Mr. JENNER. All right. Would you put them in there?

Mr. PIC. And the date on envelope Exhibit No. 13-A is 13 December, and this is a Christmas card from Lee, sir.

Mr. JENNER. That Christmas card on the inside is the handwriting of your mother, however?

Mr. PIC. No, sir. Lee Harvey Oswald.

Mr. JENNER. All right. Now, the exhibit marked John Pic No. 14, do you have a recollection as to the envelope in which that was enclosed?

Mr. PIC. No, sir.

Mr. JENNER. Do you have a recollection as to approximately when you received it, that is John Pic Exhibit No. 14?

Mr. PIC. I would speculate and say that Exhibit No. 10 goes in envelope Exhibit No. 10-A, and that Exhibit No. 14 either came some little period of time before or after the contents in envelope Exhibit No. 10-A.

Mr. JENNER. That is while you were away at military school?

Mr. PIC. No, sir; this is when I am in the Coast Guard.

Mr. JENNER. All right. All those exhibits I have now identified, that is after I identified your mother's letters, are in the handwriting of Lee Oswald?

Mr. PIC. All except Exhibit No. 13, sir.

Mr. JENNER. And Exhibit No. 13 is in the handwriting of your mother?

Mr. PIC. That is correct, sir.

Mr. JENNER. It appears to be and is a Christmas card?

Mr. PIC. Yes, sir.

Mr. JENNER. From its contents are you able to tell us approximately when you received that?

Mr. PIC. It would be, I would say sometime after Christmas of 1950, sir.

Mr. JENNER. All right. Would you put all those exhibits back in order?

Mr. PIC. What belongs with what I think.

Mr. JENNER. Yes.

Mr. PIC. Exhibits Nos. 13-A and 15 here, sir.

Mr. JENNER. You have already told us of Exhibits No. 13-A belonging with Exhibit No. 15. You have also produced for us correspondence that you happen still to have in your possession from your brother Robert Oswald, have you not?

Mr. PIC. Yes, sir.

Mr. JENNER. I place that correspondence before you and ask you to follow me

as I place the exhibit numbers in the record. Exhibit No. 27 is a letter from Robert to you.

Mr. PIC. They are marked all with "B's."

Mr. JENNER. Exhibit No. 27-B is a letter from your brother Robert to you enclosed in an envelope marked Exhibit No. 27-A, postmarked October 1, 1952?

Mr. PIC. That is correct, sir.

Mr. JENNER. From where?

Mr. PIC. U.S. Navy 14016, sir. Unit 1.

Mr. JENNER. And to you at?

Mr. PIC. At 325 East 92d Street, New York City, sir.

Mr. JENNER. Exhibit No. 28-B is the contents of Exhibit No. 28-A, the contents consisting of a letter from your brother Robert to you, the envelope is postmarked June 9, 1954.

Mr. PIC. That is correct, sir.

Mr. JENNER. And it is addressed to you where?

Mr. PIC. U.S. Coast Guard Station, Staten Island, N.Y.

Mr. JENNER. All right. Exhibit No. 29-B is the contents of the envelope marked Exhibit No. 29-A, the contents consisting of a letter from your brother Robert to you, and the envelope being postmarked June 19, 1954.

Mr. PIC. Plus a picture.

Mr. JENNER. There is also enclosed in that envelope a picture?

Mr. PIC. That is right, sir.

Mr. JENNER. Which is marked—

Mr. PIC. Exhibit No. 29-C.

Mr. JENNER. Exhibit No. 29-C. The picture is a picture of whom?

Mr. PIC. Two what appear to be Marines, sir; the one on the left being Robert Oswald.

Mr. JENNER. May I see it, please, sir? Do you know the other Marine?

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

Mr. JENNER. Exhibit No. 30-A is an envelope postmarked December 13, 1954, its contents being a letter marked Exhibit No. 30-B, being a letter from your brother Robert to you.

Mr. PIC. Being a Christmas card, sir; with a letter written on the Christmas card.

Mr. JENNER. On the inside?

Mr. PIC. Yes, sir.

Mr. JENNER. And some inscription, also, under the Christmas greetings?

Mr. PIC. Yes, sir.

Mr. JENNER. Now, are those exhibits all in the handwriting, except for the photograph, of course, in the handwriting of your brother Robert?

Mr. PIC. Yes, sir; to my best of my knowledge.

Mr. JENNER. Did you receive those exhibits, the envelopes, and the contents in due course after they were posted?

Mr. PIC. Yes, sir.

Mr. JENNER. And you have retained them in your possession since that time?

Mr. PIC. Yes, sir.

Mr. JENNER. All right. Have you also produced for us some additional correspondence between your mother and yourself?

Mr. PIC. Yes, sir.

Mr. JENNER. Being exclusively letters from her to you?

Mr. PIC. Yes, sir.

Mr. JENNER. They being in the following series: Exhibit No. 31-A, an envelope addressed to you postmarked June 3, 1950—

Mr. PIC. Fort Worth, Tex.

Mr. JENNER. Fort Worth, Tex. What is the return address?

Mr. PIC. M. Oswald, 7408 Ewing, Fort Worth, Tex.

Mr. JENNER. And the contents consisting of a letter from your mother to you?

Mr. PIC. That is correct, sir.

Mr. JENNER. And that is marked Exhibit No. 31-B?

Mr. PIC. Yes.

Mr. JENNER. The next envelope and letter, the envelope is marked Exhibit No. 32-A. Is it postmarked?

Mr. PIC. Partial postmark, sir.
Mr. JENNER. How much of it can you read?
Mr. PIC. Texas 1950, sir.
Mr. JENNER. Its contents marked?
Mr. PIC. Exhibit No. 32-B, sir.
Mr. JENNER. That is a letter from your mother to you?
Mr. PIC. Yes, sir.
Mr. JENNER. Enclosed with the envelope we have identified?
Mr. PIC. Yes, sir.
Mr. JENNER. The next exhibit is what?
Mr. PIC. Exhibit No. 33-A, sir.
Mr. JENNER. Postmarked?
Mr. PIC. Fort Worth, August 23, 1950.
Mr. JENNER. What return address?
Mr. PIC. M. Oswald, 7408 Ewing, Fort Worth, Tex.
Mr. JENNER. The contents have been marked?
Mr. PIC. Exhibit No. 33-B, sir.
Mr. JENNER. The letter from your mother to you?
Mr. PIC. Yes, sir.
Mr. JENNER. Enclosed in that envelope?
Mr. PIC. Yes, sir.
Mr. JENNER. The next exhibit?
Mr. PIC. Is just a letter dated Exhibit No. 34.
Mr. PIC. Is just a letter marked Exhibit No. 34.
Mr. PIC. Yes, sir.
Mr. JENNER. Is it dated?
Mr. PIC. The only mention is the word Saturday, sir.
Mr. JENNER. It is undated?
Mr. PIC. Yes, sir.
Mr. JENNER. It is in the handwriting of your mother?
Mr. PIC. Yes, sir.
Mr. JENNER. You received it in due course?
Mr. PIC. Yes, sir.
Mr. JENNER. Some time or other?
Mr. PIC. Yes, sir.
Mr. JENNER. But you did not retain the envelope?
Mr. PIC. No, sir.
Mr. JENNER. Can you tell from its content approximately when you received it? Was it after you entered the Coast Guard?
Mr. PIC. Yes, sir; definitely after I entered the Coast Guard, in fact it mentions the Korean war, so it was after the onset of the Korean war.
Mr. JENNER. Was it received subsequently to the letter and envelope, the envelope being postmarked August 23, 1950, being the previous exhibit?
Mr. PIC. I wouldn't know, sir.
Mr. JENNER. All right. The next exhibit.
Mr. PIC. Envelope Exhibit No. 35-A, sir, postmarked Fort Worth, Tex.; return address, M. Oswald, 7408 Ewing, Fort Worth, Tex.
Mr. JENNER. What is the postmark date?
Mr. PIC. September 22, 1950.
Mr. JENNER. Contents marked?
Mr. PIC. Exhibit No. 35-B, sir.
Mr. JENNER. Being a letter from your mother to you?
Mr. PIC. That is correct, sir.
Mr. JENNER. The next exhibit?
Mr. PIC. Exhibit No. 36-A bearing the postmark 27 September 1950, return address, M. Oswald, 7408 Ewing Street, Fort Worth, Tex.
Mr. JENNER. And postmarked at Fort Worth?
Mr. PIC. Yes, sir; postmarked at Fort Worth.
Mr. JENNER. Its contents marked—what is the exhibit number on the contents?
Mr. PIC. Exhibit No. 36-B, sir.
Mr. JENNER. Then the next exhibit?

Mr. PIC. The next Exhibit No. 37-A, postmarked Fort Worth, Tex., December 28, 1950, no return address.

Mr. JENNER. The contents?

Mr. PIC. Christmas card marked Exhibit No. 37-B with a short note.

Mr. JENNER. In the handwriting of your mother?

Mr. PIC. Yes, sir.

Mr. JENNER. All right. Next exhibit?

Mr. PIC. Envelope Exhibit No. 38-A, postmarked Fort Worth, Tex., January 19, 1951, return address, M. Oswald, 7408 Ewing, Fort Worth, Tex. Contents of envelope marked Exhibit No. 38-B containing a letter from my mother to myself.

Mr. JENNER. All right. Next exhibit?

Mr. PIC. Envelope Exhibit No. 39-A postmarked Fort Worth Tex., April 6, 1951. The only thing made out on the return address is "M.O. 7408 Fort Worth, Texas."

Mr. JENNER. Contents?

Mr. PIC. Contents Exhibit No. 39-B, a letter from my mother to myself, sir.

Mr. JENNER. Next exhibit?

Mr. PIC. Envelope marked Exhibit No. 40-A, postmarked Fort Worth, Tex., May 2, 1951, return address, M. Oswald, 7408 Ewing, contents Exhibit No. 40-B letter from my mother to myself, sir.

Mr. JENNER. The next exhibit?

Mr. PIC. Envelope marked Exhibit No. 41-A postmarked Fort Worth, Tex., 7 May 1951, return address 7408, Mrs. M. Oswald, 7408 Ewing, Fort Worth, Tex., contents letter marked Exhibit No. 41-B, a letter from my mother to myself, sir.

Mr. JENNER. Next exhibit?

Mr. PIC. A letter, envelope marked Exhibit No. 42-A postmarked Fort Worth, Tex., June 4, 1951, return address M. Oswald 7408 Ewing, Fort Worth, Tex., contents marked Exhibit No. 42-B, letter from my mother to myself, sir.

Mr. JENNER. Next exhibit?

Mr. PIC. Envelope marked Exhibit No. 43-A, postmarked Fort Worth, Tex., June 13, 1951, return address M. Oswald 7408 Ewing, Fort Worth, Tex., contents marked Exhibit No. 43-B, a letter from my mother to myself, sir.

Mr. JENNER. Next exhibit?

Mr. PIC. Envelope marked Exhibit No. 44-A postmarked Fort Worth, Tex., July 13, 1951, return address M. Oswald, 7408 Ewing, Fort Worth, Tex., contents marked Exhibit No. 44-B, a letter from my mother to myself, sir.

Mr. JENNER. Next exhibit?

Mr. PIC. An envelope marked Exhibit No. 45-A, postmarked Fort Worth, Tex., February 8, 1952, return address M. Oswald 7408 Ewing, Fort Worth, Tex. Contents Exhibit No. 45-B, a letter from my mother to myself, sir.

Mr. JENNER. Next exhibit?

Mr. PIC. Envelope marked Exhibit No. 46-A, postmarked Fort Worth, Tex., May 8, 1952, M. Oswald, 7408 Ewing, Fort Worth, Tex., contents marked Exhibit No. 46-B, letter from my mother to myself.

Mr. JENNER. The last of the series?

Mr. PIC. An envelope marked Exhibit No. 47-A, postmarked Fort Worth, Tex., dated 5th of March 1952, return address M. Oswald 7408 Ewing, Fort Worth, Tex. Contents marked Exhibit No. 47-A also. The letter from my mother to myself.

Mr. JENNER. OK, that is a mistake then. We will change that marking to Exhibit No. 47-B, which I am now doing.

The letters that have been identified with Exhibit No. 31-A and concluding with Exhibit No. 47-B, are all in the handwriting of your mother, are they not?

Mr. PIC. That is correct, sir.

Mr. JENNER. And it is correspondence which you received in due course on or about the dates or shortly after the dates that the various envelopes were postmarked?

Mr. PIC. That is correct, sir.

Mr. JENNER. And you have retained them in your possession in the entire time?

Mr. PIC. That is correct, sir.

Mr. JENNER. There is an exhibit still before you marked John Pic Exhibit No.—

Mr. PIC. Exhibit No. 59.

Mr. JENNER. What is that?

Mr. PIC. This appears to be a "shot" record of Lee Harvey Oswald written in an unknown hand, which gives him a smallpox date of August 7, 1951.

Mr. JENNER. How did that come into your possession?

Mr. PIC. It was just laying in the box with all this other stuff, sir.

Mr. JENNER. I offer those exhibits now commencing with Exhibit No. 31-A to and including Exhibits Nos. 47-B, plus 59, in evidence.

(The documents referred to were marked John Pic Exhibits Nos. 31-A to 47-B, inclusive, and Exhibit No. 59 for identification and received in evidence.)

Mr. JENNER. Mr. Pic, we have made copies of all those exhibits and we appreciate your bringing the originals, and you may take the originals back with you to San Antonio. Those exhibits consisting of the photographs of your brother which you brought, we will have duplicated and returned to you in due course.

Mr. PIC. All right.

Mr. JENNER. Direct your attention, if you will, to Exhibit No. 9-A, an envelope and its contents, Exhibit No. 9, this being a letter from Fort Worth, June 9, 1950, to you at Brooklyn, N.Y.

There is an inside page reading, "Mother called in on and told some of my problems." Do you find that?

Mr. PIC. Yes, sir.

Mr. JENNER. Uncle Dutz wired \$75. That is your uncle Charles Murret?

Mr. PIC. Yes, sir.

Mr. JENNER. And then it reads, "And Lee was invited to spend a couple of weeks, so I sent him on the train by himself. To what is your mother referring in connection with her problems and the wiring of the \$75 by your uncle?"

Mr. PIC. It appears to me, sir, that at this time period she was between jobs. Further down she states she is starting on a new job Monday.

Mr. JENNER. Does she refer to that job on the page that is numbered 3, I believe, as McDonald Kitchens is the name?

Mr. PIC. She first refers to it on the one where it begins, "Mother called in on".

Mr. JENNER. Now, the mother there mentioned is your mother, isn't it?

Mr. PIC. Yes, sir.

Mr. JENNER. Then there is a page numbered 3?

Mr. PIC. That is right, sir.

Mr. JENNER. Which referred to McDonald's Kitchens as the name and what they do is cook food for commercial use?

Mr. PIC. Yes, sir.

Mr. JENNER. "I will drive a station wagon and deliver the food, also."

Mr. PIC. Yes, sir.

Mr. JENNER. Is that a job she was about to obtain?

Mr. PIC. I can only assume from the letter, sir; I have no other knowledge of that.

Mr. JENNER. She makes a reference on that page "Haven't sold the house as yet but have a good prospect." Calling your attention to the date, June 9, 1950, what house was that?

Mr. PIC. I am sure this refers to the little house in Benbrook, sir.

Mr. JENNER. It refers to people called DeLogans. Who are they?

Mr. PIC. I assume these people were renting the house from her, I don't remember them.

Mr. JENNER. That was a duplex of some kind?

Mr. PIC. No, sir; that was this little L-shaped house.

Mr. JENNER. In all this correspondence, Sergeant, by and large your mother very frequently, if not all the time, refers to her straitened circumstances, need for funds, and references to you having sent money. In your testimony you have referred to conversations with her on the subject and she raised the subject to you. Was that something that was pretty constantly in her mind all the time?

Mr. PIC. Yes, sir; it was.

Mr. JENNER. Did she talk about that subject at times when you were of the

opinion that she was not as straitened as she appears to report in these letters?

Mr. PIC. Will you repeat that, please, sir?

Mr. JENNER. Would you read it, please, Mr. Reporter.

(The question, as recorded, was read by the reporter.)

Mr. PIC. I am sorry, sir; I don't understand your question.

Mr. JENNER. Were you of the opinion from time to time that on these occasions when she talked about what appears to be that she was in extremis with respect to finances when in fact she was not, she was overstating this condition or status?

Mr. PIC. Yes; I believe she overstated it most of the time.

Mr. JENNER. Because there were purchases of houses, at least on the installment plan, and she seemed to have capital to do that, did she not?

Mr. PIC. Yes, sir; she could always buy and sell a house some way or other.

Mr. JENNER. What was your impression as to why she was doing this; to impress you boys or was that just her fixation or personality trait?

Mr. PIC. It is my impression that she did it in order to make a profit on every deal she got involved with.

Mr. JENNER. I am not thinking of a house sale as such. But that question was more directed to her talking about her financial circumstances.

Was she attempting to impress you boys that she was working herself to the bone to support you and you should be more grateful than you appeared to be, and that sort of thing?

Mr. PIC. That is practically verbatim, sir.

Mr. JENNER. Please; you say that is practically verbatim, you mean you have uttered what was in her mind?

Mr. PIC. No; just about what she says. She said at those times.

Mr. JENNER. Were you under the impression that she was overstating in that respect?

Mr. PIC. Yes, sir.

Mr. JENNER. Was that likewise the feeling of your brother Robert?

Mr. PIC. Yes, I am sure it was.

Mr. JENNER. What was your impression as to whether your mother was always sincere and straightforward with respect to that subject matter?

Mr. PIC. My opinion, sir; at the time was all she cared about was getting hold of and making some money in some form or another. This is her god, so to speak, was to get money. And to get as much out of me as she could and as much out of Robert as she could.

Mr. JENNER. And as much out of anybody else as she could?

Mr. PIC. Yes, sir.

Mr. JENNER. Was there any—you talk about the difficulties with Mr. Ekdahl. Do you recall any discussions between them with respect to any dissatisfaction on your mother's part with funds that were given her by Mr. Ekdahl?

Mr. PIC. Yes, sir; she always wanted more money out of him. That was the basis of all the arguments.

Mr. JENNER. And was she complaining to him that he didn't give her enough money?

Mr. PIC. Yes, sir.

Mr. JENNER. Was your mother an extravagant person money-wise?

Mr. PIC. I don't know what she did with the money, sir. She bought very little at that far as clothes and things. We didn't eat steak every day. We didn't eat that good. In fact, when I joined the service in 1950, I was 118 pounds, and my weight prior to that was usually about 130, 140. I think within a month or two after I joined the service I was up to 145 and none of my uniforms fit me. I was—there is a picture of me in the Pasqual High School thing, and I am very thin. People couldn't recognize me from that picture. I lost a lot of weight working, and not eating too good. I would come home and have to fix my own meals.

Mr. JENNER. Was your mother attentive in that respect? Did she go out of her way to have meals ready for you boys when you returned to home either after work or after school or otherwise?

Mr. PIC. If there was a majority eating there was usually something set aside for the lesser, which was kept warm in the oven.

Mr. JENNER. You mean the member of the family who was absent at meal-time she would save something for him?

Mr. PIC. Yes, sir.

Mr. JENNER. Did you get the feeling, you and your brother, in due course, that your mother's references to these financial needs at times, at least when, to use the vernacular, she was crying wolf?

Mr. PIC. Yes, sir.

Mr. JENNER. These continued references by her to her financial needs, did you think that had an effect on Lee as well as on yourself and your brother?

Mr. PIC. It didn't affect me that much. I ignored most of them. If I had money I sent it. If I didn't, that was it. Lee was brought up in this atmosphere of constant money problems, and I am sure it had quite an effect on him, and also Robert.

Mr. JENNER. In her letter enclosed in the envelope postmarked June 18, 1951—

Mr. PIC. What number is that, sir?

Mr. JENNER. That is Exhibits Nos. 19 and 19-A—she makes reference that Robert has been saving his money since January to buy a car and "gives me \$15 a week and never spends a cent unless absolutely necessary (is he tight) but he has saved \$210 since the first of the year and is hiding"—

Mr. PIC. Hitting.

Mr. JENNER. "For \$400" and so on.

Mr. PIC. Before buying a car.

Mr. JENNER. "Won't loan me a penny. pays his room and board regularly. He gets 2 weeks vacation with pay, I believe, will start in July."

Do you remember your mother attempting to borrow money from you?

Mr. PIC. When I went home on leave in 1950 with a hundred or so dollars, like I mentioned before, she wanted to hold it, just about the whole amount except for about \$10 from me, so nothing would happen to it, and I might get robbed or something, she felt. Whenever she could she attempted to get a buck out of any of us.

Mr. JENNER. Did you get any of that money back?

Mr. PIC. I got it all back and subsequently when I left I gave her, I think \$50 or so.

Mr. JENNER. In that same letter she refers to, she said, "I only made \$92 last month and am just starting to get leads. I am back with the same company."

To what company is she referring in that letter which is postmarked June 18, 1951?

Mr. PIC. I don't know, sir. It sounds to me like it would be an insurance company.

Mr. JENNER. Do you recall your mother selling insurance?

Mr. PIC. Yes; I knew approximately at this time period she sold insurance.

Mr. JENNER. There is a reference to Lee taking tap dancing lessons, also, in that letter, that he is a good dancer, "with his voice it would be a good thing to start dancing lessons and when he is a little older take voice."

Mr. PIC. I think this statement here about this practically like several other statements which are either direct or indirect were an attempt to get me to donate some money to this cause or something else. Of course this, to me, is a come-on for maybe next time I write I will say, "Hurrah, hurrah, Lee is going to take tap dancing lessons" and then she will write and say she can't afford it and to send a little money to help him. She did these things. In fact, in some of her letters she refers to it is my fault they are in trouble because I stated I would help pay for the car and since I was in the service I wasn't holding up my end of the bargain.

Mr. JENNER. What about that incident?

Mr. PIC. Sir, that is in the second group of letters.

Mr. JENNER. What about this particular incident you mentioned? What are the facts about that?

Mr. PIC. Just what it states here. This is all I know, sir. What it states in this letter.

Mr. JENNER. About the dancing and voice?

Mr. PIC. Yes, sir.

Mr. JENNER. Did you ever hear of Lee, other than this letter of Lee taking dancing lessons?

Mr. PIC. No, sir.

Mr. JENNER. Did you ever hear otherwise of his taking dancing lessons than in this letter?

Mr. PIC. No, sir.

Mr. JENNER. Did either you or Robert ever take dancing lessons or voice lessons?

Mr. PIC. I think when we were very small and Mr. Oswald was still alive we did, sir.

Mr. JENNER. Now, the other thing to which I referred, as you made reference to something about making payments on a car. What was that about?

Mr. PIC. That would be in that second group, sir. In the second group is really the financial statements. Every one of them contained something pertaining to her finances.

Mr. JENNER. The early enlistments of yourself and Robert and Lee—do you think that had anything to do with your mother's persistent references, allusions to finances?

Mr. PIC. I did not enlist as fast as the other boys. I waited a year after I was of age. I am sure that prior to my enlistment, as a matter of fact, I knew she mentioned when I do get in I should make out an allotment to her and so forth.

Mr. JENNER. Do you think there was an incentive on the part of Lee and Robert to enlist as soon as possible to get away from your mother?

Mr. PIC. Yes, sir; I do.

Mr. JENNER. Did you and your brother Robert have discussions on this subject?

Mr. PIC. No, sir; we never discussed these things. It was just a feeling it was always around. We knew these things without discussing them.

Mr. JENNER. Did you live in an atmosphere in which your mother directly or indirectly indicated to you that she thought she had been unfairly dealt with in her life?

Mr. PIC. Yes, sir.

Mr. JENNER. You had that very definite impression?

Mr. PIC. Yes, sir.

Mr. JENNER. You had—

Mr. PIC. I did not have this impression. She related this to me, sir. I didn't feel she had it any tougher than a lot of people walking around.

Mr. JENNER. That is what I am getting at, this was an impression she was seeking to create.

Mr. PIC. That is right, sir.

Mr. JENNER. You felt she did not have it any tougher. She was creating an impression that did not square with the facts?

Mr. PIC. Yes, sir. Every time she met anyone she would remind them she was a widow with three children.

Mr. JENNER. Do you have an opinion also as to whether this atmosphere in which Lee lived had an effect upon him and his personality?

Mr. PIC. I am sure it did, sir. Also, Lee slept with my mother until I joined the service in 1950. This would make him approximately 10, well, almost 11 years old.

Mr. JENNER. When you say slept with, you mean in the same bed?

Mr. PIC. In the same bed, sir.

Mr. JENNER. As far as you know or say when Lee came and stayed with you a short while in 1952 did he likewise sleep with your mother?

Mr. PIC. No, sir; he did not.

Mr. JENNER. He had reached a measure of independence by that time?

Mr. PIC. Well, sir; when I left and went into the service there was a vacant bed in the house.

Mr. JENNER. And at that time was that literally the first time that Lee had separate quarters for himself other than the period of time that Mr. Ekdahl lived with you and the period of time when your stepfather Lee Oswald was alive?

Mr. PIC. Lee wasn't born when Lee Oswald was alive, sir.

Mr. JENNER. That is right. Well, then, except for the time Mr. Ekdahl lived with you?

Mr. PIC. That is true, sir. That would make him about 10½ years old.

Mr. JENNER. Up to the time he was 10½ years old, why he roomed and slept with his mother in the same bed?

Mr. PIC. I would like to interject here.

Mr. JENNER. Yes, I am seeking something of the personality of your mother and the effect on you, had an effect on Robert, and probably a more material effect on Lee, is that correct?

Mr. PIC. Yes; I am sure it did. When I reached 17, I was eligible for the service, but I was really in no hurry, I wanted to finish my high school education, and when I decided to join the Coast Guard—at that time to join the Coast Guard you needed your parent's consent up until the age of 21. I asked her for it and she hesitated and I told her if she didn't give it to me I would join another branch where I didn't need it and then I got it. I am sure that neither Robert nor Lee needed their mother's consent to join the Marine Corps at the age of 17. I know for the Coast Guard we did, sir, the Coast Guard was not a part of the Department of Defense at that time.

Mr. JENNER. Directing your attention to Exhibits Nos. 21 and 21-A, the second page of that letter, Exhibit No. 21, reads, "Robert left Friday morning for San Diego. He joined the Marines and signed for 4 years. I am glad he decided to enlist. He realized his mistake about getting married, and"—would you read the rest of it?

Mr. PIC. "And probably having to go just the same."

Mr. JENNER. "And then probably having to go just the same." Is that the incident in which your mother opposed your brother Robert's marriage to the little crippled girl?

Mr. PIC. Yes, sir.

Mr. JENNER. Turn to Exhibit No. 24. There is a reference there to a lady, Ethel somebody at Holmes. Would you read that?

Mr. PIC. "Ethel Nunncy at Holmes asks about you."

Mr. JENNER. And that is—Holmes is a department store?

Mr. PIC. In New Orleans.

Mr. JENNER. Who was Ethel Nunncy?

Mr. PIC. She was a friend of my mother's, sir, that I had known of since I was a small—I was a baby.

Mr. JENNER. Sir, this Exchange Alley—did they have to live under these conditions?

Mr. PIC. All I know is that they lived there. She thought they did.

Mr. JENNER. Exhibit No. 31-B which is a letter from your mother to you post-marked at Fort Worth, June 3, 1950, reading "Dear John, your sense of responsibility seems nil" or null.

Mr. PIC. Nil, null.

Mr. JENNER. N-u-l-l. "Remember it was you insisted I buy the car as you planned to work at Consolidated. Well I have been in a jam financially ever since you left." What is the next word?

Mr. PIC. "Kept waiting and robbing Peter to pay Paul."

Mr. JENNER. "Until you were"—

Mr. PIC. Kept waiting and robbing Peter to pay Paul until you were finished with your boot training as your letters indicated you would send a hundred fifty dollars and about fifty dollars a month."

Mr. JENNER. Had you so indicated?

Mr. PIC. I don't believe so, sir. I don't see how, I wasn't making but \$80 per month.

Mr. JENNER. What truth was there in her statement that it was you who insisted that she buy the car?

Mr. PIC. Well, that old jalopy I have a picture of was falling apart and before I went in the service she had a ride home from work and the generator wouldn't generate, and the battery wouldn't battery and it just kept cutting out, so we needed a new car.

Mr. JENNER. Was that particular car about which you have just described—

about which you were having trouble—was that the family car or a car owned by you?

Mr. PIC. A family car, I never owned a car, sir, when I lived at home.

Mr. JENNER. I take it you had urged her to buy a new car to replace that one?

Mr. PIC. We all wanted a new car, sir, because the other one wouldn't run. She had to get it pushed every morning to get to work. She would have us out in the street waving down people to help her get the car pushed.

Further on, sir. "I wrote you and told you about a girl loaning me \$50 on my ring, I lost the ring and wasn't able to pay it." Sir, I wouldn't believe that. I am sure at that time I didn't. And the way she goes on the next page, "Cox found out about me borrowing" and let her go. I don't believe this.

Mr. JENNER. The next letter, Exhibit No. 32-B, and in an envelope marked in 1950, it says "Dear John, Well, I have the house in Benbrook up for sale." Could you read the name?

Mr. PIC. It appears to me to be J. Piner Powell Real Estate is handling it. Do you want me to read on?

Mr. JENNER. Yes.

Mr. PIC. "The problem is to find someone with enough cash as a loan company won't make a new loan and I have about \$2,600 in it. Nothing but bad news. Up to date I am still not working." Read on, sir?

Mr. JENNER. That is about enough. Did your mother write you a letter that had good news in it?

Mr. PIC. I never recall one, sir.

Mr. JENNER. Around your home was the atmosphere that, "We are poor but we will get along?" as your mother sought to lead you boys to accommodate yourselves to the circumstances that everything would turn out all right eventually?

Mr. PIC. None of us really paid much attention to this, sir. I didn't, and I am sure Robert didn't. I don't think Lee did because Robert and I would probably talk and we didn't pay much attention to it.

Mr. JENNER. You heard it so often you just became inured to it, hardened to it; is that it?

Mr. PIC. Well, we didn't believe it after the problems she put on. Just like when my wife and I got married she sent a package containing Revere Ware which I haven't received yet and she swears up and down she sent it, and she has never gotten it in the return mail either. And I know she never sent anything. When we would be home alone, before she would return from work, we have a rather friendly atmosphere, but as soon as she came home we all got into that depression rut again.

Mr. JENNER. Was your—

Mr. PIC. This is prior to my going in the service, sir.

Mr. JENNER. There were times that the atmosphere around your home was depressing?

Mr. PIC. Yes, sir.

Mr. JENNER. And was that due largely to your mother?

Mr. PIC. Yes, sir.

Mr. JENNER. The things she said and the attitudes she assumed?

Mr. PIC. That is correct, sir.

Mr. JENNER. And while you and your brother got along well you boys were not getting along well with your mother in that sense?

Mr. PIC. Robert and I and Lee, we had our fights among us, like all brothers do. But we could handle ourselves and our own problems, but the atmosphere just changed when she was around.

Mr. JENNER. Did your mother ever say anything about whether people liked her or disliked her?

Mr. PIC. She didn't have to. She didn't have many friends and usually the new friends she made she didn't keep very long.

Mr. JENNER. That was her history?

Mr. PIC. I remember every time we moved she always had fights with the neighbors or something or another.

Mr. JENNER. Was she a person who was resentful of the status of others?

Mr. PIC. Yes, sir.

Mr. JENNER. And you boys were aware of that, were you?

Mr. PIC. I was aware of it. She always—I remember once when we lived on Eighth Avenue, I believe was the place, the people named McLean living next to us, of course he was an attorney and everything, and they had some money, and my mother—

Mr. JENNER. What town was this?

Mr. PIC. This was Fort Worth, sir. My mother remarked to me once that Mrs. McLean had said she went and played the slot machines and lost \$100 in it, and she raved and ranted about this for half an hour or an hour about how this woman could go and waste \$100 and what she could do with it and everything. She resented the fact this woman lost her own money.

Mr. JENNER. I haven't found a single letter yet, Sergeant, in which your mother fails to mention the subject of money.

Mr. PIC. You may find a Christmas card, "Love, Mother," sir.

Mr. JENNER. A letter?

Mr. PIC. No, sir; I don't think you will. These are only part of them. I threw out a whole bunch a couple of years ago. They were all basically the same.

Mr. JENNER. Was your mother loving and affectionate toward you boys?

Mr. PIC. I would say for myself, sir, I wasn't to her.

Mr. JENNER. What is that?

Mr. PIC. I was not toward her.

Mr. JENNER. Why?

Mr. PIC. I had no motherly love feeling toward her. Like I say, I think I first became resentful to her when she informed me I would not return to the military school and from then my hostilities toward her grew.

Mr. JENNER. Well, up to that point, what had been your feeling toward your mother?

Mr. PIC. We had never been in a very affectionate family, sir.

Mr. JENNER. That is affectionate with respect to the boys toward your mother?

Mr. PIC. That is right, sir; kissing her, and things like this. It is my own opinion that she is out right now to make as much money as she can on her relationship with Lee Harvey Oswald. That is the only thing—I don't really believe she really believes he is innocent. I think she is out to make money than if she has to say he is guilty. I think she is a phony in the whole deal.

Also, I think you will find with myself, Robert and Lee, also, that we didn't have these or don't have these feelings towards money that she does. I mean I live on my base pay and I have for years, and Robert makes the best what he can, and whenever we get together, we never discuss money. The only time I seen Lee as an adult he didn't discuss it, not to the extent that we were used to, we never felt this way.

Mr. JENNER. It is your information, is it, that your mother's first marriage was to your father?

Mr. PIC. Yes, sir.

Mr. JENNER. Her second, then, to Robert Lee Edward Oswald?

Mr. PIC. Yes, sir.

Mr. JENNER. And her third to E. A. Ekdahl?

Mr. PIC. Yes, sir.

Mr. JENNER. So far as you know she has not been married otherwise than those three occasions?

Mr. PIC. No, sir; Has she?

Mr. JENNER. We don't know, if she has we don't know anything about it.

Did your brother Lee on the occasion on Thanksgiving Day 1962 say anything about whether he had had a hard time in Russia?

Mr. PIC. Yes, sir.

Mr. JENNER. That is a hard time in the sense of earning a living?

Mr. PIC. Yes, sir.

Mr. JENNER. Or some other sense?

Mr. PIC. Yes, sir; earning a living.

Mr. JENNER. What do you recall he said in that connection?

Mr. PIC. That he made about \$80 a month, and it wasn't the money so much. It was the products were not available to him and also his wife to get even with the money, and they consistently ate cabbage and he was tired of cabbage,

and he struck me he was not complaining about the money but the availability of food.

Mr. JENNER. Is it your impression that he had become disenchanted with Russia?

Mr. PIC. Yes; I got this impression.

Mr. JENNER. Did you ever hear him say anything while you were boys in which he expressed dissatisfaction with the United States or its Government?

Mr. PIC. No, sir.

Mr. JENNER. He made no comment on that subject when you saw him on Thanksgiving Day 1962?

Mr. PIC. I think his only bitter feelings that I recollect was his dishonorable discharge from the Marine Corps. This was the only bitter feelings he reported to me in anyway.

Mr. JENNER. I would like to have you tell us what he said as—did he return to that subject repeatedly? What leads you now to conclude or state by way of conclusion that he was bitter about that?

Mr. PIC. I think the idea of driving came up, the talk about automobiles. I also think that he made the statement—

Mr. JENNER. When you say that is your present recollection?

Mr. PIC. Yes, sir.

Mr. JENNER. All right.

Mr. PIC. I also think that he made the statement that he—

Mr. JENNER. Here, again, you mean to the best of your recollection?

Mr. PIC. Yes, sir; to the best of my knowledge, that he made the statement he wasn't driving because of this dishonorable discharge he received. He was unable to obtain a driver's license. Then he told me he was attempting to get this changed, and he had written several letters to the Secretary of the Navy about getting it changed.

Mr. JENNER. Did he mention the then Governor Connally in that connection?

Mr. PIC. I believe he did, sir.

Mr. JENNER. Governor Connally was not then Secretary of the Navy. Did he express any resentment toward Governor Connally?

Mr. PIC. I think when he explained it to me—

Mr. JENNER. Please, you have said again "I think."

Mr. PIC. To the best of my recollection, sir, when he mentioned to me that he had written to get it changed, Governor Connally was the Secretary of the Navy. He did mention the name Connally.

Mr. JENNER. Did you have any feeling or get the impression that he was bitter toward Governor Connally as a person? He was not, then, of course—

Mr. PIC. No, sir.

Mr. JENNER. Secretary of the Navy.

Mr. PIC. No, sir; just the fact that the man had the job and he was the man he had written it to.

Mr. JENNER. Was anything said about Fair Play for Cuba Committee on this occasion?

Mr. PIC. There was no discussion about Cuba. I think this was right after the Cuban crisis, and I think we may have talked about the mobilization a little bit.

Mr. JENNER. Did he express any views on that subject?

Mr. PIC. No, sir; he didn't.

Mr. JENNER. Was President Kennedy discussed at anytime?

Mr. PIC. I don't recollect, sir.

He struck me on that meeting as really only having two purposes: One, to straighten out the dishonorable discharge and the other one to pay back the Government the money it had lent him to come back to the United States.

Mr. JENNER. You were interested—Charlie Murret was a dentist and a graduate of Louisiana State University. Joyce Murret married an athletic coach and lives in Beaumont, Tex.?

Mr. PIC. Right.

Mr. JENNER. Gene Murret you have mentioned. He is a seminarian at Mobile, Ala. Boogie Murret works for Squibb & Co. He is a graduate of Loyola of New Orleans.

Mr. PIC. Someone mentioned, I don't know if it was Vada or my brother, Robert—

Mr. JENNER. On this Thanksgiving Day occasion?

Mr. PIC. Yes; after they had left, that Marina's uncle, brother, some relation, was an officer in the Russian Army. She had stated she had a relative in the Soviet armed forces.

Mr. JENNER. It was your impression that either Vada had or Robert had?

Mr. PIC. Yes, sir.

Mr. JENNER. Some of the witnesses have testified that Lee was quick to anger as a boy. Do you remember anything about that? What is your impression about that?

Mr. PIC. I don't remember, sir.

Mr. JENNER. Was he a considerate young man?

Mr. PIC. I think towards Robert and myself he was, sir. Towards other people, no.

Mr. JENNER. Was his attitude towards other people different from that which he had toward you and Robert?

Mr. PIC. Yes; I believe so.

Mr. JENNER. In what respect—what did you notice about him in that regard?

Mr. PIC. He would rather play with us than play with other children, and he always wanted to go with us wherever we went. Whenever we had a birthday or Christmas he would never forget us. I think he was very considerate towards Robert and myself.

Mr. JENNER. From time to time we have been off the record and had some discussions in discussing documents and other things. Do you recall anything we discussed off the record that you think is pertinent here that I have failed to place on the record?

Mr. PIC. I don't remember what has been off the record, sir.

Mr. JENNER. I will put it this way then: Is there anything you would like to add at the moment now that I am about to finish questioning you that you think you would like to have on the record?

Mr. PIC. If you are interested in my opinions—

Mr. JENNER. Yes, sir; anything that you want to add.

Mr. PIC. I think, I believe that Lee Oswald did the crime that he is accused of. I think that anything he may have done was aided with a little extra push from his mother in the living conditions that she presented to him. I also think that his reason for leaving the Marine Corps is not true and accurate. I mean I don't think he cared to get out of the Marine Corps to help his mother. He probably used this as an excuse to get out and go to his defection.

I know myself I wouldn't have gotten out of the service because of her, and I am sure Robert wouldn't either, and this makes me believe that Lee wouldn't have.

Mr. JENNER. What kind of a student was your brother, do you know, do you recall, rather?

Mr. PIC. I think in elementary school he was fairly good, sir.

Mr. JENNER. But then in the later grades, 7th, 8th, 9th, 10th, and 11th?

Mr. PIC. I have no idea, sir.

Mr. JENNER. Well, that is about all. I sure appreciate your coming, and the Commission likewise, at some inconvenience to yourself. You will be able to catch that 9:50 plane in the morning and get yourself back to your son's birthday party.

Mr. PIC. I hope what I have told you has been something new and not repetitious.

Mr. JENNER. Much of what you have told us has been new. Much of what you have told us has been very helpful to us in the way of corroborating matters about which we were not fully informed or in doubt, and opinions have been expressed particularly with respect to your brother have been helpful.

That leads me to ask you this further question: Give me your overall impression of your brother Lee Oswald as a personality, as he developed.

Mr. PIC. Sir; I remember Lee Oswald as a child, up until about the age of 11 or 12. To me, he appeared a normal healthy robust boy who would get in fights and still have his serious moments.

Mr. JENNER. You got in fights, too, didn't you?

Mr. PIC. Sure.

Mr. JENNER. And your brother Robert?

Mr. PIC. Yes, sir.

Mr. JENNER. These are not fights that you would regard as other than boys getting into?

Mr. PIC. That is correct, sir.

Mr. JENNER. That is, it wasn't because he was unduly belligerent?

Mr. PIC. No, sir.

Mr. JENNER. All right. Go ahead.

Mr. PIC. He got in his usual trouble around the neighborhood as far as getting in people's yards, probably, and letting the dog go astray, normal healthy boy.

I think as he became older, prior to me entering the service, he became slightly cocky and belligerent toward his mother. He never showed any of this toward Robert or myself. I am afraid it probably rubbed off of Robert and myself and it affected Lee, because we didn't really take much stock into what she was saying. I don't think we were as cocky, as belligerent as he was. There was——

Mr. JENNER. Do you think that was a defensive mechanism, on his part?

Mr. PIC. Yes, sir; I think so.

Mr. JENNER. Did your mother ever say anything around your home about that employers were overreaching her, and employers overreached poor working people or anything along those lines?

Mr. PIC. No; she always reminded us she worked like a slave to provide for us three boys. She couldn't wait for a day we would grow up and support her.

When Lee visited us in New York he came there a friendly, nice easy-to-like kid.

Mr. JENNER. This is 1952 in the summer?

Mr. PIC. Yes, sir; he had the interest of boys at that age, the Museum of Natural History, sightseeing excursions and so forth. Until the incident where I talked to him we never had a bad word between us other than maybe joking or playing around. I tried to interest him in a hobby of building boats or collecting stamps again while he was——

Mr. JENNER. Had he been interested in those two hobbies?

Mr. PIC. Yes; he and I, all three of us collected stamps. I played chess with Lee quite a bit and Robert, too. We all did this. Played monopoly together, the three of us.

When I approached him on this knife-pulling incident he became very hostile towards me. And he was never the same again with me.

Mr. JENNER. That was the first time he had ever been hostile in that sense towards you?

Mr. PIC. Yes, sir.

Mr. JENNER. And that rupture was never repaired thereafter?

Mr. PIC. No, sir.

Mr. JENNER. Did you have the impression when you saw him on Thanksgiving of 1962 that in the meantime he had become embittered, resentful of his station?

Mr. PIC. Well, sir; the Lee Harvey Oswald I met in November of 1962 was not the Lee Harvey Oswald I had known 10 years previous. This person struck me as someone with a chip on his shoulder, who had these purposes I mentioned, to do something about.

Mr. JENNER. What purposes?

Mr. PIC. To repay the Government and get his discharge changed.

It appeared to me that he was a good father towards his child, and not knowing the conversation between he and his wife I couldn't form much of an opinion there.

Mr. JENNER. All right, sir; that is about it.

Mr. PIC. OK, sir; thank you very much.

Mr. JENNER. This transcript will be prepared by the reporters and it will be sent to your commanding officer, and would you please get it immediately and read it and sign it.

If you make any corrections in it, put your initials beside the correction,

or over, above, your initial somewhere around the correction so we know it is you who did it, and return it to us as promptly as possible.

It may be that the Secret Service will bring it out, but it will be delivered to you next week.

All right.

AFFIDAVIT OF EDWARD JOHN PIC, JR.

The following affidavit was executed by Edward John Pic, Jr., on June 16, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF LOUISIANA,
Parish of Orleans, ss:

Edward John Pic, Jr., 6 Jay Street, New Orleans, La., being duly sworn says:

1. I am the same Edward John Pic, Jr., who was deposed by Albert E. Jenner, Jr., member of the legal staff of the President's Commission on the Assassination of President Kennedy, on April 7, 1964. When Marguerite Claverie Pic and I separated after we had lived together a year, we resided in a house on Genois Street, south of Canal Street, in New Orleans. This was a rented house. The rent was either \$28 or \$30 per month. At no time prior to our separation did Marguerite work. During all of that period she was a housewife.

2. I neither refused nor failed to support her either during or after our marriage. There were personality and incompatibility difficulties between us commencing at an early stage of our marriage. We just couldn't get along, things kept getting worse and worse. Marguerite was aware of my earning capacity at the time we married. There were difficulties between us respecting money and household financial management, but this was only one of the sources of the difficulties. My financial situation did not worsen after our marriage.

3. Marguerite's pregnancy with my son John Edward Pic was not the cause of our separation. I had no objection to children. It was a coincidence that about that time we had reached the point that we could not make a go with each other any more. Our separation which was amicable and which was arranged through an attorney would have taken place irrespective of Marguerite's pregnancy with my son John Edward Pic.

4. As I testified in my deposition, Marguerite was a nice girl. I haven't anything whatsoever adverse to say against her, it is just that we couldn't get along. Our dispositions would not jell. I do not mean to imply that the fault, if any, lay with either of us. We just didn't get along.

5. My distinct recollection is that I had no difficulty maintaining the household and supporting my family though there was some difference between Marguerite and me as to the manner, style and the level on which our household should be maintained.

Signed the 16th day of June 1964.

(S) Edward John Pic, Jr.,
EDWARD JOHN PIC, JR.

TESTIMONY OF KERRY WENDELL THORNLEY

The testimony of Kerry Wendell Thornley was taken at 9:40 a.m., on May 18, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. John Ely and Albert E. Jenner, Jr., assistant counsel of the President's Commission.

Mr. JENNER. Mr. Thornley, in the deposition you are about to give, do you swear to tell the truth, the whole truth, and nothing but the truth?

Mr. THORNLEY. I do.

Mr. JENNER. You are Kerry Wendell Thornley, spelled K-e-r-r-y W-e-n-d-e-l-l T-h-o-r-n-l-e-y?

Mr. THORNLEY. That is correct, sir.

Mr. JENNER. Mr. Thornley, where do you reside now?

Mr. THORNLEY. At 4201 South 31st Street in Arlington, Va.

Mr. JENNER. Did you at one time reside at 1824 Dauphine Street in New Orleans?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. What is your present occupation?

Mr. THORNLEY. I am a doorman at the building where I reside, Shirlington House.

Mr. JENNER. Doorman.

Mr. THORNLEY. At the building where I reside.

Mr. JENNER. What is the name of that building?

Mr. THORNLEY. Shirlington House. I also work on the switchboard there three nights a week.

Mr. JENNER. I see. By the way, Mr. Thornley, you received, did you not, a letter from Mr. Rankin, the general counsel of the Commission in which he enclosed—

Mr. THORNLEY. Confirming this appointment—

Mr. JENNER. Copies of the legislation, Senate Joint Resolution No. 137, authorizing the creation of the Commission and President Johnson's Order 11130, bringing the Commission into existence and fixing its powers and duties and responsibilities?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. And also a copy of the rules and regulations of the Commission for the taking of depositions?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. I take it you understand the basic obligation placed upon the Commission is to investigate the facts and circumstances surrounding and bearing upon the assassination of President Kennedy, and events collateral thereto.

In the course of doing that the Commission and its staff, and I, Albert E. Jenner, Jr., a member of the Commission legal staff, have been interviewing and taking the testimony of various persons who, among other things, came in contact with a man named Lee Harvey Oswald. We understand that you had some contact with him, fortuitous or otherwise as it might be. Are we correct in that?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. Would you tell us the—may I ask you this first. Were you born and reared in this country?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. Are you married or unmarried?

Mr. THORNLEY. Unmarried.

Mr. JENNER. Unmarried you said?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. What is your age?

Mr. THORNLEY. I am 26.

Mr. JENNER. When was your birthday?

Mr. THORNLEY. April 17, this last month.

Mr. JENNER. April 17 of this last month? I am poor in mathematics, what year was your birth?

Mr. THORNLEY. 1938.

Mr. JENNER. When did you first become acquainted with him?

Mr. THORNLEY. I was—it was around Easter of 1959, either shortly before or shortly after.

Mr. JENNER. Let's see. He was in the Marines at that time?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. I take it you also were?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. How long had you been in the Marines?

Mr. THORNLEY. At that time I had been in the Marines over half a year. I had been in the Reserve for many years. I had been on active duty for over half a year.

Mr. JENNER. You were then 21 years of age?

Mr. THORNLEY. About; yes, sir.

Mr. JENNER. Tell me about what your occupation and activity had been up to the time you enlisted in the Marines.

Mr. THORNLEY. Well, the year before I was a student at the University of Southern California, and before that I was a student at California High School in Whittier, Calif.

Mr. JENNER. I take it then that you are a native Californian?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. Did you receive your degree?

Mr. THORNLEY. No. I was—I completed my freshman year and then I went on active duty to serve my 2-year obligation in the Marine Reserve.

Mr. JENNER. You did not return to college after you were mustered out of the Marines?

Mr. THORNLEY. No, sir.

Mr. JENNER. Was your discharge honorable?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. Where were you based when you first met Lee Harvey Oswald?

Mr. THORNLEY. At a subsidiary of El Toro Marine Base, referred to as LTA, Santa Ana, Calif., or just outside of Santa Ana.

Mr. JENNER. What was your rank at that time?

Mr. THORNLEY. At that time I was acting corporal.

Mr. JENNER. What was your assignment then?

Mr. THORNLEY. I was an aviation electronics operator. I was working in an aircraft control center reading radarscopes and keeping track of ingoing and outgoing flights.

Mr. JENNER. What was Lee Harvey Oswald's assignment and activity service-wise at that period?

Mr. THORNLEY. At that time his assignments and activities were primary janitorial. He was—he had lost his clearance previously, and if I remember, he was assigned to make the coffee, mow the lawn, swab down decks, and things of this nature.

Mr. JENNER. What were the circumstances as you learned of them, or knew of them at the time, as to how or why he lost his clearance as you put it.

Mr. THORNLEY. Well, I asked somebody, and I was told, and I don't remember who told me, it was a general rumor, general scuttlebutt at the time, that he had poured beer over a staff NCO's head in an enlisted club in Japan, and had been put in the brig for that, and having been put in the brig would automatically lose his clearance to work in the electronics control center.

Mr. JENNER. I was going to ask you what losing clearance meant. You have indicated that—or would you state it more specifically.

Mr. THORNLEY. Well, that meant in a practical sense, that meant that he was not permitted to enter certain areas wherein the equipment, in this case equipment, was kept; that we would not want other unauthorized persons to have knowledge of. And on occasion information, I imagine, would also come to the man who was cleared, in the process of his work, that he would be expected to keep to himself.

Mr. JENNER. I assume you had clearance?

Mr. THORNLEY. Yes, sir; I was, I think, cleared for confidential at the time.

Mr. JENNER. Cleared for confidential. I was about to ask you what level of clearance was involved.

Mr. THORNLEY. I believe it was just confidential to work there at El Toro on that particular equipment.

Mr. JENNER. That is the clearance about which you speak when you talk about Oswald having lost it?

Mr. THORNLEY. Oswald, I believe, had a higher clearance. This is also just based upon rumor. I believe he at one time worked in the security files, it is the S & C files, somewhere either at LTA or at El Toro.

Mr. JENNER. Did you ever work in the security files?

Mr. THORNLEY. No, sir.

Mr. JENNER. And that was a level of clearance——

Mr. THORNLEY. Probably a secret clearance would be required.

Mr. JENNER. It was at least higher than the clearance about which you first spoke?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. The clearance that you had in mind of which you first spoke was the clearance to operate radar detection devices?

Mr. THORNLEY. Right.

Mr. JENNER. And your knowledge of his loss of clearance was by hearsay or rumor. As I understand it the circumstances took place off base one day?

Mr. THORNLEY. No; this was on base as I understand it. It was in an enlisted club or staff sergeant's club, something of that nature.

Mr. JENNER. He had gotten into difficulty with a staff sergeant and had poured beer on the person of a staff sergeant and gotten into some kind of an altercation?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. As a result of that he was court-martialed and had been subjected to the loss of clearance?

Mr. THORNLEY. That is correct.

Mr. JENNER. Was that clearance of his restored?

Mr. THORNLEY. I doubt it very much, because 3 months afterwards, after I had left the outfit—I know it wasn't restored while I was in the outfit.

Mr. JENNER. When did you leave the outfit?

Mr. THORNLEY. I left in June and went overseas.

Mr. JENNER. Up to that time his clearance had not been restored?

Mr. THORNLEY. Definitely not. And shortly thereafter he got out of the service.

Mr. JENNER. So that as far as you have any personal knowledge Oswald never operated any radar equipment while he was at El Toro, did you say?

Mr. THORNLEY. Yes; El Toro, LTA. As far as my personal knowledge goes, he didn't.

Mr. JENNER. Would you state the circumstances under which you became acquainted—let me put it this way first. What was the extent of your acquaintance with Lee Harvey Oswald, and here at the moment I am directing myself only to whether you were friends, were you merely on the base together? Indicate the level of friendship first or acquaintanceship.

Mr. THORNLEY. I would say we were close acquaintances in the sense that we weren't friends in that we didn't pull liberty together or seek each other out, yet when we were thrown together in an assignment or something, moving equipment, something of that nature, we spoke and when we were on the base and happened to be in the same area and were not required to be working, we would sometimes sit down and discuss things. That would be my statement there.

Mr. JENNER. So there was a degree of affinity in the sense that you were friendly in performing your military tasks together whenever you were thrown together in that respect. You felt friendly toward each other. You were never off base with him on liberty?

Mr. THORNLEY. No, sir.

Mr. JENNER. There were times when you were at liberty on the base, I assume, and you and he fraternized?

Mr. THORNLEY. Yes.

Mr. JENNER. Now, did you live in the same quarters?

Mr. THORNLEY. Well, not actually. We lived in quonset huts there, and he lived in a different hut than I did. We did live in the same general area, however.

Mr. JENNER. This acquaintance arose in the spring of 1959, is that correct?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. Can you fix the time a little more definitely than merely the spring?

Mr. THORNLEY. I really can't, sir. I have been racking my brain on that one since November, and I can't fix the time. I do remember having taken some time off that year around Easter and going on a trip with some civilian friends of mine, who were out of school for Easter vacation, and I know I was in the outfit that Oswald was in at that time, and I know that either shortly

before that trip or shortly afterwards, I can remember from the books I was reading at the time and things like that, that I met him.

Mr. JENNER. Do you associate the books you were reading at that time with anything Oswald may have been reading?

Mr. THORNLEY. Yes. Oswald was not reading but did advise me to read George Orwell's "1984" which I read at that time.

Mr. JENNER. Was he on the base when you came there?

Mr. THORNLEY. Well, I was on the base in a different outfit before I came into MACS 9, the outfit I was in.

Mr. JENNER. Marine Air Control Squadron.

Mr. THORNLEY. I was in MACS 4 which was right next door to MACS 9 or was at that time, on the base.

Mr. JENNER. Were you aware of his presence when you were in the other MACS?

Mr. THORNLEY. No; not until I came into his outfit. And only sometime after I came into that outfit did I become aware of his presence.

Mr. JENNER. Were you—I will withdraw that. Was Oswald as far as you knew on the base before you came over to his unit?

Mr. THORNLEY. I would assume so, but I wouldn't know for sure. I know he was recently back from Japan as were most of the men in Marine Control Squadron 9 when I came into it. How long he had been back I don't know. I certainly didn't know at that time. And thinking on what knowledge of him I have gained since then, I still couldn't say.

Mr. JENNER. Well, in any event you first became acquainted with or aware of his presence around Easter time in 1959?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. And you were transferred from that base when?

Mr. THORNLEY. June.

Mr. JENNER. In June. So likely it was that you knew him in April, May, and in June until you were transferred out?

Mr. THORNLEY. Right.

Mr. JENNER. When in June were you transferred out?

Mr. THORNLEY. Once again the exact date would be available in my military record, but offhand—

Mr. JENNER. Give it to me as best you recall it, forepart, latter part, middle?

Mr. THORNLEY. Let's see, it was toward the latter part. In fact, I can give you pretty close to the exact date. It was around June 25, because we arrived in Japan on July 4 and it took 11 days to get over there. It took us some time to get debarked or to get embarked, rather.

Mr. JENNER. All right. I take it from the remark you have made in your reflecting on this matter that you were—you devoted yourself to some fairly considerable extent to reading?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. And in what fields?

Mr. THORNLEY. Completely omniverous. Anything that I would happen to get a hold of I would read. At that time I was reading, well, at Oswald's advice I read "1984." At someone else's advice I was reading a book called "Humanism," by Corliss Lamont, as I remember, and I was reading either "The Brothers Karamazov" or the "Idiot" by Dostoevsky, I forget which, at that time.

Mr. JENNER. But your reading had some reasonable amount of organization or direction?

Mr. THORNLEY. None whatsoever; no, sir. It never has.

Mr. JENNER. I see. You weren't engaged in any organized reading at that time, were you?

Mr. THORNLEY. No.

Mr. JENNER. But there were areas which did draw your attention by and large?

Mr. THORNLEY. Definitely; yes.

Mr. JENNER. What were those areas?

Mr. THORNLEY. Philosophy, politics, religion.

Mr. JENNER. Did you find that Oswald had reasonably similar interests?

Mr. THORNLEY. Yes; I would say.

Mr. JENNER. In his reading?

Mr. THORNLEY. Yes; I would say particularly in politics and philosophy.

Mr. JENNER. Was it those mutual interests that brought about your acquaintance with him or some other fashion?

Mr. THORNLEY. Yes, sir; it was those interests. My first memory of him is that one afternoon he was sitting on a bucket out in front of a hut, an inverted bucket, with some other Marines. They were discussing religion. I entered the discussion. It was known already in the outfit that I was an atheist. Immediately somebody pointed out to me that Oswald was also an atheist.

Mr. JENNER. Did they point that out to you in his presence?

Mr. THORNLEY. Yes.

Mr. JENNER. What reaction did he have to that?

Mr. THORNLEY. He said, "What do you think of communism?" and I said—

Mr. JENNER. He didn't say anything about having been pointed out as being an atheist?

Mr. THORNLEY. No; he wasn't offended at this at all. He was—it was done in a friendly manner, anyway, and he just said to me—the first thing he said to me was with his little grin; he looked at me and he said, "What do you think of communism?" And I replied I didn't think too much of communism, in a favorable sense, and he said, "Well, I think the best religion is communism." And I got the impression at the time that he said this in order to shock. He was playing to the galleries, I felt.

Mr. JENNER. The boys who were sitting around?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. Engaged in scuttlebutt?

Mr. THORNLEY. Right. He was smirking as he said this and he said it very gently. He didn't seem to be a glass-eyed fanatic by any means.

Mr. JENNER. Did you have occasion to discuss the same subject thereafter?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. From time to time?

Mr. THORNLEY. From time to time.

Mr. JENNER. Was it reasonably frequent?

Mr. THORNLEY. I would say about a half dozen times in that time period.

Mr. JENNER. In those subsequent discussions were some of them private in the sense you were not gathered around with others?

Mr. THORNLEY. Well, I don't recall us ever having a private serious discussion. A couple of times we were working together. There would be others around, not on a constant basis anyway, but coming and going, and as I recall a couple of times we were thrown together. Working together, we weren't having a serious discussion; we were joking.

Mr. JENNER. Did you have occasion in those additional half dozen instances of discussions with him, the viewpoint you have just expressed, that is, that his initial raising of the issue was more by way of provoking or shocking those about him rather than any utterances on his part of sincerity in a belief that communism was itself a religion?

Mr. THORNLEY. It became obvious to me after a while, in talking to him, that definitely he thought that communism was the best—that the Marxist morality was the most rational morality to follow that he knew of. And that communism was the best system in the world.

I still certainly wouldn't—wouldn't have predicted, for example, his defection to the Soviet Union, because once again he seemed idle in his admiration for communism. He didn't seem to be an activist.

Mr. JENNER. Would you explain what you mean by idle in his admiration of the communistic system?

Mr. THORNLEY. Well, it seemed to be theoretical. It seemed strictly a dispassionate appraisal—I did know at the time that he was learning the Russian language. I knew he was subscribing to Pravda or a Russian newspaper of some kind from Moscow. All of this I took as a sign of his interest in the subject, and not as a sign of any active commitment to the Communist ends.

Mr. JENNER. You felt there was no devotion there. That it was somewhat of an intellectual interest, a curiosity. But I don't want to put words in your mouth, so tell me.

Mr. THORNLEY. I wouldn't put it quite that weakly. While I didn't feel there

was any rabid devotion there, I wouldn't call it a complete idle curiosity either. I would call it a definite interest.

Mr. JENNER. A definite interest.

Mr. THORNLEY. But not a fanatical devotion.

Mr. JENNER. You said you knew at that time that he was studying Russian. How did you become aware of that?

Mr. THORNLEY. Probably by hearsay once again. I do remember one time hearing the comment made by one man in the outfit that there was some other man in the outfit who was taking a Russian newspaper and who was a Communist and when I said, "Well, who is that?" he said, "Oswald," and I said, "Oh, well." That is probably where I learned it.

Mr. JENNER. How did you learn that he was a subscriber to Pravda and the other Russian publications you have mentioned?

Mr. THORNLEY. Well, I don't think—it was either Pravda or some other Russian publication.

Mr. JENNER. I see.

Mr. THORNLEY. The way I learned that was a story that I believe Bud Simco, a friend of mine in the same outfit, in the outfit at the same time, told me that one time a lieutenant, and I forget which lieutenant it was (I do remember at the time I did know who he was talking about) found out that Oswald, by—he happened to be in the mailroom or something, and saw a paper with Oswald's address on it.

Mr. JENNER. That is the officer happened to be in the mailroom?

Mr. THORNLEY. Yes; and that it was written—he noticed this paper was written in Russian and at the time got very excited, attempted to draw this to the attention of Oswald's section chief, the commanding officer, and, of course, there was nothing these people could do about it, and at the time the story was related to me, I remember I thought it was rather humorous that this young, either second or first lieutenant should get so excited because Oswald happened to be subscribing to a Russian newspaper.

Mr. JENNER. Was this lieutenant's name Delprado?

Mr. THORNLEY. I will bet it was. That is very familiar. I think so.

Mr. JENNER. Have you ever subscribed to a Russian language newspaper or other publications?

Mr. THORNLEY. Other Russian publications?

Mr. JENNER. Yes, sir.

Mr. THORNLEY. No, sir.

Mr. JENNER. Have you ever subscribed to a publication that was printed in the Russian language?

Mr. THORNLEY. No, sir.

Mr. JENNER. Have you ever been a subscriber to any literature by way of news media or otherwise, published by any organization reputed to be communistic or pink or that sort of thing? I don't want to get it too broad.

Mr. THORNLEY. Only I. F. Stone's newsletter and that certainly—

Mr. JENNER. Whose?

Mr. THORNLEY. I. F. Stone's newsletter and I wouldn't say—

Mr. JENNER. Tell me about that.

Mr. THORNLEY. He is a Washington reporter who is a rather extreme leftist, but certainly within the bounds of what is accepted in this country as non-subversive.

Mr. JENNER. Describe yourself in that respect. Where are you, a middle-of-the-roader?

Mr. THORNLEY. I would say I am an extreme rightist. I call myself a libertarian, which is that I believe in the complete sovereignty of the individual, or at least as much individual liberty as is practical under any given system.

Mr. JENNER. You don't have to be an extreme rightist to believe in the sovereignty of the individual.

Mr. THORNLEY. Well, it is getting that way in this country today. At least most people who listen to me talk call me a rightist. I wouldn't say so either. I think the political spectrum was fine for France at the time of the revolution. I don't think it applies to the United States of America today in any respect

whatsoever. I don't think you can call a man an extreme leftist, rightist, or middle-of-the-roader and have him classified that simply.

Mr. JENNER. Do you have any brothers and sisters?

Mr. THORNLEY. I have two brothers.

Mr. JENNER. What do they do?

Mr. THORNLEY. They go to, one of them goes to junior college, I believe, and the other one goes to high school. They are in Whittier, Calif.

Mr. JENNER. Are your folks alive?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. What does your father do?

Mr. THORNLEY. He is a photoengraver.

Mr. JENNER. Let's get back to Oswald. Describe this individual to me. First describe him physically.

Mr. THORNLEY. Physically, I would say he was slightly below average height. Had, as I recall, gray or blue eyes. Always had, or almost always had a petulant expression on his face. Pursed-up lip expression, either a frown or a smile, depending on the circumstances. Was of average build, and his hair was brown, and tending to, like mine, tending to bald a little on each side.

Mr. JENNER. Above the temple. What would you say he weighed?

Mr. THORNLEY. I would say he weighed about 140 pounds, maybe 130.

Mr. JENNER. How tall was he?

Mr. THORNLEY. I would say he was about five-five maybe. I don't know.

Mr. JENNER. How tall are you?

Mr. THORNLEY. I am five-ten.

Mr. JENNER. Was he shorter than you?

Mr. THORNLEY. Yes.

Mr. JENNER. What habits did he have with respect to his person—was he neat, clean?

Mr. THORNLEY. Extremely sloppy.

Mr. JENNER. Extremely sloppy?

Mr. THORNLEY. He was. This I think might not have been true of him in civilian life.

Mr. JENNER. You don't know one way or the other?

Mr. THORNLEY. No; but I do have reason to believe that it wasn't true of him in civilian life because it fitted into a general personality pattern of his: to do whatever was not wanted of him, a recalcitrant trend in his personality.

Mr. JENNER. You think it was deliberate?

Mr. THORNLEY. I think it tended to be deliberate; yes. It was a gesture of rebellion on his part.

Mr. JENNER. Did you ever discuss that matter with him, as dress.

Mr. THORNLEY. No.

Mr. JENNER. The attitude of rebellion?

Mr. THORNLEY. No; because this attitude of rebellion was a fairly common thing in the service.

Mr. JENNER. On the part of others as well as Oswald?

Mr. THORNLEY. As well as Oswald. Oswald did carry it to—was the most extreme example I can think of stateside. However, overseas, in the outfit he had been in before, as I discovered later, this was quite common.

Mr. JENNER. How much later?

Mr. THORNLEY. Three months—well, immediately, as soon as I left, as soon as I got overseas. I walked in to the barracks on the Fourth of July over there and saw beer bottles spread all over, and some character sitting in the back of the barracks with a broken beer bottle cutting his arm, for what reason I don't remember. They found beer cans in a trash can in MACS 9 and there was a drastic investigation; so there is an indication of a difference between stateside and overseas. Oswald was typical, very typical of the outfit he had just left overseas.

Mr. JENNER. So that it is your impression, you would say, I gather, that as of that particular time when you first knew him that he was still carrying some of his experience personal attentionwise from what he had experienced overseas?

Mr. THORNLEY. Yes.

Mr. JENNER. And he was still following the habits he had acquired overseas?

Mr. THORNLEY. Yes.

Mr. JENNER. Did you think it went beyond that, this unkemptness or this sloppiness?

Mr. THORNLEY. It did go beyond that, because he seemed to be a person who would go out of his way to get into trouble, get some officer or staff sergeant mad at him. He would make wise remarks. He had a general bitter attitude toward the Corps. He used to pull his hat down over his eyes so he wouldn't have to look at anything around him and go walking around very Beetle Bailey style.

Mr. JENNER. What is Beetle Bailey?

Mr. THORNLEY. Beetle Bailey is a comic strip character who walks around with his hat over his eyes very much as Oswald did.

Mr. JENNER. You want to keep in mind, Mr. Thornley, I am an old man and there are things I don't pick up or get hep to.

Mr. THORNLEY. This is nothing recent. This is a comic strip that has been around quite a few years now.

Mr. JENNER. You go on and tell us about his personality.

Mr. THORNLEY. All right.

Mr. JENNER. Including any physical characteristics or habits.

Mr. THORNLEY. I think I have covered all physical characteristics. His shoes were always unshined. As I mentioned, he walked around with the bill of his cap down over his eyes and you got the impression that he was doing this so he wouldn't have to look at anything around him.

Mr. JENNER. And he was doing that so that he would not be assigned additional work or—

Mr. THORNLEY. No; he was just doing that—this was just an attempt, I think, on his part, to blot out the military so he wouldn't have to look at it; he wouldn't have to think about it. In fact, I think he made a comment to that effect at one time; that when he had his bill of his cap over his eyes so he would see as little as possible, because he didn't like what he had to look at.

He had, as I remember, he had a sense of humor, and I can only think of a couple of examples of it. I have only been able to think of a couple of examples of it over the past few months, but I have a strong general impression in my mind that there were more examples that I just don't remember.

Mr. JENNER. Well, you draw on your recollection as best you can and you just keep telling us now in your own words and I will try to not interrupt you too much.

Mr. THORNLEY. All right. One example was, that I remember—of course, it was well known in the outfit that, or popularly believed that Oswald had Communist sympathies—

Mr. JENNER. You didn't share that view?

Mr. THORNLEY. Not as much as some did, and while this was popularly believed, I mention this as kind of a framework for the significance of Oswald's comment: Master Sergeant Spar, our section chief, jumped up on the fender one day and said, "All right, everybody gather around," and Oswald said in a very thick Russian accent, "Ah ha, collective farm lecture," in a very delighted tone.

This brought him laughs at the time, and he had gotten me to read "1984," as I mentioned earlier, and this was one of his favorites—

Mr. JENNER. Tell me what "1984" was.

Mr. THORNLEY. This was a book about—it is a projection into the future, supposed to take place in 1984 in England under a complete police state. It is, I would say, an anti-utopian novel, by George Orwell, a criticism of English socialism and what it might lead to, based upon Orwell's experiences with communism and nazism, his observations about a society in which a mythical leader called Big Brother dominates everybody's life. Where there are television cameras on every individual at all times watching his every act, where sex is practically outlawed, where the world is perpetually at war, three big police states constantly at war with one another, and where thought police keep every, all of the citizens in line. Oswald would often compare the Marine Corps with the system of government outlined in "1984."

I remember one day we were loading equipment—

Mr. JENNER. By way of protest against the Marine Corps?

Mr. THORNLEY. Yes; humorously, satirically. One day we were unloading, moving a radarscope off the truck and it slipped, and he said, "Be careful with Big Brother's equipment."

It was things like this. He did a lot of that.

I remember one day he—I was walking along with my hands in my pocket, which is something you don't do in the service if you are—certainly if you are in an infantry outfit you don't dare. Things were a little lax in our outfit, so we could get away with it once in a while, so I happened to be walking along with my hands in my pockets and suddenly I heard a voice: "Hey, Smith, Winston," and rattle off a serial number, "get your hands out of your pockets," which was a direct quote from the book "1984."

These are the only examples of Oswald's, that particular aspect of Oswald's character that I recall.

Mr. JENNER. I am stimulated to ask you this question by something you just said. Did he have a good memory?

Mr. THORNLEY. I think he must have had a good memory; yes. If he wanted to remember something, he could. I think he also had good ability to blot out unpleasant thoughts in his mind.

Mr. JENNER. What about his powers of assimilation of what he read, and his powers of critique?

Mr. THORNLEY. I certainly think he understood much more than many people in the press have seemed to feel. I don't think he was a man who was grasping onto his particular beliefs because he didn't understand them. I don't think he was just trying to know something over his head, by any means. I think he understood what he was talking about.

Sometimes I think there were gaps in his knowledge. I think there were many things he didn't know, and this came from a haphazard education.

Mr. JENNER. You became acquainted with the fact that he had had a somewhat haphazard education?

Mr. THORNLEY. It was obvious. I didn't become acquainted with it specifically until recently in the news. But—

Mr. JENNER. You had that impression at the time?

Mr. THORNLEY. I had that impression; yes, sir.

Mr. JENNER. How did that impression arise? Because of the lack of analysis or real critique on his part of that which he was reading? Inability to assimilate the thrust of a work?

Mr. THORNLEY. No; I wouldn't say that. I would say he could analyze what he read very well, but it was a very subjective impression, and the idea I got was that there were a lot of things he didn't know, and just a lot of facts that he wasn't familiar with. I guess sometimes, probably in discussions, I would run into something. I would mention something and he would say, "What is that?"

I know we did have a couple of very hot arguments and I am sure we were throwing facts at one another, and he was certainly able to belt them out when he wanted to, facts that suited his purpose in arguing.

Mr. JENNER. What was your impression of his—the extent of his formal education and the extent of any private education of his; that is, reading—self-education.

Mr. THORNLEY. Self-education. I was certainly surprised that—when I read in the papers that he had not graduated, I think they said he had not graduated from high school.

Mr. JENNER. That is correct.

Mr. THORNLEY. I thought he had graduated from high school. I assumed that. I would say that his self-education certainly must have been—perhaps, in fact, he took USAFI courses, U.S. Armed Forces Institute courses, or something along that line, because he was one who gave the impression of having some education, certainly.

Mr. JENNER. Do you have an impression of his intellect?

Mr. THORNLEY. Yes; I think he was—

Mr. JENNER. I am speaking in the abstract.

Mr. THORNLEY. I think he was extremely intelligent, with what information he had at hand he could always do very well and in an argument he was quick. He was quick to answer, and it was not a matter of just grabbing at something. It was a matter of coming back with a fairly precise answer to your question or to your objection to his argument.

Mr. JENNER. I take it then it was your impression—I will change my question because I don't want to ask a leading question here.

What was your impression as to whether his learning, in the sense we are talking about now, was superficial or was he able to master that which he read, and engage in personal self-critique of that which he read, discover its weaknesses, and apprehend its major thrust?

Mr. THORNLEY. Well, I would say as I have said before, he certainly understood what he read. How much he had read, I don't know, but I do know that when he got on a subject in which he was interested, he showed a grasp of it. This is true with the book "1984," for example. It is true with Marxism.

Mr. JENNER. Now that interests me also. You mentioned that before; that is, his espousal of or interest in Marxism as such. What was his ability, if he had any, and I am talking now idealistically only, to compare Marxism, communism, democracy?

Mr. THORNLEY. I understand. I think——

Mr. JENNER. And did he understand the distinctions?

Mr. THORNLEY. Well, I think he understood the distinctions as well as most reasonably educated people do. I think he certainly had a Marxist bias in how—where he drew the lines.

For example, he could look upon the Soviet system today as a democracy by, of course, giving a completely different definition to the word "democracy" than I, for example. He would give——

Mr. JENNER. Can you remember some discussions or incidents that explain that? Would he use objectivism?

Mr. THORNLEY. Well, I remember one in particular that always reminded me of his general outlook.

One day we got into an argument and I thought I was really going to pin him to the wall, I thought I was going to win this argument.

Mr. JENNER. On what subject?

Mr. THORNLEY. On Marxism. On the theory of history.

Mr. JENNER. Reconstruct the argument for me.

Mr. THORNLEY. Well, all right. Let me add this.

When I was in my freshman year in college, in my English class, I believe it was, perhaps it was a history class we had been required to read, it was a history workshop, we had been required to read the Communist manifesto which presents an outline of the theory of the Marx-Engels outlook on past and future history. The dialectical outlook. Oswald was also familiar with this outlook. As to what it constituted we both agreed. Oswald had argued previously that communism was a rational approach to life, a scientific approach to life, Marxism.

Mr. JENNER. This was in argumentation with you?

Mr. THORNLEY. Yes.

Mr. JENNER. All right.

Mr. THORNLEY. With me. I challenged him to show me any shred of evidence to support the idea that history took place in the manner described by Engels and Marx (this was not just an arbitrary system looted as many suspect, from Hegel) and he, after some attempt to give me a satisfactory answer, which he was unable to do, became aware of that and he admitted that there was no justification, logically, for the Communist theory of history or the Marxist theory of history, but that Marxism was still, in his opinion, the best system for other reasons that there was——

Mr. JENNER. Best as against what?

Mr. THORNLEY. As against, well primarily as against religions. He did—that first comment of his always sticks in my mind, about communism being the best religion. He did think of communism as, not as a religion in the strict sense but as an overwhelming cultural outlook that, once applied to a country, would make it much better off than, say the Roman Catholic Church cultural outlook

or the Hindu cultural outlook or the Islamic cultural outlook, and he felt that, as I say, to get back to this argument, he felt that there were enough other things about communism that justified it that one could accept the theory of history on faith.

Mr. JENNER. What other things?

Mr. THORNLEY. Well, for one thing; the idea that he felt—as did Marx—that under capitalism workers are exploited, that in some way they are robbed of their full reward for their work by means of entrepreneurs' profits, and he felt that Marxism took his money but instead of taking it away from the worker spent it on the worker.

He felt that under a Soviet—under the present Soviet system, for example, that the money was spent for the benefit of the people rather than going to the individual who happened to be running the enterprise, and he thought this was a juster situation.

Mr. JENNER. Did you raise with him the price the individual had to pay for the material accommodation accorded the worker under the Communist system; for the substance or money, of which you speak, being returned to the worker? The price paid in terms of individual liberty as against the capitalistic or democratic system?

Mr. THORNLEY. You couldn't say this to him. Because he would say: "How do you know? How do you know what is going on there."

Mr. JENNER. First; did you raise it with him?

Mr. THORNLEY. I raised it with him.

Mr. JENNER. You being a libertarian as you say?

Mr. THORNLEY. Well, at that time I was—my ideas have changed since that time. At that time I was much to the left in my political thinking once again; well, I would say about in the same position that Mr. Stone who I spoke of earlier is now. I was on the "left-hand" side of the acceptable political spectrum in this country, and so, therefore, these issues, the issues I would now raise with him had I again the chance to speak to him, would be much different than the issues I raised with him at that time. I did not raise that issue particularly, I did not push it.

Mr. JENNER. Was there much, if any, discussion at the time on the issue of individual liberty?

Mr. THORNLEY. No; very little, because I wasn't too concerned about it at the time and neither was he. We were both concerned about what was the best for the greatest number of people. I don't think that concept was clear to either one of us.

Mr. JENNER. But, even having in mind the status of your political thinking at that moment, your political thinking did not square with his?

Mr. THORNLEY. No; I was opposed to the great trust that he put in, much greater than I suspected at that time, of course, trust that he put in the Soviet Government in the world today I felt they were misguided idealists. He felt they weren't misguided.

Mr. JENNER. Give us as best you can recall his comments and views with respect to capitalism of the variety then existing, or as he understood existed in this Nation.

Mr. THORNLEY. Well, I wouldn't say that we—I can't recall us having gone into any detail about anything so relevant to anything as capitalism in this Nation at the time.

Mr. JENNER. These discussions were broader. They were more abstract?

Mr. THORNLEY. Usually, yes. Whenever we got specific we usually discussed the Marine Corps.

Mr. JENNER. I see. You did not discuss the United States of America as such?

Mr. THORNLEY. No.

Mr. JENNER. And the Soviet Union as such, and compared the two countries?

Mr. THORNLEY. Well, as I say, you couldn't do this with Oswald because whenever you tried to make any statement about the Soviet Union he would challenge it on the grounds that we were probably propagandized in this country and we had no knowledge of what was going on over there.

Mr. JENNER. Did he purport to know what was going on over there?

Mr. THORNLEY. No.

Mr. JENNER. Did he show any interest in what was going on over there?

Mr. THORNLEY. He definitely showed interest.

Mr. JENNER. Give us some examples and tell us.

Mr. THORNLEY. I would say he took an agnostical approach to this. It seemed that he didn't know whether to believe what he read in his Russian newspaper, not that he used those exact words, or what he heard in this country. He took the attitude that "Well, they may be right and we may be right but I suspect they are right." This, of course, once again, I always got the impression in any of these discussions that part of his slight bias toward the Communist way of life was an act of rebellion against the present circumstances.

Mr. JENNER. Do you think that bias, if any, was a mild bias?

Mr. THORNLEY. I thought so at the time.

Mr. JENNER. Did you have any impression at anytime that he was interested from an objective standpoint; that he might like to experience by way of personal investigation what was going on in Russia?

Mr. THORNLEY. It never dawned on me. It was the farthest thing from my mind. Although I certainly will say this: When he did go to Russia it seemed to me as a much more likely alternative for Oswald than say joining the Communist Party in the United States.

Mr. JENNER. Excuse me.

Mr. THORNLEY. It seemed to fit his personality.

Mr. JENNER. Would you read that? I lost the thought of it.

(The reporter read the answer.)

Mr. JENNER. Would you elaborate, please?

Mr. THORNLEY. Well, Oswald was not militant. At the time it didn't seem to me he was at all militant. That he was at all a fighter, the kind of person who would glory in thinking of himself as marching along in a great crusade of some kind. He would be the kind of person who would take a quiet, as quiet as possible, for him personally, approach to something. For example, going to the Soviet Union would be a way he could experience what he thought were the benefits of communism without committing himself to storming the Bastille, so to speak.

Mr. JENNER. Is it a fair statement that, in seeking to interpret or enlarge upon what you say, that you did not have the impression of him as being a person who thought in terms of seeking to implant in this country, for example, by force or violence or other leadership, communism or Marxism so as materially to affect or change the government here?

Mr. THORNLEY. No; I don't think he felt he had to do that. I think he felt that that would inevitably happen some day and he was just getting into the swing of things by doing things his way. I don't think he felt that he could do much to promote the Communist cause or hinder it.

Mr. JENNER. Did he ever lead you to believe or did you have the impression that he had any thought or desire or inclination to implant communism here or elsewhere.

Mr. THORNLEY. No; not any more than merely to with the argument. He certainly would have liked to have converted me or any other person who was willing to discuss it with him. He would have liked to have persuaded them that his ideas were correct. If he had done so, I have no idea what he would have done then. I don't think he did either.

Mr. JENNER. What about his relationships, camaraderie with others on base?

Mr. THORNLEY. Almost nil.

Mr. JENNER. Almost nil.

Mr. THORNLEY. Yes, he got along—

Mr. JENNER. Enlarge on that please.

Mr. THORNLEY. He got along with very few people.

Mr. JENNER. Why was that, in your opinion?

Mr. THORNLEY. He was extremely unpredictable. He and I stopped speaking before I finally left the outfit. This will give you an example of—

Mr. JENNER. How did that arise?

Mr. THORNLEY. It was a Saturday morning. We had been called out to march in a parade for a man or some men—I believe they were staff NCO's—who were retiring from the Marine Corps. This was a common occurrence.

Every now and then we had to give up our Saturday morning liberty to go march in one of these parades and everybody, of course, having just gotten up, and having to stand out, to look forward to a morning of standing out in the hot sun and marching around, was irritable. So, we were involved at the moment in a "hurry-up and wait routine" which is common in large organizations like the military. We were waiting at the moment, in the parking lot by the parade ground, sitting. Oswald and I happened to be sitting next to each other on a log that was used to bank cars, in the parking lot. I had just finished "1984" a couple of days earlier, and I had not yet discussed it with Oswald, and I was—he said something and I said something; I don't recall what it was—I was definitely thinking of "1984" at the time and I was using terms from "1984." Oswald didn't seem to be particularly amused by what I was saying, and he was—he seemed to be kind of lost in his own thoughts, and so I stopped making any comments at all to him for awhile. Then he turned to me and said something about the stupidity of the parade, of the whole circumstance right at the moment, how angry it made him, and I said, I believe my words were, "Well, comes the revolution you will change all that."

At which time he looked at me like a betrayed Caesar and screamed, screamed definitely, "Not you, too, Thornley." And I remember his voice cracked as he said this. He was definitely disturbed at what I had said and I didn't really think I had said that much. He put his hands in his pockets and pulled his hat down over his eyes and walked away and went over and sat down someplace else alone, and I thought, well, you know, forget about it, and I never said anything to him again and he never said anything to me again.

Mr. JENNER. You mean you never spoke to each other from that time on?

Mr. THORNLEY. No; and shortly thereafter I left the outfit for overseas. I don't recall that we were ever in a situation where we would have spoken, but I know we never spoke after that. And this happened with many people, this reaction of Oswald's, and therefore he had few friends. He never seemed to have any one friend for a long length of time, one acquaintance. He seemed to guard against developing real close friendships.

Mr. JENNER. Did you ever—excuse me, you recall being interviewed by an agent of the FBI?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. This was in New Orleans on Monday the 25th of—

Mr. THORNLEY. This was on an afternoon. Does he have the time down?

Mr. JENNER. 25th of November.

Mr. THORNLEY. That was Secret Service, wasn't it? Let's see, the 22d, 23d, 24th.

Mr. JENNER. This was Special Agent Merwin Alderson and Special Agent Richard Farrell. It was the Monday following the assassination.

Mr. THORNLEY. What I believe happened is—I believe they arrived in Arnaud's Restaurant where I was working at the time about midnight Sunday night so it would actually be Monday, yes, sir, that they talked to me. I gathered at the time these gentlemen were from the Secret Service, but those are the gentlemen.

Mr. JENNER. Did you say to them in connection with this sudden termination of the relationship between yourself and Oswald "that you had made this comment to Oswald, that he was a Communist and that things would be different when the revolution came"?

Mr. THORNLEY. No; I didn't tell them he was a Communist; no. But Oswald, certainly that was his reason for his anger. There was an implied accusation of communism in my saying, "Comes the revolution you will change all that."

Mr. JENNER. Yes.

Mr. THORNLEY. You see, he wasn't understanding the comments I was making in relation to "1984" at all, our traditional meeting ground here. He was interpreting them in light of his alleged communism, and that is why he became angry. But no; I didn't say to him, "You are a Communist"—ever.

Mr. JENNER. It is your explanation.

Mr. THORNLEY. This was not my opinion.

Mr. JENNER. You are saying that he interpreted your comment to be that you accused him of being a Communist, and then he made the remark, "Not you, too."

Mr. THORNLEY. I am sure he interpreted that that way but I certainly didn't think he was a Communist and I certainly didn't tell him so.

Mr. JENNER. To what did you attribute this inability of his to maintain reasonably cordial or at least military-service family relations with his fellow marines?

Mr. THORNLEY. Well, at the time I just thought—well, the man is a nut—at the very moment it happened, I dismissed it without thinking about it.

Mr. JENNER. See if you can articulate a little more, when you say “a nut,” a lot of people will interpret the expression “a nut” differently.

Mr. THORNLEY. I understand that. I was just trying to give you my first impression first: that he was some kind of a nut, and I stopped thinking about it.

Mr. JENNER. You mean a nut in the sense of an extremist, not an organized thinker?

Mr. THORNLEY. I didn't think about that enough to classify it. I just thought, “something is wrong with him, maybe something is bugging him today, maybe he is crazy, I don't know what,” but I just wasn't at that moment—it wasn't that important to me, I didn't feel much better than he did that morning, I am sure, so I just shrugged it off.

Later, I did reflect on it, and that, combined with his general habits in relation to his superiors, and to the other men in the outfit, caused me to decide that he had a definite tendency toward irrationality at times, an emotional instability. Once again right away, I didn't know exactly what was the cause of this. A couple of years later I had good reason to think about it some more, at which time I noticed—

Mr. JENNER. Now when please? Before the assassination?

Mr. THORNLEY. Yes, while working on my book, “The Idle Warriors.”

Mr. JENNER. About when was this?

Mr. THORNLEY. From the time he went to the Soviet Union until February of 1962.

Mr. JENNER. You learned that he had gone to the Soviet Union?

Mr. THORNLEY. Yes; I was stationed at his former outfit, Marine Air Control Squadron 1, at the time he went to the Soviet Union.

Mr. JENNER. Where were you then stationed?

Mr. THORNLEY. That is where I was at the time.

Mr. JENNER. What country?

Mr. THORNLEY. At Atsugi, Japan.

Mr. JENNER. I see. And you learned about it through what source?

Mr. THORNLEY. The Stars and Stripes, the military newspaper in the Far East. It was on page 3, I believe, a little article about Lee Harvey Oswald having appeared in the American Embassy in Moscow, having plopped down his passport and requested Soviet citizenship. My first reaction was, “Good Lord, what is going on here?” And afterward, I, of course—it began to occur to me, his interest in communism, and I started kicking myself, thinking, well, you know, just for so misjudging a person. I just—

Mr. JENNER. Misjudging? What respect, please?

Mr. THORNLEY. As far as his sincerity went. I did not ever think he was so interested in communism to go to all the trouble to go to the Soviet Union and certainly to jeopardize his citizenship, and so forth. This was a great surprise to me. And right away I began to try to figure out the mechanism of his thinking.

Mr. JENNER. I see. Keep going and tell me what your rationalization and thinking was at that time.

Mr. THORNLEY. And what caused him to do this. This gets us back to the emotional instability and why did it occur. I do believe, to begin with, Oswald, how long ago he had acquired the idea I don't know, but I think in his mind it was almost a certainty that the world would end up under a totalitarian government or under totalitarian governments.

I think he accepted Orwell's premise in this that their was no fighting it. That sooner or later you were going to have to love Big Brother and I think this was the central, I think this was the central thing that disturbed him and caused many of his other reactions.

I think he wanted to be on the winning side for one thing, and, therefore,

the great interest in communism. I think he wanted—I think he felt he was under a totalitarian system while in the Marine Corps, and, therefore, the extreme reactions when someone would call him a Communist. I think he had a persecution complex, and I think he strove to maintain it. I could not go so far as to say why. Perhaps it was necessary to his self-esteem in some way. This was and is the general conclusion I now have as to his general motivations, his overall motivations, insofar as he has tended to be emotionally unstable.

Mr. JENNER. Do you think he was emotionally unstable?

Mr. THORNLEY. I think so.

Mr. JENNER. That is an opinion you gathered from your association with him in the Marines.

Mr. THORNLEY. Yes. Primarily once again from that last experience, that short exchange and just the complete unexpectedness of it. And then, of course, after that was when I learned some of the other things, such as the pouring the beer over the staff sergeant's head. These things, I don't know when I learned them, but I do definitely know I learned them afterwards because I——

Mr. JENNER. You mean you learned of that incident after you left the base at El Toro?

Mr. THORNLEY. I believe I learned it over in Japan, as a matter of fact, I believe soon after I got there somebody mentioned it in some connection or another, and that was because I remember, yes, I am sure it happened over there because I remember, then I said, "Oh, he was in this unit? He was in here in MACS 1?" and somebody said, "Yes." And that was another connection in my mind as far as Oswald was concerned.

And then when the defection occurred, I therefore felt that I—I had been thinking about writing a book on the Marine Corps. I had not decided exactly what it was going to concern, what it was going to be about as far as plot or theme went, the background would be the Marine Corps in Japan, because that was the first big, at that time to me, dramatic experience of my life suitable for a book, worth telling about.

So, when the defection occurred on that same day, I thought, "Well, this is it. I am in a perfect position to tell how this took place, why this happened." I was not so interested in explaining Lee Harvey Oswald to myself or anybody else, as I was in explaining that particular phenomenon of disillusionment with the United States after serving in the Marine Corps overseas in a peacetime capacity; thus the title: *The Idle Warriors*.

Since Oswald inspired the book, I did base a good deal of it as a matter of convenience on his personality and on his ideas.

Mr. JENNER. You said you had the impression as you sat there in Japan that here was a man whom you felt wanted to be on the winning side.

Mr. THORNLEY. Yes.

Mr. JENNER. What impression did you have as to why? Did you, for example, have the impression that he felt that his life had been such that he had been deprived of the opportunity to be on a good side?

Mr. THORNLEY. No.

Mr. JENNER. That he conceived to be the leading side?

Mr. THORNLEY. No. I had a definite impression of why.

Mr. JENNER. All right.

Mr. THORNLEY. I think it is a mistake that many people make, and I think it is a mistake he shared, and that is: he looked upon, not only Marxists make this mistake, but he looked upon history as God. He looked upon the eyes of future people as some kind of tribunal, and he wanted to be on the winning side so that 10,000 years from now people would look in the history books and say, "Well, this man was ahead of his time. This man was"—he wanted to be looked back upon with honor by future generations. It was, I think, a substitute, in his case, for traditional religion.

The eyes of the future became what to another man would be the eyes of God, or perhaps to yet another man the eyes of his own conscience.

Mr. JENNER. So it wasn't in the prosaic sense of merely wanting to be on the "winning side."

Mr. THORNLEY. No.

Mr. JENNER. When things developed—

Mr. THORNLEY. No; I don't think he expected things to develop within his lifetime. I am sure that he didn't. He just wanted to be on the winning side for all eternity.

Mr. JENNER. You had the impression that that was in terms of selflessness? That he thought also in terms that Lee Harvey Oswald would be associated with this forward thinking?

Mr. THORNLEY. Right. He was concerned with his image in history and I do think that is why he chose once again, once again why he chose the particular method he chose and did it in the way he did. It got him in the newspapers. It did broadcast his name out. I think he probably expected the Russians to accept him on a much higher—in a much higher capacity than they did.

I think he expected them to, in his own dreams, to invite him to take a position in their government, possibly as a technician, and I think he then felt that he could go out into the world, into the Communist world and distinguish himself and work his way up into the party, perhaps. He was definitely—

Mr. JENNER. Did it have to be the Communist world or could it be any world that he saw projected into the future?

Mr. THORNLEY. Definitely.

Mr. JENNER. And as you put it this, in your opinion, had become a religion with him.

Mr. THORNLEY. Much more than he himself realized even though he called it his religion.

Mr. JENNER. Did you have the impression there was a personal selflessness, that is a—I will put it in terms of disregard or rather this way—that as far as his physical person was concerned, he wasn't concerned about life in the sense that he wanted to continue to maintain life in his body?

Mr. THORNLEY. No; I think he wanted physical happiness. I think this is why he didn't do something like just join the Communist Party. I believe he felt that was dangerous. I think he wanted to live comfortably. But I think if it came to a choice between the two, or to put it this way, more relevant to events that developed later, I think if it became to his mind impossible for him to have this degree of physical comfort that he expected or sought, I think he would then throw himself entirely on the other thing he also wanted, which was the image in history.

I don't think that—I think he wanted both if he could have them. If he didn't, he wanted to die with the knowledge that, or with the idea that he was somebody.

Mr. JENNER. Did you have the impression at any time that he, in turn, embraced a realization that he was lacking in ability to accomplish the former, that is, personal comfort and status, that is that he felt that there was a lack of ability, capacity, training, education on his part?

Mr. THORNLEY. When I knew him, I don't think he had the vaguest thought in that direction. I do definitely, of course, based solely upon what I have read in the newspapers, think he came to that moment, after returning to the United States from the Soviet Union. I think he was getting panicky.

Mr. JENNER. In our discussion you can see it is important to me to obtain your thinking, uninfluenced to the extent you can do it by subsequent events. Of course complete lack of influence is not possible, but I am seeking your views as to your state of mind prior to November 22.

Mr. THORNLEY. All right. I would say that prior to November 22, I felt that he had gradually become disillusioned with the United States for many reasons, at the bottom was also his conviction, well, in fact, his disillusionment with the United States in the Far East probably contributed to some extent to his conviction that the Communists would eventually prevail, the Communist culture would eventually prevail in the world, and I then had the feeling that he certainly—I thought he would probably stay in Russia, for example, forever.

I didn't know what he was doing there. I realized from what I read at that time that he was not—he did not have Russian citizenship. He was staying there as an immigrant. I expected him probably to adjust to Russian life and that would be the last that the Western World would ever hear of Oswald.

Everything Oswald has ever done has surprised me.

Mr. JENNER. Please elaborate on that.

Mr. THORNLEY. When I knew him and since I knew him, when I knew him I was surprised when he was offended at my statement about the coming of the revolution that Saturday morning. I was surprised when I read in the papers overseas that he had gone to the Soviet Union. I was surprised when he came back. And I was entirely caught unaware when it turned out that he was involved in the assassination, to such an extent that for some time afterwards, I thought he was innocent.

Mr. JENNER. Why were you surprised when he came back and tell us before you do that where were you and how did you find out about it.

Mr. THORNLEY. I was in New Orleans. My parents sent me an article from the Los Angeles Times about it. The reason I was surprised at his coming back was as I said before, I just expected that would be the last I would hear of him. I fully expected him to adjust to Soviet life. I thought what he—at that time I thought what he probably lacked in the Marine Corps was any sympathy for the overall purpose of the Marine Corps. Whereas he certainly had sympathy for the overall purpose of the Soviet Government, so I don't think he would mind the restrictions imposed on him, as he resented them in the Marine Corps.

I did not expect him to become disillusioned, certainly, with the Soviet Union. I am not, of course, sure that he did become disillusioned with it. It just seemed unlike him to come back to this country when he said he would never live in either as a capitalist or as a worker.

Mr. JENNER. When did he say that?

Mr. THORNLEY. He said that at a press conference in Moscow according to the papers.

Mr. JENNER. This was something you read in the Stars and Stripes?

Mr. THORNLEY. I don't know whether I read this in the Stars and Stripes or whether I read this—I certainly read it when he came back from Russia, I remember. It was in the article from the Times my folks sent me. Said when he had left for the Soviet Union he had said such-and-such, quote.

Mr. JENNER. You said you did not expect him to become disillusioned with Soviet Russia. Was it your impression at any time, take the several stages, that he had a conviction with respect to any form of political philosophy or government?

Mr. THORNLEY. Well, he did definitely always before and after have a Marxist bias. From anything that has come to me, that has never—I have never reason—never had reason to doubt that.

Mr. JENNER. That, you think, was a conviction?

Mr. THORNLEY. I think that was an irrevocable conviction, you might say.

Mr. JENNER. You do not think it was not merely a theoretical concept which he used for argumentation?

Mr. THORNLEY. Let me put it this way. I think you could sit down and argue with him for a number of years in a great marathon argument and have piles of facts and I don't think you could have changed his mind on that unless you knew why he believed it in the first place. I certainly don't. I don't think with any kind of formal argument you could have shaken that conviction. And that is why I say irrevocable. It was just—never getting back to looking at things from any other way once he had become a Marxist, whenever that was.

Mr. JENNER. Was he able to articulate distinctions between Marxism, communism, capitalism, democracy?

Mr. THORNLEY. At the time I knew him and argued with him he didn't bother to articulate distinctions between Marxism and communism. At a latter time I understand he did.

Mr. JENNER. He attempted to.

Mr. THORNLEY. At the time I knew his communism was the modern, living vicar of Marxism, period.

Mr. JENNER. Were you in New Orleans when he was arrested for distributing Fair Play for Cuba Committee leaflets?

Mr. THORNLEY. I arrived in New Orleans in the early part of September. If I was in New Orleans—

Mr. JENNER. 1963?

Mr. THORNLEY. Yes.

Mr. JENNER. This occurred in August of 1963.

Mr. THORNLEY. Then I wasn't there; no.

Mr. JENNER. Did you hear about it?

Mr. THORNLEY. No; I didn't. I didn't hear about it until after the assassination.

Mr. JENNER. Did you ever hear any of those tapes?

Mr. THORNLEY. I heard part of one of them after the assassination, once again.

Mr. JENNER. Did that part include his effort to distinguish between Marxism and democracy in response to a question put to him by either Mr. Stuckey or one of the other participants?

Mr. THORNLEY. That is exactly what he was talking about at the time. I happened to be standing in the television station in New Orleans and he was saying, and I just got a snatch of it, I was passing through the room or something; and he was saying, "Well, there are many Marxist countries in the world today."

Mr. JENNER. This was by way of his answering a question as to what was the distinction between Marxism and communism?

Mr. THORNLEY. Yes; he was saying there are many non-Communist Marxist countries in the world today and he was definitely making a distinction between Marxism and communism.

Mr. JENNER. But all he did was to cite the countries. He didn't attempt to make the distinction.

Mr. THORNLEY. It was only a snatch of it.

Mr. JENNER. That was a fair representation of his utterances during those two radio broadcasts and one television broadcast. You mentioned also that you had a feeling on his part that he was laboring under a persecution complex?

Mr. THORNLEY. Yes.

Mr. JENNER. That was not necessarily based alone on the incident you relate that occurred on that Saturday morning? Were there other incidents?

Mr. THORNLEY. Yes; there were many comments on his part about the walls having ears, about—I think he felt the Marine Corps kept a pretty close watch on him because of his "subversive" activities and, for that reason in fact, I think he sought to keep himself convinced that he was being watched and being pushed a little harder than anyone else.

I don't think he was consciously, perhaps not consciously, aware of the fact that he went out of his way to get into trouble. I think it was kind of necessary to him to believe that he was being picked on. It wasn't anything extreme. I wouldn't go so far as to call it, call him a paranoid, but a definite tendency there was in that direction, I think.

Mr. JENNER. Would you put it in terms that he had the feeling that he was being unjustifiably put upon?

Mr. THORNLEY. Oh, always; yes. He was, in fact, you almost got the feeling that he was—this was happening because of his defense. I mean he was always speaking of the injustices which had been perpetrated against him.

Mr. JENNER. Of his injustices as to him personally, different from the treatment of others about him?

Mr. THORNLEY. To him personally; yes. Well, and it was the fact that he had lost his clearance, and had gone out of his way to get into some degree of trouble that went on to support this. For example, we would stand at muster in the morning, and Sergeant Spar would call the roll and he would say "Oswald" and Oswald would step out of the ranks and he would send him off to mow the lawn or something.

Oswald did get special treatment. As I say, he had brought it on himself but he made the most of it, too, as far as using it as a means of getting or attempting to get sympathy.

Mr. JENNER. Well, what was the sergeant's name?

Mr. THORNLEY. Sergeant Spar.

Mr. JENNER. Spar. In using his name, I don't wish to, I am not suggesting

anything personal as to Sergeant Spar, but I am going to use him as a faceless Marine sergeant.

Mr. THORNLEY. And a very good one.

Mr. JENNER. You marines, at least some of you, I assume, as had GI's and others, you buttered up sergeants, too, didn't you, in order to avoid being assigned too often to disagreeable tasks?

Mr. THORNLEY. No; you didn't have to. So long as you kept in line and obeyed orders, you didn't have to—you weren't assigned any disagreeable task in the kind of outfit I was in because there weren't that many. When there was a disagreeable task to be done, it was assigned to somebody who had stepped out of line and there were always enough people who had stepped out of line and it was no problem to find them. In fact, the problem was to find enough disagreeable tasks to go around. The only exception to this would be overseas; a typhoon would hit sometimes and then everybody would have to go out and we would have to all, much to our dismay, wade around at 2 o'clock in the morning and tear down tents and so on and so forth.

Mr. JENNER. That was a thing that was common to all of you.

Mr. THORNLEY. Yes.

Mr. JENNER. It was not a disagreeable task in the sense we are talking about.

Mr. THORNLEY. Right; and that was never necessary to have to butter up that I can ever think of to a superior of any kind in order to get exempted from anything.

Mr. JENNER. Well, do you think Oswald was aware that all he had to be was more tractable to the customs and practices of the Marine Corps in which he was then living and he would not be assigned disagreeable tasks more often than others?

Mr. THORNLEY. Well, that is hard to say. I don't know whether he was aware of that or not. I am not sure whether he permitted himself to be aware of it. Maybe he was aware of it and maybe he couldn't help. He had compulsions to do these things. Maybe he thought it was worth it and maybe he didn't feel that he was being treated unjustly at all. Maybe he just wanted everybody to think he felt he was being treated unjustly, if you follow me.

Mr. JENNER. I do.

Mr. THORNLEY. It could have been any of these things. This—I think it would take a good psychiatrist to find out which.

Mr. JENNER. You also used the expression that he strove to maintain the status or milieu in which he had brought himself.

Mr. THORNLEY. Yes; I think this was possibly so. I think perhaps the feeling of being persecuted was necessary to his self-esteem. This is, I understand, a common thing, and it certainly fits in with everything else I know about him.

Mr. JENNER. Did you have that impression that you have just expressed at the time that you were associated with him in the Marines?

Mr. THORNLEY. At the time I was associated with him, I didn't have that impression because I was too busy wondering just what it was. I used to—I would see him doing something stupid, maybe a wisecrack to an officer, for example, and I would say, "Well, doesn't the idiot know that if he does that he is going to have to do this" and yet he would resent his punishment.

Mr. JENNER. What would he do afterward?

Mr. THORNLEY. As if it had been thrust upon him for no reason whatsoever, out of the blue.

Mr. JENNER. Did you have a feeling that he was impulsive in that respect, in the sense that sometimes he did things?

Mr. THORNLEY. He was definitely impulsive.

Mr. JENNER. That he had no control?

Mr. THORNLEY. Well, I don't know whether he had no control or whether he would just do things without thinking. I think maybe he just let, relaxed his controls once in a while, and why, I don't know.

Mr. JENNER. Did you have the feeling he was impulsive?

Mr. THORNLEY. Oh, definitely.

Mr. JENNER. He acted on the spur of the moment?

Mr. THORNLEY. He was spontaneous, very much so. This was—I had this impression the whole time I knew him.

Mr. JENNER. You did have the impression and I think you have mentioned it several times, that he had an exaggerated, either mild or otherwise, self-esteem.

Mr. THORNLEY. No; I didn't mention that that I recall. I did say that I think maintaining the persecution complex was necessary for his self-esteem and he was concerned very much with his image in history but I don't think in the sense of being secure about his self-esteem; I don't think he was either conceited, for example, egotistical, or just plain confident. I don't think—I don't have any reason to believe that he in his own eyes, had any reason to be proud of himself beyond the average, at most.

Mr. JENNER. I wasn't thinking of self-esteem in that sense and I didn't gather from your remark that you were thinking of it in that sense either, but rather in the sense of self-esteem in his own eyes, not in the sense of accomplishment or egoism.

Mr. THORNLEY. Now, I don't know. Self-esteem in one's own eyes, it seems to me, would have to be justified by some means. Some people justify it by means of their attraction to the opposite sex or by means of their standing in some country club. I think Oswald justified it by means of his recalcitrance, kind of a reverse self-esteem.

By means of his unwillingness to do what he was ordered, for example.

Mr. JENNER. Did you have the feeling that he sought the esteem of others, not necessarily his officers, but the esteem of somebody or some group or some persons about him and in his life—

Mr. THORNLEY. I think he wanted this very much but I don't think he knew how to go about getting it. He wanted it, and yet he certainly didn't—I think he would have felt he was cheating himself if he had offered them anything in exchange for it. He wanted it but he wanted it to come to him for no reason. He didn't want to have to earn it. I got that impression. That is a very mild impression.

Mr. JENNER. We are dealing in a very delicate field here and I am pressing you very severely.

Mr. THORNLEY. These are sometimes very gray, thin lines we have to distinguish between.

Mr. JENNER. We are probing for motivation. Did you ever discuss with him the matter of education?

Mr. THORNLEY. No.

Mr. JENNER. His own; or education in the abstract; or the need for education in order to attain accomplishments; or any regard to whether his status in life, his personal comfort, his personal peace, could be advanced by further education?

Mr. THORNLEY. No.

Mr. JENNER. Did you ever have the feeling of any discomfort on his part or inferiority because of his limited education?

Mr. THORNLEY. No. First of all, in the Marine Corps there is a prevalence of this kind of feeling among many of the enlisted men, and Oswald was exempt from it.

Mr. JENNER. What do you mean "exempt from it"?

Mr. THORNLEY. Well, he didn't, for example, have the usual bitterness toward somebody who read, well, just merely because he did read.

Mr. JENNER. He may have felt superior because he did read, did you have that feeling?

Mr. THORNLEY. Oh, yes.

Mr. JENNER. That was a definite feeling?

Mr. THORNLEY. I wouldn't say anything in my experience with him caused me to particularly notice that he felt superior because he did read. But except, yes, there is one time a friend of his, I don't know who it was, I haven't been able to recall the name at present, one morning looked over at our commanding officer who was walking by, Colonel Poindexter, an air ace in Korea—

Mr. JENNER. A what?

Mr. THORNLEY. An ace pilot in Korea, and made the comment, "There goes a mental midgit" which drew glee from Oswald, as I remember. But aside from that one particular incident—well, in any case, when he was dealing with military superiors he always felt superior to them. You got that impression. But

dealing with the other marines who maybe did have an education or did not have an education, I didn't get any, ever get any impression one way or the other that he had a tendency to react to this.

Mr. JENNER. As between yourself and him, your association, what was your feeling? Did he regard himself as compatible with you and you with him?

Mr. THORNLEY. Yes; definitely. I didn't get any idea that he was—I thought his education was about the same as my own which certainly isn't spectacular by any means. I thought he might have had a year of college. I knew he had—I figured he had graduated from high school. It never occurred to me to think any more about it. I did, as I mentioned before, notice once in a while that he had gaps in his knowledge, but many people do, in fact all of us do, I am sure, in some fields.

But in Oswald's case they perhaps had an unusual pattern to them or something that made me notice them, perhaps. Perhaps he was better read, for example, on Marxist economics than any other school of economics, things like this. But that was the extent of it.

Mr. JENNER. Was there in your kicking around with him in your discussions—was there ever any discussion of your past, of his past, his life?

Mr. THORNLEY. None whatsoever. This I am almost certain of. I had no idea, for example, that he was from Texas or where he was from. At that time I don't recall him having a Texas accent, either. I had no idea that his father had died when he was young. I had no idea about his family, anything along this line and I don't think I ever discussed my past with him.

Mr. JENNER. Was any mention ever made of his attendance at or even the name of the Albert Schweitzer College?

Mr. THORNLEY. No.

Mr. JENNER. No discussions about any plans of his or possibility of his seeking further education of any kind or character when he was mustered out of the Marines?

Mr. THORNLEY. None whatsoever. For one thing we were not close enough friends to have any personal interests in each other. I looked upon him as somebody to argue with, another atheist—therefore, without the problem of religion between us—and to argue philosophy and politics about, and I think he looked upon me in about the same light.

Mr. JENNER. What was your dexterity with Marine weapons?

Mr. THORNLEY. Mine?

Mr. JENNER. Yes.

Mr. THORNLEY. I was a sharpshooter.

Mr. JENNER. What was his?

Mr. THORNLEY. I believe—well, at that time I didn't know.

Mr. JENNER. You didn't know. I want your viewpoint as of that time. While you were based at El Toro, did the unit engage with any regularity in rifle practice?

Mr. THORNLEY. None whatsoever. At that time, the whole time I was there, we did not engage in rifle practice.

Mr. JENNER. As a matter of curiosity on my own part, why was that?

Mr. THORNLEY. Well, in the Marine Corps you are required once a year to go to the rifle range and qualify. I was not there an entire year. Point No. 2, this was the Marine air wing which has much less of an emphasis on, in general, on rifle practice because it is not going to be utilized in battle, and a much stronger emphasis, in the case of the outfit we were in, on our particular military occupational specialty.

Mr. JENNER. Which was?

Mr. THORNLEY. 6749 Aviation Electronic Operator.

Mr. JENNER. Was this true when you reached Japan?

Mr. THORNLEY. More so. When I reached Japan, however, we did go to the rifle range one time shortly after I got there, and qualify. I recall at that time that in Japan we weren't even having rifle inspections. There you could put your rifle away in your locker and forget about it, and take it out every couple of months and make sure it hadn't corroded away, and put it back again.

Mr. JENNER. But you didn't even have rifle inspection?

Mr. THORNLEY. Once in a while we would have one, but not with any frequency whatsoever.

Mr. JENNER. Were you forewarned so that you could clean your rifle?

Mr. THORNLEY. No; usually you were caught unawares, which was why you kept it clean in the locker.

Mr. JENNER. I see. What are the grades of marksmanship?

Mr. THORNLEY. Marksman, sharpshooter, and expert.

Mr. JENNER. Marksman, sharpshooter, and expert. Therefore, I gather from that that marksman was the basic grade.

Mr. THORNLEY. Yes.

Mr. JENNER. A grade that every marine was expected to, and had to, attain that grade?

Mr. THORNLEY. Not had to attain, some didn't, and there was no particular penalty involved, except maybe something a little extracurricular when you were in boot camp. Otherwise, you didn't wear a marksman's medal is all. You didn't have any qualification in the infantry; of course, it would be looked down upon in the case of promotion or something like that. In the air wing it had much slighter significance than that. Maybe if you were being considered for a meritorious promotion and you hadn't qualified you wouldn't get it, but day to day it had no significance.

Mr. JENNER. Were the standards applied in the air wing with respect to qualifications for these three classes as severe or as high as the standards applied, let us say, in the Marine infantry?

Mr. THORNLEY. Exactly the same; yes.

Mr. JENNER. Exactly the same. Would you please state for me your concept of the degree of marksmanship for (a) marksman, (b) sharpshooter, (c) expert?

Mr. THORNLEY. Well, a marksman is an average shooter. A man, I think, could pick up a rifle and with a little commonsense and a minimum knowledge of the basics of marksmanship qualify as a marksman. When a man doesn't qualify as a marksman it is usually either because he is nervous on the day of qualification or he is gun shy or some outside influence confuses him; maybe he gets his windage off, something like this.

Sharpshooter is just a little above average. It ranges over about—a pretty wide field. But it is a man who—a sharpshooter would be a man, the average man, with a good, maybe a week of training on how to use a rifle, and some practice.

Whereas an expert is the kind of man I would hate to have on the other side in a war. He is accurate with his rifle up to and including 500 yards in a number of different positions. Hits the bull's-eye or close to the bull's-eye an overwhelming percentage of the time.

Mr. JENNER. Is that the category in which we would place that to which we refer generally as the sniper?

Mr. THORNLEY. Yes. Well, any man might be assigned as a sniper, I imagine. But an expert rifleman would perform much better.

Mr. JENNER. Maybe be a superior sniper.

Mr. THORNLEY. Yes. Definitely.

Mr. JENNER. And to attain the position of expert marksman must there be considerable practice and use of the weapon or is it more of natural ability?

Mr. THORNLEY. Now, you enter in once again to natural ability, just as not qualifying might be caused by a lack of natural ability of some kind. An expert rifleman probably would have a much calmer nervous system or, you might say, a much greater degree of control.

I would imagine training can make up for this. I know a couple of times I just missed expert by a few points. It seemed that I couldn't make expert. It seemed to me there was just something I didn't have in order to make expert. It was very frustrating.

Mr. JENNER. You tried?

Mr. THORNLEY. Yes; it takes a great degree of control, primarily. Of course, the other things like good eyesight and so on and so forth.

Mr. JENNER. Oh, yes.

Mr. THORNLEY. Yes.

Mr. JENNER. Did you ever discuss with Oswald his degree of proficiency in the use of the rifle?

Mr. THORNLEY. Not to the best of my knowledge.

Mr. JENNER. Did you have any impressions that you gathered in that respect while you were with him at El Toro?

Mr. THORNLEY. None whatsoever. Had somebody asked me to guess about Oswald, I would have said, well, he probably didn't qualify, just because that was the type of guy he was, but that is all.

Mr. JENNER. You would never have expected him to have been a sharpshooter, for example?

Mr. THORNLEY. It wouldn't have greatly surprised me if he was and it wouldn't have greatly surprised me if he wasn't. This is something very difficult: to look at a man and tell, at least it is very difficult for me. I have seen some drill instructors who could do it. But to tell whether he is going to be an expert or a sharpshooter, marksman, I am not qualified.

Mr. JENNER. While you were stationed with him at El Toro, did you ever go off base with him?

Mr. THORNLEY. No.

Mr. JENNER. Did you ever have any discussion of dates?

Mr. THORNLEY. No.

Mr. JENNER. His attitude toward women?

Mr. THORNLEY. No.

Mr. JENNER. Sex?

Mr. THORNLEY. None whatsoever.

Mr. JENNER. Was there any scuttlebutt around the camp in that regard with respect to him?

Mr. THORNLEY. Not to the best of my knowledge.

Mr. JENNER. Sex habits, propensities?

Mr. THORNLEY. No; you stand a risk in the Marine Corps, if you are at all quiet and tend to be introverted, of being suspected of being homosexual, but to the best of my knowledge there were never any comments made of this nature.

Mr. JENNER. Do you recall some other readings of his in addition to "1984"?

Mr. THORNLEY. I do recall having mentioned Dostoevsky to him and I know he had read something and I think it was "Crime and Punishment" but I am not sure. It was something I had not read by Dostoevsky when I had read about, I guess at that time, about three or four books.

Mr. JENNER. It is a great book.

Mr. THORNLEY. Someday I am going to get around to it.

Mr. JENNER. Have you not read it yet? It is a really great book.

Mr. THORNLEY. No; and I don't recall him mentioning any other books offhand. I don't—I can't think of a thing besides "1984" and some book by Dostoevsky.

Mr. JENNER. While you were based at El Toro did he engage, did you notice, in any officer baiting on his part with respect, in particular, to such matters as foreign affairs?

Mr. THORNLEY. Yes; not on foreign affairs, no, but the same officer, Lieutenant Donovan, spoke of in a foreign affairs lecture in the newspapers, I do remember him baiting him on a couple of occasions.

Mr. JENNER. Oswald attempting to bait Lieutenant Donovan?

Mr. THORNLEY. I don't remember what it was. I know, I believe Lieutenant Donovan was also a lieutenant which I had had a couple of run-ins with if I remember correctly.

If not, it was Lieutenant Delprado. It was one of the two of them. Mine were completely accidental and I went to great length to keep away from one of them because it seemed like any time I was around him I happened to do something to irritate him. But Oswald, I don't recall exactly what he said, but he a couple or three times went out of his way to say something to one of these lieutenants that would cause them to be irritated and in this you can't really say that he was exceptional. It happened many times. In Oswald's case though, it was exceptionally—

Mr. JENNER. You mean it happened many times with respect to other noncoms in the Marines with respect to these officers?

Mr. THORNLEY. Right; but in Oswald's case it seemed a little more deliberate.

Some guys would get mad and they would say something, or sometimes they would do something by accident, and they would get themselves involved and then they would decide, "Well, what the hell," and push it all away. Oswald it seemed didn't have to have any reason. He just told an officer to get lost.

Mr. JENNER. He baited an officer for the pleasure of it?

Mr. THORNLEY. Yes; I might mention that this was one means by which he won the admiration of others in the outfit in that the junior officers especially are usually disliked, or were in that outfit, and this made him on such occasions as he engaged with an officer in some kind of officer baiting, this won the respect, for at least a few minutes, of the men—who would kind of laugh about it, and chuckle over it and tell others about it. Perhaps this is why he did it.

Mr. JENNER. You mentioned some slovenliness on his part; what about his quarters, his barracks; did you have occasion to observe them?

Mr. THORNLEY. I don't think I was ever in his barracks. I do recall having been told that he had Russian books and that is all I—that is the only connection I can make now in my mind with his quarters. I don't think I ever saw them.

Mr. JENNER. You already have given us something of his view of the U.S. Marine Corps. Would you give us a summary of that? Give us your impression of his views with respect to the U.S. Marine Corps.

Mr. THORNLEY. Well, definitely the Marine Corps was not what he had expected it to be when he joined. Also he felt that the officers and the staff NCO's at the Marine Corps were incompetent to give him orders.

Mr. JENNER. Incompetent in what sense, they were below him intellectually?

Mr. THORNLEY. They were below him intellectually—and for various other reasons in each case, too. Maybe this officer was ignorant, as was brought out about foreign affairs, in Oswald's mind, knew less than Oswald did about it. I don't hold with the stand that Oswald would study up on foreign affairs simply in order to bait the officer. I think it just happened to be that Oswald would see that the officer was basing his foreign affairs maybe on Time magazine when Oswald had done a little more reading and I think he resented this Time magazine approach to foreign affairs.

Mr. JENNER. How did these discussions arise, Mr. Thornley, the discussion of foreign affairs by officers?

Mr. THORNLEY. Well, the officers, every so many weeks—this is mentioned somewhere in this pile of papers—every so many weeks a lieutenant is appointed to give a foreign affairs lecture or a current affairs lecture, pardon me, to the troops, at which time he explains the world situation in a half hour. I remember having one second lieutenant telling us about Dalai Lama or it was a first lieutenant and I forget what he told us, but it was something completely absurd. I think at that time the Dalai Lama had just disappeared or something, and one would get the impression, I think, that he thought the Dalai Lama was a leader in Pakistan or something.

Mr. JENNER. That is the impression the lieutenant tried to convey?

Mr. THORNLEY. Well, I think that was the impression the lieutenant had had when he had been assigned to give this lecture. The last minute, he got down and started going through the news magazines to get his information, got it somewhat inaccurately, and didn't particularly care whether it was accurate or not anyway. Stood up in front of the troops and reeled off the lecture, and, of course, most of the enlisted men didn't know enough to criticize him either because they weren't that interested, and that was it—with a couple of people laughing up their sleeves, and this happened later, this didn't happen at the time I knew Oswald.

However, in such a situation Oswald would have been careful I am sure to raise his hand and correct the lieutenant.

Mr. JENNER. I was going to get to that. During the course of these lectures did the troops as you called them engage in discussion with the instructor?

Mr. THORNLEY. They were permitted to ask questions, to raise their hands to ask questions. And Oswald would have probably asked a question which would have made light of the lieutenant's ignorance.

Mr. JENNER. Put the lieutenant at a disadvantage?

Mr. THORNLEY. Yes.

Mr. JENNER. Were you present at any times when you were at El Toro when

the lectures occurred when, at that time Oswald raised his hand and engaged in dissertation?

Mr. THORNLEY. I might have been but I don't recall it if I was. I recall being present at several lectures at El Toro, and it just might have happened. It was the kind of thing Oswald would do and it wouldn't even have phased me. I probably wouldn't even have bothered to remember if it had happened. It would have been just part of the daily routine there so I would have——

Mr. JENNER. Did you ever engage in that sort of thing?

Mr. THORNLEY. No; I never had guts enough to stand up and tell an officer he didn't know what he was talking about. Behind his back I might tell somebody that such-and-such officer didn't know what he was talking about, but I was never quite that brash—in that particular respect, anyway.

Mr. JENNER. What were your impressions on Oswald being interested in music?

Mr. THORNLEY. Not being interested in music myself particularly——

Mr. JENNER. I take it you had none; that is, any impressions as to his interests?

Mr. THORNLEY. So, therefore, I had none; correct.

Mr. JENNER. Did you ever play chess with him?

Mr. THORNLEY. No.

Mr. JENNER. Did you ever see him playing chess with anyone else?

Mr. THORNLEY. Just now you mentioned the word "chess" as a definite association; I think he did play chess. I can't place the person. This—there were some other people in the outfit who played chess. There is one name I have been trying to remember for a long time, and I think it starts with "Win" something. "Winter" something. I'm probably way off base there. But a tall blond corporal, I believe, played chess and a couple of other men in the outfit played chess. At that time, I guess at that, I knew how to play chess. I have never been particularly interested, though, in the game so I don't—I am pretty sure I didn't play chess with him.

In fact, come to think of it I had just been cured of playing chess 3 months before that; somebody beat me in about six moves and I stopped playing for about a year. It wasn't me.

Mr. JENNER. While at El Toro did Oswald become engaged in any physical altercations with anybody?

Mr. THORNLEY. No; definitely not to my knowledge. Never got into any fights or even any hot personal argument over anything, that I know of.

Mr. JENNER. What was your impression, if you had one then, as to his disposition in that regard?

Mr. THORNLEY. I had the impression that he avoided violence.

Mr. JENNER. While you were at El Toro do you recall whether Oswald ever went off the base on liberty?

Mr. THORNLEY. As far as I know he didn't.

Mr. JENNER. Were there any discussions on the base as to what, if anything, Oswald did?

Mr. THORNLEY. Not in my presence.

Mr. JENNER. What, if anything, Oswald had done off the base on liberty?

Mr. THORNLEY. Not in my presence.

Mr. JENNER. Was there ever any discussion of Cuba and Castro and that problem?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. All right; tell us all about that.

Mr. THORNLEY. Well, at that time I and Oswald were both, and a couple of other men in the outfit, were quite sure that Castro was a great hero.

Mr. JENNER. Why?

Mr. THORNLEY. Well, he was liberating Cuba from Batista and, of course, we had heard all about Batista and what an evil man he was, which I am sure was true, and most of us had read some of the things written by Castro, some of Castro's promises—such as he would take no part in the government after the revolution, such things—so we had the definite impression—I remember there was one Puerto Rican boy, myself, Oswald, a couple of others who had quite an admiration for Castro, and thought the pro-Communist statements he was or might be making at the time, were made simply to guarantee a little more independence for his island because it was located so close to the United States.

In other words, I felt at the time he was playing both ends against the middle in order to go his own way, something like Charles de Gaulle is doing right now by recognizing Red China. I felt it was purely statesmanship, statecraft, power politics. I didn't feel that Castro was a dedicated Communist. Whether Oswald did or not I don't know. He admired Castro because of the social reforms Castro was introducing. So did I at that time.

Delgado, the Puerto Rican boy, as I recall it, was becoming worried at that time because he was beginning to think maybe Castro was communistic. I didn't think so. Oswald, as far as I know, didn't have anything to say on that matter. And that is about all I can tell you.

Mr. JENNER. Well, you say that you admired Castro and you knew Oswald admired Castro. Tell us on what you base that comment.

Mr. THORNLEY. Well, once again as I remember, there was one of these afternoon discussions once again, and somebody was saying something, worried about Castro, it might have been Delgado, it might have been somebody else, I don't think it was Delgado that day because I think he was defending Castro, somebody said something against Castro, and Oswald said that he didn't think Castro was so bad.

He thought Castro was good for Cuba, and they said why, and I took up the argument, which was the argument I just gave you, the naive idea I had at the time that he was playing for independence, and Oswald remained silent, shaking his head affirmatively a couple of times, and that was it.

Mr. JENNER. Shaking his head affirmatively with respect to the comments you were making?

Mr. THORNLEY. Yes; to my argument, to my justification of Castro.

Mr. JENNER. But you recall no provocative remarks that he made in that connection?

Mr. THORNLEY. No.

Mr. JENNER. Did Oswald have a nickname?

Mr. THORNLEY. Not that I know of except Oz sometimes.

Mr. JENNER. Did you ever hear him referred to as "Ozzie Rabbit"?

Mr. THORNLEY. Well, yes; I didn't realize that anybody else referred to him as such but I always thought of him as such. He reminded me very much of a cartoon character at that time. It was kind of pathetic. There was something about this little smile of his, and his expression on his face and the shape of his head, just the general, his general appearance established a definite association in my mind with some Warner Bros. cartoon character, I believe Warner Bros. And I, very recently, in a discussion with someone, describing Oswald mentioned that he reminded you of—I said: "I think there is a character called Oswald Rabbit who appears in movie cartoons." And they shook their head.

Now, I know where I got that particular example so I probably heard him referred to as "Ozzie Rabbit," though I don't recall specifically.

Mr. JENNER. Did he occasionally have a nickname or a reference made to him attendant upon his interest in the study of the Russian language or his interest in communism or in Russia or Soviet—

Mr. THORNLEY. Only he was sometimes called the Communist and he would, sometimes I know—as far as his study of the Russian language went he made no attempt to hide this.

In fact, he made—would make attempts to show it off by speaking a little Russian.

Mr. JENNER. He was proud of that, was he?

Mr. THORNLEY. Yes; there was someone else in the outfit who spoke Russian, don't ask me who, they used to exchange a few comments in the morning at muster and say hello to each other or something, and he also would make jokes in Russian, not in Russian, but in English, in a thick Russian accent many times; this was very typical of him.

Mr. JENNER. He resorted to that area and use of satire?

Mr. THORNLEY. Yes; until I had made the comment that implied he was a Communist, I had no idea—

Mr. JENNER. That he was sensitive?

Mr. THORNLEY. That he was sensitive about it because he didn't seem to be.

Mr. JENNER. Did he have any visitors?

Mr. THORNLEY. Not that I recall.

Mr. JENNER. Was there any discussion at anytime about the possibility of his going to Russia?

Mr. THORNLEY. No .

Mr. JENNER. This was a complete surprise to you when you saw it in Stars and Stripes?

Mr. THORNLEY. Somebody would say to him, "Why don't you go and live in Russia," in the middle of an argument.

Mr. JENNER. I didn't mean that in that sense but did he volunteer a statement on his part about his going to Russia?

Mr. THORNLEY. Never anything; no.

Mr. JENNER. I take it it was your opinion he was not a Communist at the time he was assigned to El Toro?

Mr. THORNLEY. That was my opinion.

Mr. JENNER. I take it you have never seen or talked with Oswald subsequent to the time he left or you left for Japan, from El Toro?

Mr. THORNLEY. No.

Mr. JENNER. That is, my statement is correct.

Mr. THORNLEY. Yes, sir.

Mr. JENNER. It follows, I take it, that you were never aware that he was in New Orleans when you were there?

Mr. THORNLEY. No; I wasn't.

Mr. JENNER. You were not aware of his comings and goings other than the newspaper report that your folks sent you?

Mr. THORNLEY. I was aware that he had come back from the Soviet Union and gone to Dallas, and I know I at that time did think about going to see him in Dallas for the book, to find out just why he did go to Russia, to check it with my own theory.

Mr. JENNER. I am going to get to that in due course.

Mr. THORNLEY. But aside from knowing that he came back and went to live in Dallas with a Russian wife and a child I had no idea of his comings or goings.

Mr. JENNER. At the time you had some notion of going to Dallas to see him or Fort Worth, as the case might be, it was with respect to the book you have talked about you were then in the process of writing or fulminating about?

Mr. THORNLEY. Yes; it was practically—well, it was finished by that time but I was thinking about, I was definitely planning to rewrite it. I didn't know how soon, and I thought before I did rewrite it I would go talk to him and see what he could tell me about. There were a lot of gaps in the book, and in the book I was not able to explain how he got from the United States to Russia and things like that. A lot of things I wanted to check out and I thought if I could get him to cooperate with me, perhaps not even in telling him I was writing the book, I could get the information I wanted.

Mr. JENNER. And this was the state of mind you had after you had heard that he returned to the United States?

Mr. THORNLEY. Right.

Mr. JENNER. Which was June of 1962, when he returned?

Mr. THORNLEY. Right, and I had finished the book in February.

Mr. JENNER. Of 1963?

Mr. THORNLEY. 1962.

Mr. JENNER. 1962. You were in Mexico and Mexico City in 1963?

Mr. THORNLEY. Yes.

Mr. JENNER. Cover that for us. What was the motivation, the length of the trip?

Mr. THORNLEY. I will have to begin at the beginning on that. On April 17, my parents sent me a gift of \$100 on the condition that I spend it for a bus ticket to visit them that summer. Which I did, and I left around—well, I arrived in California on May 5. I remember going along the border and seeing fireworks on the other side of the border.

Mr. JENNER. What border?

Mr. THORNLEY. From Yuma to San Diego.

Mr. JENNER. Mexican border?

Mr. THORNLEY. That is Cinco De Mayo. I arrived in California on May 5 and I stayed there until late August. Now, I think in one of these reports that I gave to the FBI the information might be different. Since then I have checked with notebooks that I kept of my activity, and I was on my way back to New Orleans in late August. I went by way of Mexico City because I have taken 5 years of Spanish in school and I never had the opportunity to live in an environment where I would have to use it, depend on it solely, and I wanted to see how I would do. I have always wanted to visit Mexico, to see Mexico City. I checked into the prices. I had found out I had enough money that I would be able to go down to Mexico City and stay a short while.

So I went down there for about a week, actually it was 6 days I spent within Mexico, from Tijuana to Mexico City, on a Mexican bus, and then when my money began to run out from Mexico City to Matamoros or Brownsville, Tex., on a Mexican bus.

At this time, on my way up on a bus to Matamoros, it was September 2, because I had that in my notes, I have some notes about the bus ride and the date September 2.

And I went from Brownsville to New Orleans by way of either Greyhound or Continental.

Mr. JENNER. When did you arrive in New Orleans?

Mr. THORNLEY. I went directly to New Orleans, so I imagine I arrived in New Orleans on September 3, possibly September 4.

Mr. JENNER. So that between approximately May 1, 1963, and September 4 and 5—

Mr. THORNLEY. Say May 3 to September 4.

Mr. JENNER. You were not in New Orleans?

Mr. THORNLEY. Right.

Mr. JENNER. You were returning to your home in California? You stayed there for approximately a month or so?

Mr. THORNLEY. Longer than that.

Mr. JENNER. Longer than that. You then went to Mexico, Mexico City, and you then returned directly to New Orleans?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. During none of that period of time did you have any contact with or hear anything about Oswald?

Mr. THORNLEY. Definitely not.

Mr. JENNER. You at one time at least were acquainted with a lady by the name of Sylvia Bortin?

Mr. THORNLEY. Sylvia Bortin?

Mr. JENNER. B-O-R-T-I-N.

Mr. THORNLEY. Yes; this young lady, by the way—

Mr. JENNER. Where did she reside?

Mr. THORNLEY. In Whittier, Calif., or at least last summer she did, I don't know where she resides now. This young lady, by the way, was mentioned in—her mention in this whole matter came out of a misunderstanding on my part of a question asked by the FBI agents.

Mr. JENNER. All right. Would you explain that, please?

Mr. THORNLEY. I don't recall what the question was—oh, yes, he had asked me something about, I believe it was the First Unitarian Church in Los Angeles. I had mentioned earlier at the time I was talking to Oswald, and knew Oswald, I had been going to the First Unitarian Church in Los Angeles. This is a group of quite far to the left people politically for the most part, and mentioned in order to explain my political relationship with Oswald, at that moment, and he began to ask me questions about the First Unitarian Church and I answered, and then he realized or understood or asked what Oswald's connection with the First Unitarian Church was and I explained to him that there was none. Miss Bortin never knew Oswald and vice versa, and these people were two different parts of my life. There was this civilian compartment and the military compartment, and I never intermingled them.

Mr. JENNER. This young lady married and her husband is now in Havana, Cuba?

Mr. THORNLEY. That is what she told me last summer; yes. He was going to school in Cuba.

Mr. JENNER. I take it this had nothing to do with yourself and Oswald's views with respect to Castro that you told us about.

Mr. THORNLEY. No; this happened, I think, later, in fact I am sure it happened later. At that time Miss Bortin, she was then unmarried, did not know Robert Uname, I believe. I met him, I believe, September a year later.

Mr. JENNER. Had you finished that?

Mr. THORNLEY. Yes.

Mr. JENNER. I take it that Oswald had no close personal friends at least that you observed?

Mr. THORNLEY. That is correct. And the name of his closest friends I do not know. I do remember he had a close acquaintance that he seemed to get along with pretty well.

Mr. JENNER. In the unit?

Mr. THORNLEY. Yes; but I don't recall this man's name. If it was mentioned to me, I probably could, but——

Mr. JENNER. You were groping for it when you were interviewed. You suggested it might be Charles——

Mr. THORNLEY. I mentioned a Charles.

Mr. JENNER. Weis.

Mr. THORNLEY. Weir, but that was not the man. This was a friend of a friend of the friend or a man who could give them that information perhaps that I couldn't.

At this time perhaps, also, I was thinking of a possibility it might have been Weir and since then I have remembered definitely who Weir was.

Mr. JENNER. Who was he?

Mr. THORNLEY. I don't remember whether his first name was Charles but I remember who he was.

Mr. JENNER. He was a noncom?

Mr. THORNLEY. There was a man named Cooley. There was somebody else, and these are my associations, but who it was who used to talk Russian in the ranks with Oswald in the morning I don't know, but that is who it was.

Mr. JENNER. Is this particular man you now mentioned the man who occasionally talked Russian with Oswald in the ranks, is he the man who you had in mind?

Mr. THORNLEY. Yes.

Mr. JENNER. As having been a friend of Oswald's?

Mr. THORNLEY. Yes; in that in the same respect that I was a friend of Oswald's. Once, again, the exact terminology I would use would be close acquaintance.

Mr. JENNER. Yes; I would say from your description of the relationship with Oswald that it was more an acquaintanceship than a friendship.

Mr. THORNLEY. I think it was probably the same with this person from what I recall, to my knowledge.

Mr. JENNER. In other words, when you say friend, he wasn't a buddy of Oswald?

Mr. THORNLEY. No; Oswald was not the type of person who had, as it has been emphasized on all parts, I think, and it confirms my own impression, was not the type of person who made close friends or who stuck with close friends.

Mr. JENNER. You saw no instance in which Oswald evidenced affection for anybody, I mean in the nice sense of the word?

Mr. THORNLEY. No; none whatsoever.

Mr. JENNER. Or anybody evidenced any affection in the nice sense of the word for him?

Mr. THORNLEY. No.

Mr. JENNER. I take it your trip to Mexico City was purely one of general interest as you have described and had nothing to do with any interest on your part in going to Cuba or attempting to go to Cuba?

Mr. THORNLEY. Believe me, no. I have no desire to go to Cuba unless I am going to take a rifle and be on an invasion force or something.

Mr. JENNER. Did you hear of anybody in the Marine Corps, whose last name was Hidell?

Mr. THORNLEY. At the time this name was mentioned to me that was—that person, whoever it was that Oswald used to speak to in the ranks in the morning came to my mind. But I can't say that that was the name, and I am—of course, now, I am very leery that that—very uncertain as to ever having heard the name Hidell, and I doubt it very much.

Mr. JENNER. Shortly after the unfortunate occurrence of November 22, 1963, you were interviewed by Secret Service agents, were you not?

Mr. THORNLEY. Yes. Now, this is what I had mentioned earlier. This was the Monday interview, of November 25, actually it was midnight Sunday night as I recall. It seemed to me a couple of days later before I spoke to the FBI. I believe there was a Mr. Rice—was one of the men.

Mr. JENNER. This was the evening of the 23d of November?

Mr. THORNLEY. Was it the 23d?

Mr. JENNER. It probably ran over.

Mr. THORNLEY. It must have been Saturday evening then. I had thought it was Sunday evening.

Mr. JENNER. In any event you were then interviewed by some newspaper reporters?

Mr. THORNLEY. Yes; that was quite some time afterward.

Mr. JENNER. Well, it was before November 27, 1963, was it not?

Mr. THORNLEY. It was after the 25th, I think. It was after I had finished talking to the FBI, as I remember.

Mr. JENNER. I will mark as Thornley's Exhibit No. 1 what purports to be a Xerox reprint of a newspaper article.

(The document referred to was marked Thornley Exhibit No. 1 for identification.)

Mr. JENNER. Are you acquainted with that?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. What newspaper was this from?

Mr. THORNLEY. The States-Item of New Orleans.

Mr. JENNER. And that article was a result of the newspaperman's interview with you?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. Did you see it upon its publication?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. You are familiar with it?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. Does it substantially accurately reflect at least portions of, in reasonable context, the interview you had with the newspaper reporter?

Mr. THORNLEY. Yes; to a surprising degree for a newspaper, on the basis of my past experience in dealings with them.

Mr. JENNER. Is there anything in that article that you regard as reasonably seriously erroneous?

Mr. THORNLEY. Not when I read it the last time.

Mr. JENNER. Insofar as it attributes anything to you?

Mr. THORNLEY. May I reread it?

Mr. JENNER. Yes.

Mr. THORNLEY. I would say this is accurate in everything it attributes to me.

Mr. JENNER. All right. I offer Thornley Exhibit No. 1 in evidence.

Now, it appears from that article and from the testimony you have given this morning that you were stimulated, or, as you have indicated you prepared at least a first draft of a book or pamphlet or article respecting your experiences in the Marine Corps, and one of the central characters of which, mythical or otherwise, was a friend, Oswald.

Mr. THORNLEY. That is correct.

Mr. JENNER. And when I spoke to you by telephone the other day I inquired of you as to whether that was still in existence and you responded that it was.

Mr. THORNLEY. Yes.

Mr. JENNER. And you were kind enough to say you would bring it with you.

Mr. THORNLEY. Yes.

Mr. JENNER. Have you done so?

Mr. THORNLEY. Yes.

Mr. JENNER. May I see it, please?

Mr. THORNLEY. Yes, sir; here is the draft completed in February of 1962.

Mr. JENNER. Yes; I am interested in seeing that in its condition as of that time.

Mr. THORNLEY. Right. That is it. There is only one addition and there is some blank paper on top. There is one addition, and that is the short preface written yesterday to give some idea of how much was fact and how much was fiction.

Mr. JENNER. All right—the page numbered 2?

Mr. THORNLEY. There was a table of contents once and it took two pages.

Mr. JENNER. Which I might identify in addition thereto as having the word "Preface," at its top and your name and the date May 17, 1964, Arlington, Va., at the bottom. That is what you prepared yesterday, is that correct?

Mr. THORNLEY. Correct.

Mr. JENNER. All of the balance, therefore, commencing with the pages numbered 3 and running through, I assume, consecutively?

Mr. THORNLEY. Yes.

Mr. JENNER. To page 250 is the article as it was when you completed it in February 1962?

Mr. THORNLEY. Precisely.

Mr. JENNER. I would like the opportunity of reading through this and, of course, 200-odd pages, we don't have the time to do it as of the moment, and the Commission would like to have it among its records. May I have the material and I will take it in the back room. We have a Xerox, and have it duplicated? This, I appreciate, is your personal property and it is of value. It is not something that the Commission will place in the hands of others who may make commercial use of it.

Mr. THORNLEY. I am quite sure that it will be perfectly safe.

Mr. JENNER. All right. It is in the same condition now, that is, pages 3 through 250, as those pages were when you completed this manuscript in February 1962?

Mr. THORNLEY. Yes; there might have been a couple of spelling errors corrected since then or typographical errors but that is all.

Mr. JENNER. And that article of which we now speak and which for purposes of identification I will mark as Thornley Exhibit No. 2, and I offer Thornley Exhibit No. 2 in evidence.

(The document referred to was marked Thornley Exhibit No. 2 for identification.)

Mr. JENNER. Subsequently thereto, I understand from my conversation with you, you prepared a revision of that paper.

Mr. THORNLEY. I have been working on a revision.

Mr. JENNER. And you were kind enough to say you would bring that along with you as well. Have you done so?

Mr. THORNLEY. I have been between this draft——

Mr. JENNER. When you said "this draft" you are referring to Thornley Exhibit No. 2?

Mr. THORNLEY. Exhibit No. 2, and the draft I am now giving you—several illegible drafts were made. This represents not the latest draft, but the latest typewritten draft. It represents a fragment of it.

The first third, almost the first third, minus a couple of pages of a novelette based upon this Exhibit No. 2.

Mr. JENNER. For purposes of identification the witness has now handed me a set of letter-sized pages numbered 1 through 37, consecutively.

Are they consecutive?

Mr. THORNLEY. Yes, sir.

Mr. JENNER. And I take it, as against the length of the other paper, that these pages 1 through 37, represent an incomplete novel.

Mr. THORNLEY. Yes.

Mr. JENNER. That is it covers only a portion of the areas and times covered by Thornley Exhibit No. 2.

Mr. THORNLEY. This one takes a completely different approach in that this did not take a chronological approach to the development of the character based on Oswald, but takes a flashback approach.

Mr. JENNER. I see.

Mr. THORNLEY. Centering around an investigation of that character after his defection to the Soviet Union.

Mr. JENNER. For further identification of the document which I will mark Thornley Exhibit No. 3, page 1 is entitled "Chapter 1, Gung Ho."

Page 4 is entitled "Chapter 2, Fallen Comrade."

Page 7, in the center, is entitled "Chapter 3, Hush Hush."

Page 11 is entitled "Chapter 4, Blue Marines."

Page 14, in the upper portion, is entitled "Chapter 5, Peace Gospel."

Page 21 is entitled, at the head, "Chapter 7, The Killer."

Page 24, near the center, is entitled "Chapter 8, Captain Kidd."

Page 27, at the bottom, "Chapter 9, Mutiny."

Page 31, "Chapter 10, John Henry."

Page 34, "Chapter 11, The Storms."

And page 37, "Chapter 12, The Chicken."

(The document referred to was marked Thornley Exhibit No. 3 for identification.)

Mr. THORNLEY. Now, this Exhibit No. 3 is a much greater fictionalized approach toward, well, as far as reference goes to Oswald, the character upon—the character which is based upon Oswald in Exhibit No. 2, Johnny Shellburn, Exhibit No. 3 is much farther from life.

Mr. JENNER. Is Johnny Shellburn assimilated to Oswald?

Mr. THORNLEY. Yes; much more so in Exhibit No. 2, though, than in this one.

Mr. JENNER. That is Exhibit No. 3.

Mr. THORNLEY. Yes; since I wrote Exhibit No. 2, I have learned to write fiction rather than a thinly disguised biography.

Mr. JENNER. In other words, Exhibit No. 2 was primarily a biography?

Mr. THORNLEY. Not in the strict sense that it portrayed a man's life in detail, but in the sense that any reference, most of the references, as is explained in this preface toward the end of the book—

Mr. JENNER. When you say this preface, you mean the preface to Exhibit No. 2?

Mr. THORNLEY. That is, Johnny Shellburn toward the end of the book, well, from before the middle of the book on, extends more and more to reflect Oswald's character, and I definitely was thinking about Lee Harvey Oswald when I wrote this book, Exhibit No. 2, whereas—

Mr. JENNER. In your discussion refer to them by exhibit number.

Mr. THORNLEY. I will keep my hands below the table.

Mr. JENNER. You don't have to do that. Just use the exhibit numbers.

Mr. THORNLEY. Whereas in Exhibit No. 3, I have universalized it more, tried to get away from giving any impression that I am making a chronology of the life and times of Lee Harvey Oswald, which is something I thought would be relevant as far as the Commission would be concerned in reading the material.

Mr. JENNER. Would you mark Exhibit No. 3 accordingly, Mr. Reporter?

I offer in evidence Thornley Exhibit No. 3. I take it, Mr. Thornley, that you commenced the preparation of Exhibit No. 3 subsequently to the assassination of President John Fitzgerald Kennedy.

Mr. THORNLEY. Yes, sir.

Mr. JENNER. And that Exhibit No. 3 reflects a course of events and their imprint upon you that occurred on and after November 22, 1963.

Mr. THORNLEY. No, no; Exhibit No. 3 reflects the same course of events reflected in Exhibit No. 2. As far as the telling of the story goes and the characters therein it takes place back in 1959. It makes a definite attempt, however, to get away from Oswald as a specific character and to discuss the problem of disillusionment in the peacetime military or disillusionment with values on a much more universalized range than Exhibit No. 2.

Mr. JENNER. All right. May I make a copy of Exhibit No. 3?

Mr. THORNLEY. Yes.

Mr. JENNER. Under the same circumstances and upon the same conditions as you granted your consent to make a copy of Exhibit No. 2?

Mr. THORNLEY. Yes, sir; Exhibit No. 3 also does include some things on—that I have acquired through the news on Oswald since the assassination because

Oswald tends to reflect the type of person I was talking about. So to put it, to make it as clear as possible, right now I realize I am saying Exhibit No. 3 is more like Oswald and less like Oswald, to put it as clearly as possible.

Mr. JENNER. You are going in two directions at once.

Mr. THORNLEY. Exhibit No. 2 is more like the Oswald I knew in MACS 9, the Oswald of my experience, whereas Exhibit No. 3 is a universalized Oswaldian-type character based upon not only my own experience but the news that has come to me about Oswald, about other people like Oswald, other defectors, other assassins, and so on and so forth, since November 22.

Mr. JENNER. All right. Now, Mr. Thornley, tell me something about Kerry Thornley. You obviously, to me, are not a doorman.

Mr. THORNLEY. Oh, yes; I am a doorman.

Mr. JENNER. You are at the moment performing that service. But that isn't your objective in life.

Mr. THORNLEY. My objective is to write books, novels primarily, as many as I can in the years that are given to me, and possibly upon publication of one of them to go back to school to further my ability to write.

Mr. JENNER. Are you taking any training in that respect or have you in recent years?

Mr. THORNLEY. Well, not formally. I have devoted myself to a lot of exercises in writing, and I have availed myself of the help of any experts I could grab onto, including successful novelists and former newspaper reporters and so on and so forth, to help me solve problems in my writing and improve it, but there is really, to my mind, my outlook on writing a novel; for example, there is not much you can learn from a formal course in writing. I think you can learn much more from, say, the study of linguistics or semantics; if you are going to learn anything from a university, for example, on writing, and this I intend to do in due time.

Mr. JENNER. We occasionally have been off the record, not often, and I have talked with you on the telephone. Is there anything that was said between us in the course of our telephone conversations or in any off-the-record discussions that you think is pertinent to the Commission's assignment of investigating the assassination of President Kennedy that I have failed to bring onto the record?

Mr. THORNLEY. No, sir; I think we have very thoroughly covered it.

Mr. JENNER. Is there anything that occurs to you that you would like to add that you think might be pertinent to our inquiry and of help to the Commission?

Mr. THORNLEY. No; there is certainly nothing else I can think of.

Mr. JENNER. Your deposition will be written up rather promptly. We probably will have it tomorrow, and would you be good enough to call me, say—when do you go on duty?

Mr. THORNLEY. At 5 o'clock.

Mr. JENNER. Call me in the forenoon—I mean right after lunch—and if it is convenient will you come in and read over your deposition and sign it?

Mr. THORNLEY. All right. May I just, to make absolutely sure, may I take down your phone number once more?

AFFIDAVIT OF GEORGE B. CHURCH, JR.

The following affidavit was executed by George B. Church, Jr., on June 27, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF FLORIDA,
County of Hillsborough, ss:

I, George B. Church, Jr., 2427 Sunset Drive, Tampa 9, Florida, being duly sworn say:

1. I am a retired Lieutenant Colonel in the United States Army and am now a Junior High School teacher in Tampa. I am attending the University of Florida this summer.

2. My wife and I travelled to Europe on the S.S. Marion Lykes which departed New Orleans, Louisiana for LeHavre, France, on or about September 20, 1959. This vessel was a freighter with accommodations for 12 passengers assigned two to a room. On this particular trip, there were but four passengers aboard. One of them was Lee Harvey Oswald, who shared a state room with an individual named Billy Joe Lord. The trip from New Orleans, Louisiana, terminated at LeHavre, France. The entire trip was approximately 16 days.

3. Before this trip, I had never before seen nor heard of Lee Harvey Oswald.

4. All of the passengers ate at one table; however, Lee Harvey Oswald missed quite a few meals because he was seasick much of the time. Furthermore, there was no fixed schedule for meals. When we did have meals with Oswald, he sat cater-cornered from me. However, Oswald was rather withdrawn, and thus I did not converse with him a great deal. Oswald did state during our discussion of our destinations, that he was going to attend a university in Switzerland. Oswald did not give the name of the university and did not indicate that he had a clear cut schedule as to his course of study.

5. I recall having discussed with Oswald the Depression of the 1930's. Oswald appeared quite bitter as to the hard time his mother had suffered during this period. I tried to point out to Oswald that I had lived through and survived the Depression and that millions of people in the United States also had suffered during those years. This, however, made no impression on Oswald.

6. Oswald spent much of the time by himself. He did not participate in any of the social activities, nor in any conversation. He did mention his service in the Marine Corps, and he stated that he did not like the military service. Generally Oswald was not friendly, and he did not make much of an impression on me since I was not particularly interested in him.

7. The ship had a receiver in the ward room which was off and on during the voyage. I did listen to it occasionally, and I did understand German. I do not know if Oswald listened to the receiver or not, and I have no idea as to his knowledge of any foreign language.

8. Oswald did not indicate that he was going to go to Russia.

9. After the trip I never saw nor heard from Lee Harvey Oswald again.

Signed this 27th day of June 1964.

(S) George B. Church, Jr.,
GEORGE B. CHURCH, Jr.

AFFIDAVIT OF MRS. GEORGE B. CHURCH, JR.

The following affidavit was executed by Mrs. George B. Church, Jr., on June 27, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF FLORIDA,
County of Hillsborough, ss:

I, Mrs. George B. Church, Jr., being duly sworn say:

1. I live at 2427 Sunset Drive, Tampa 9, Florida. I travelled to Europe on the S.S. Marion Lykes which departed New Orleans, Louisiana for LeHavre, France, on or about September 20, 1959.

2. I recall that besides my husband, there were two other passengers: Lee Harvey Oswald and Bill Lord. My husband and I sat at the same table with Oswald for meals, but outside of meals, we did not have much contact with him. While I had endeavored to get acquainted with Lee Harvey Oswald, he did not enter into friendly conversation. He stayed to himself, and I considered him peculiar.

3. Oswald indicated that the purpose of the trip was to attend a university

in Switzerland, but he evaded giving the name of the university and, he did not indicate any clear cut or positive courses of study other than a statement to the effect that he might study philosophy or psychology. His attitude seemed to be one of resentment. His roommate, Bill Lord, was going to attend a university in France and was studying French during the trip. Lord was quite exuberant about his course of study and purpose of life, in contrast to the attitude of Lee Harvey Oswald.

4. I do not recall Oswald doing any reading. However, I gave him a book which he never returned.

5. Upon completion of the voyage aboard the S.S. Marion Lykes, I obtained the address of Bill Lord for the purpose of perhaps later writing him or sending him Christmas cards. I also requested Oswald's address and he questioned the purpose of my request. He later reluctantly furnished his home address as, C/O Mrs. M. Oswald, 3124 West Fifth Street, Fort Worth, Texas. I wrote this in my address book.

6. At no time did Lee Harvey Oswald indicate that he was actually planning or attempting to defect or go to Russia. There was no indication that Oswald had any Communist leanings.

I did notice that Oswald spoke with the Chief Engineer who was then aboard the S.S. Marion Lykes. The Chief Engineer indicated to me that he felt that Oswald was a smart boy.

7. This was the last I ever saw or heard from Lee Harvey Oswald.

Signed this 27th day of June 1964.

(S) Mrs. George B. Church, Jr.,
Mrs. GEORGE B. CHURCH, Jr.

AFFIDAVIT OF BILLY JOE LORD

The following affidavit was executed by Billy Joe Lord on June 26, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Travis, ss:

I, Billy Joe Lord, being duly sworn say :

1. I am an Airman Third Class in the United States Air Force, and I am in the 340th Bomb Wing, Combat Defense Squadron at Bergstrom Air Force Base, Texas. I am 22 years old and my parents live at Midland, Texas.

2. After graduating from Midland High School in 1959, with the financial assistance of my parents, I made plans to continue my education in France. During August, 1959, I made an application for a passport, and on or about September 15, 1959, I departed Midland, Texas via train for New Orleans, Louisiana, arriving there about September 17, 1959. I spent the next three days touring the city of New Orleans and making several trips to the ticket office of the Lykes Lines. The cost of passage aboard the ship S.S. Marion Lykes amounted to slightly more than \$200. I registered and stayed in the LaSalle Hotel on Canal Street, which was near the city library. I visited the library several times during this stay in the city. During this period I did not know Lee Harvey Oswald.

3. On September 20, 1959, I boarded the freighter S.S. Marion Lykes at New Orleans. Upon boarding the ship, I was shown to my room, and when I got there, Lee Harvey Oswald was already there and moving in. We were to share this room. I had never before seen nor heard of Lee Harvey Oswald. Lee Harvey Oswald and I shared this cabin for the duration of the trip to France which was fourteen days.

4. In our first conversation, Oswald said that he was recently discharged from the Marines and that he had worked in some technical field while in the Marines. He indicated that he was somewhat bitter about the fact that his mother had to

work in a drugstore in Fort Worth, Texas, and was having a difficult time. He also said that he would probably return to the United States to work. He gave no indication of his ultimate destination, although he said he was going to travel around in Europe and possibly attend school in Switzerland if he had sufficient funds. Also in this first conversation, we discussed religion. I do not know why we discussed religion except that possibly he noticed that I had a bible. Oswald maintained that he could not see how I could believe in God in view of the fact that science had disproved the existence of God, and that there was only matter.

5. After the first day, I hardly conversed with Oswald at all. Oswald was not outgoing and neither was I. We just were not very friendly.

6. Besides Oswald and myself, there were two other passengers aboard the ship. They were a retired U.S. Army Colonel and his wife, Colonel and Mrs. George B. Church, Jr. All four of the passengers generally ate their meals together in the ship's officer's mess. Oswald ate most of his meals with us. I do not recall Colonel Church and his wife associating very much with Lee Harvey Oswald.

7. I shared a closet with Oswald, but I did not notice anything out of the ordinary among Oswald's possessions. He did show me either his military identification card or his passport.

8. Oswald did not indicate that he might defect to Russia. To the best of my knowledge, Oswald did not receive any correspondence or communications while aboard the ship, nor did he associate with any of the ship's crew. Oswald never mentioned any contacts or friends in Europe.

9. Lee Harvey Oswald appeared to be a normal, healthy individual, mentally alert, but extremely cynical in his general attitude.

On October 5, 1959, our ship arrived in France, and I disembarked from the ship. I never saw or heard from him again. It is my recollection that he departed from the ship subsequent to my departure. I had written my mother about all the passengers. When Oswald defected, she sent me a newspaper clipping about it.

10. Oswald spent a great deal of his time during the trip on the deck. I do not recall him doing any reading. I do recall, however, that there was a radio speaker which received programs from Europe and that Oswald and Colonel Church seemed to understand a little bit of the foreign language that came over on the speaker. I thought it was German, but I am not sure.

11. I attended the Institute of French Studies at the City of Tours, Province of Touraine, France, from October, 1959 to February, 1962 intermittently while auditing courses at the University of Poitiers, Tours, France, and at the Sorbonne, University of Paris, France. I returned to the United States aboard the French ship, Liberty, in June, 1960. I went to France again in February of 1961 for further education, and returned to the United States in February of 1962.

Signed this 26th day of June 1964.

(S) Billy Joe Lord,
BILLY JOE LORD.

AFFIDAVIT OF ALEXANDER KLEINLERER

The following affidavit was executed by Alexander Kleinlerer on June 16, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Tarrant, ss:

Alexander Kleinlerer of 3542 Kent Street, Fort Worth, Texas, being duly sworn, says:

1. My name is Alexander Kleinlerer and I do now reside and for several years last past have resided at the above address.

2. I am and have for several years been a foreign representative of Loma Industries, a plastics production company, located at 3000 West Pafford Street, Fort Worth, Texas. I am 41 years of age and single. I was born in Poland of Polish parents both of whom died in German concentration camps during World War II. During the War I lost all members of my family, not only my immediate family, but my relatives as well, other than a sister in Paris, France who is still alive and a cousin who once resided in Russia but who now lives in Poland. The area in Poland in which I and my family and relatives resided was overrun by the German Army. I was confined in Buchenwald concentration camp until 1945 when I was liberated by General Patton's forces. I immediately moved to Czechoslovakia and then to France. In May of 1956, I journeyed from France to the United States and found employment with Loma Industries. I returned to France as a foreign representative for that company in November of 1957 and remained there until June of 1961 when I returned to the United States. In due course thereafter I became a naturalized citizen of the United States in May 1963.

3. I speak a number of European languages well. As a result I have become acquainted with numerous foreign language speaking individuals in the Fort Worth-Dallas area. These include, insofar as the Oswald incident is concerned, Anna Meller, George Bouhe, Mr. and Mrs. George deMohrenschildt, Mr. and Mrs. Max Clark, Mrs. Elena Hall, Lydia Dymitruk, Mr. and Mrs. Declan P. Ford and Mr. and Mrs. Igor Vladimir Voshinin.

4. During 1962, I was enamoured of and was courting Mrs. Elena Hall who was then divorced from her husband John. I first become acquainted with Lee Harvey and Marina Oswald on a Sunday morning in the fore part of September 1962. I was working in Mrs. Hall's garage at 4760 Trail Lake Drive, Fort Worth, Texas, building wooden baffles for stereo speakers. George Bouhe, a valued friend of mine, drove up in his automobile accompanied by Oswald, Marina and their infant child. I was introduced to Oswald and to Marina. Oswald somewhat stiffly acknowledged the introduction but was laconic and uncommunicative thereafter. They had come to inquire of Mrs. Hall about dental problems of Marina's. I have a fairly distinct recollection that Mrs. Anna Meller also accompanied the group on this occasion. Mrs. Hall is a dental technician employed by the Patterson Dental Laboratory in Fort Worth. The group was seeking Mrs. Hall's help as to where a low cost dentist or clinic could be found where they might take Marina for dental care, having in mind that the Oswalds were in straitened financial circumstances. I do not recall what the result of this conversation was in that connection as I did not accompany the group when they went into Mrs. Hall's home.

5. Thereafter during September, while the Oswalds still resided on Mercedes Street near the Montgomery Ward store, I visited there with Mrs. Hall on two occasions. The reason for the earliest of these additional occasions was that Mrs. Hall and George Bouhe had asked me to inquire among the girls in my office for dresses and other wearing apparel for Marina. I collected some sweaters, skirts and a dress or two. Mrs. Hall also inquired among her friends and collected some things. We put these together in one package and Mrs. Hall and I drove to the Oswald apartment on Mercedes Street to deliver the package. We were shocked to find that the Oswald child had no baby crib or bed but was kept on the floor in the bedroom either in a suitcase or between two suitcases.

6. Within a few days we returned to the Oswalds with a baby bed that Mrs. Hall had obtained from some friend. We purchased a mattress for the baby bed and delivered these items to the Oswalds at the Mercedes Street apartment.

7. There was another occasion when I was at the Mercedes Street apartment. George Bouhe had called me and asked me to meet him there. This had nothing to do with the Oswalds. George Bouhe and I are good friends and he was calling to say that he was going to be in Fort Worth at the Oswalds and asked me to drop by so we could have a friendly visit. On this occasion I saw the Oswalds briefly. I recall that Anna Meller came with George Bouhe and there was an older lady whose name I do not now recall. I remember that Oswald and Marina were seated at the dining table eating. We were sitting there talking with Mr. George Bouhe when suddenly Oswald noticed there was no butter on the table. He rose red faced and angry and in our presence rudely and in a domineering and overbearing manner, and as though Marina was a

mere chattel, proceeded to vigorously reprimand her. It was like a sergeant bullying a new recruit. We were all embarrassed and shocked.

8. Mrs. Hall was injured in an automobile accident in Fort Worth the evening of October 18, 1962. Marina and the child were residing in Mrs. Hall's home at this time. They had come to Mrs. Hall's home earlier in the month because Oswald had, we understood, lost his job and it had been agreed among Mrs. Hall, George Bouhe and the others that Oswald would go to Dallas to seek employment and Marina would stay with Mrs. Hall. Mrs. Hall was released from the hospital in the latter part of October, I think around October 26th. She spent a few days at home and on October 30, 1962, a date which I have checked from a receipt that I have, she left Fort Worth for Garden City, New York, to visit with friends. While away on this trip she was reunited with and remarried her former husband John Hall. My recollection is that they returned to Fort Worth about the 11th or 12th of November 1962, and in any event by the 15th. While Mrs. Hall was in the hospital and while she was visiting in New York, I frequently called at the Hall home during my lunch period (usually about 1:00 p.m.), at the request of Mrs. Hall, to inquire of Marina's needs and her welfare and to see that matters about the house were all right. I reported regularly to Mrs. Hall what my impressions were.

9. During the periods Mrs. Hall was in the hospital and later in New York, Oswald came to the Hall home on several occasions on Friday night and stayed until late Sunday afternoon or early Sunday evening when he returned by bus to Dallas. Mrs. Hall's home is approximately 12 to 14 miles from the business district of Fort Worth, and it is approximately 30 to 32 miles from the Fort Worth business district to the business district of Dallas. A trip from Mrs. Hall's home to Dallas involves in travel some 40 or more miles.

10. I distinctly recall the occasion upon which and the circumstances under which Marina left Mrs. Hall's and was taken by Oswald and George deMohrenschildt's daughter Alexandra and her husband Gary Taylor to Dallas to live. It was on a Sunday while Mrs. Hall was in New York. My recollection is that it was in the fore part of November on the Sunday preceeding the return of Mr. and Mrs. Hall from New York. On the preceeding Friday evening the phone rang in my apartment. It was Marina. She said that she was going to leave the Halls and go to Dallas to live with Oswald. At this point Oswald interrupted and spoke on the telephone saying to me in a commanding way that they were going to move into Dallas that coming week-end and he directed me to come by the next day. I came by the Halls the next day, which was Saturday, in the morning. Marina and Oswald were there. I entered the house. Marina was in the living room with her child in her arms. We had just begun to discuss the matter of moving the next day when Oswald observed that the zipper on Marina's skirt was not completely closed. He called to her in a very angry and commanding tone of voice just like an officer commanding a soldier. His exact words were, "Come Here!", in the Russian Language, and he uttered them the way you would call a dog with which you were displeased in order to inflict punishment on him. He was standing in the doorway leading from the living room into another room of the house. When she reached the doorway he rudely reprimanded her in a flat imperious voice about being careless in her dress and slapped her hard in the face twice. Marina still had the baby in her arms. Her face was red and tears came to her eyes. All this took place in my presence. I was very much embarrassed and also angry but I had long been afraid of Oswald and I did not say anything.

11. The arrangements for moving the following day were discussed. I was to be there to supervise the removal of the Oswald paraphernalia and to lock up the Hall residence.

12. When I arrived at the Hall's residence on that Sunday morning, Marina and George deMohrenschildt's daughter, Alexandra Taylor, were there. Oswald and Gary Taylor, the husband of Alexandra, George deMohrenschildt's daughter, were off somewhere in Fort Worth seeking to rent a "U-Haul-It" automobile trailer into which the Oswald paraphernalia was to be placed. Most of the Oswald goods that had been stored in Mrs. Hall's garage and which had been in her home were already packed in preparation for placing in the "U-Haul-It" trailer. Oswald and Gary Taylor returned in due course, in Taylor's automobile

with the trailer hooked on behind. Taylor among other occupations, was a taxi driver in Dallas at this time.

13. I had met both Alexandra and Gary Taylor at the Hall's on a prior occasion. This was a weekday evening after Mrs. Hall returned from the hospital. They had been eating dinner at Mrs. Hall's home. I came to visit Mrs. Hall and was surprised to see them all at the table. Of course I left immediately since I hadn't been invited to the dinner. The Taylors brought Oswald with them in Taylor's car so that Oswald could visit Marina.

14. I supervised the placing of the Oswald goods and wearing apparel in the "U-Haul-It" trailer. There were several instances in which I had to intervene when Oswald picked up some of Mrs. Hall's things to place in the trailer. I could not say whether this was deliberate or inadvertent, except that there were several instances. My recollection is that Oswald and Taylor had obtained the trailer at a service station in Fort Worth. It seems to me it was a place somewhere on Barry Street. In due course the loading was completed. They got into Taylor's automobile and drove off. I understood from the telephone conversation on Friday night and my visit with the Oswalds at the Halls on Saturday, and the conversations that took place on Sunday, that the Oswalds were moving into an apartment in Dallas which Oswald had very recently rented. This was the last time I ever saw either of the Oswalds or had any contact with them. I had arrived at Mrs. Hall's around 1:00 p.m. and they departed around 3:00 p.m.

15. I recall that while Marina was staying at the Halls, and either before Mrs. Hall went to the hospital, or during the four or five days she was at home before departing for New York, that Oswald telephoned to speak with Marina. This was on a Saturday evening.

16. I recall the time that Oswald reported he had lost his job at Leslie Welding Company. It was the first week-end in October 1962. My recollection is that it was agreed that Marina would come to Mrs. Hall's house to stay while Oswald looked for a job in Dallas. I am uncertain whether Marina was brought directly to the Halls from the Mercedes Street apartment. There may have been something about Marina being taken to the Taylors' apartment in Dallas for a few days so that she could have some dental care at the Baylor University Clinic in Dallas. I do recall clearly that Mrs. Hall had a pickup truck which was owned by the dental laboratory where she was employed. Mrs. Hall had permission to drive to and from work with the pickup truck. It was agreed that the Oswald household goods and other paraphernalia would be moved to the Halls in the pickup truck. It may well be that Marina went directly to the Taylors; that the Oswald household goods and paraphernalia was taken to the Halls; and that Marina came to the Halls when her dental care at Baylor Clinic was completed. I understand Marina's appointments were on October 8th, 10th and 15th. It is my recollection, however, that the Oswald goods were packed in the trailer by John Hall and Mrs. Hall and were taken to the Halls. It may be that Oswald helped. My impression is that this was done on a Monday, but since, as I have now been advised, Oswald apparently worked at Leslie Welding Company on Monday, October 8th, that the transfer of the Oswald goods did not take place until Monday night after Oswald returned from his last working day at Leslie Welding Company. It was at Mrs. Hall's invitation that Marina went to live at Mrs. Hall's house.

17. In any event, I recall that nothing was heard from Oswald for a number of days after Marina came to Mrs. Halls to live. I assumed he was in Dallas, and knowing that the distance between Dallas and Mrs. Hall's home in Fort Worth was great, I thought relatively nothing of this, except that I thought that he should have telephoned.

18. On a good many of the occasions that I dropped by the Hall residence during my luncheon hour, I found that Marina had not yet awakened. I would have to arouse her by ringing the door bell and banging on the front door. I would find the household unkept, unwashed dishes in the sink or on the eating table, and her's and the baby's clothing strewn about the room. Marina would come to the door in a wrap-around, her hair disheveled and her eyes heavy with the effect of many hours of sleep. She would make some excuses about sleeping late.

On other occasions I was frequently in the Hall home when Mrs. Hall was home in the evenings and on weekends. I noticed that Marina did nothing to help Mrs. Hall in the house. Mrs. Hall often complained to me that Marina was lazy, that she slept until noon or thereabouts, and would not do anything around the house to help. I observed on many occasions that Marina was not neat and that she often dressed rather haphazardly.

19. I was concerned and suspicious about Oswald from the outset. I could not understand how he had been able to go to Russia and return with seeming ease, especially since he had attempted to defect and because I was aware that my cousin had not been able to get his wife and child out of Russia although he now lives in Poland. Also, I was alarmed from the outset by Oswald's talk. Other friends told me he frequently compared conditions here in America with those in Russia to the detriment of America and he did this in a way that was contemptuous of America. They said he would repeatedly say that there was no unemployment in Russia but that there was a lot of it in America; that capitalists in America lived off the workers. They said he argued that in Russia medical attention and care was at hand and was free, whereas in America you either had to pay doctors or hospitals or that even in clinics you always had to pay something.

20. I saw magazines about Russia in the Oswald apartment on Mercedes Street. Some were in the Russian language and some were in English. There were also newspapers in the Russian language.

21. I have always been very grateful to America. Americans have been very kind to me and I think a good deal of this country. It upset me when Oswald would say things against the United States. I did not argue with him because he appeared to me to be dangerous in his mind and I was frightened. I once said to him that, unlike him, I had come to this country for freedom and not to look for trouble by criticizing the United States; that while I did not have much money, I did have freedom and opportunity and Americans were kind to me.

22. I and Mrs. Hall, Mrs. Meller, George Bouhe, and the others were disturbed that Oswald flatly declined to make any effort to teach Marina English. He said he wanted to keep his Russian sharpened up. We thought this was very selfish of him. He would speak to other members of our group in Russian. I refused to discuss anything with him in Russian. I told him that if he wanted to talk with me he would have to talk to me in English; that he was born and raised in this country and his national tongue was English and he should be proud to speak English. I never answered him at any time in Russian. I thought at times he was bent on making Marina dissatisfied with the United States and also that he did not want her to have friends.

23. He treated Marina very poorly. He belittled her and was boorish to her in our presence. He talked to her and ordered her around just as though she were a mere chattel. He was never polite or tender to her. I feel very strongly that she was frightened of him. The only occasion I saw him physically mistreat her was the occasion I have mentioned but I heard repeatedly from Mrs. Hall, George Bouhe, and others that Oswald was physically mistreating her.

24. Oswald was not grateful for any of the help that was being accorded to him and Marina. He never once offered to contribute in even a small way to Mrs. Hall or any of the others with whom Marina stayed. This was often a topic of conversation among us. We did not have much money ourselves and we were knocking ourselves out to help. He did not express any thanks or evidence the slightest appreciation; in fact, he evidenced displeasure and contempt.

25. I expressed to Mrs. Hall and to my friend George Bouhe, and to others that I thought that they were only worsening things because the Oswalds did not appear appreciative of what was being done for them. He acted as though the world owed him a living. I had the impression from time to time that Marina was pretending and acting.

26. Oswald always acted toward her like a soldier commanding one of his troops. My overall impression of Oswald was that he was angry with the whole world and with himself to boot; that he really did not know what he wanted;

that he was frustrated because he was not looked up to; and that he was dissatisfied with everything, including himself.

27. Mrs. Hall told me on several occasions that Marina had said to her that she was quite afraid of Oswald and that when she got to know a little more English she intended to leave him. Oswald did not care who was present as far as his boorish attitude toward Marina was concerned. It seemed that he did not care what others thought about anything.

28. Anna Meller, Mrs. Hall, George Boube and the deMohrenschildts, and all that group had pity for Marina and her child. None of us cared for Oswald because of his political philosophy, his criticism of the United States, his apparent lack of interest in anyone but himself and because of his treatment of Marina. Although the men were sometimes skeptical about helping them out, the ladies were quite compassionate about Marina and felt that she needed help not only because of their straitened financial circumstances, but because of Oswald's mistreatment of her.

29. I recall that when I saw the newspaper item in the Fort Worth paper about Oswald returning from Russia with his Russian wife, I spoke to Max Clark and his wife. They are good friends and fine people, and he is a lawyer. We were all apprehensive about coming in contact with the Oswalds but all the friends of mine later expressed the view that the Federal Bureau of Investigation knew Oswald and Marina were coming into this country, and if they did not do anything about it, it was probably all right to have contact with them. I am afraid I never became completely reassured.

30. Marina never had any money, not even pennies. Oswald would not give any money to her. Consequently, when she lived with Mrs. Hall and later with the others she and her baby were utterly dependent upon their host. She could not buy even a package of cigarettes, and even had she wished, she could not tender any token to her hosts.

Signed this 16th day of June 1964.

(S) Alexander Kleinlerer,
ALEXANDER KLEINLERER.

TESTIMONY OF MRS. DONALD GIBSON

The testimony of Mrs. Donald Gibson was taken at 11 a.m., on May 28, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Albert E. Jenner, Jr., assistant counsel, and Richard M. Mosk, member of the staff of the President's Commission.

Mr. JENNER. Would you be sworn?

Mrs. Gibson, in the testimony you are about to give on your deposition do you swear to tell the truth, the whole truth, and nothing but the truth?

Mrs. GIBSON. I do.

Mr. JENNER. Be seated, please. You are Mrs. Donald Gibson?

Mrs. GIBSON. Yes.

Mr. JENNER. You are the former Alexandra De Mohrenschildt?

Mrs. GIBSON. Yes.

Mr. JENNER. And you were at one time married to Mr. Gary Taylor, of Dallas, Tex.?

Mrs. GIBSON. Yes.

Mr. JENNER. You now live in Wingdale, N.Y.?

Mrs. GIBSON. Yes.

Mr. JENNER. What is your address in Wingdale?

Mrs. GIBSON. Harlem Valley State Hospital, Building 28, Wingdale, N.Y.

Mr. JENNER. I take it you are employed at the hospital?

Mrs. GIBSON. Yes.

Mr. JENNER. That is a State mental institution?

Mrs. GIBSON. Yes.

Mr. JENNER. Is your husband also employed there?

Mrs. GIBSON. Yes.

Mr. JENNER. Our information is that you were born on Christmas Day 1943?
Mrs. GIBSON. Yes; that is right.
Mr. JENNER. That was here in the United States?
Mrs. GIBSON. Yes.
Mr. JENNER. New York, to be exact?
Mrs. GIBSON. Yes.
Mr. JENNER. So that you are now 20 years of age and will be 21 next December?
Mrs. GIBSON. Yes.
Mr. JENNER. Your father is George Sergei De Mohrenschildt?
Mrs. GIBSON. Yes.
Mr. JENNER. Your stepmother is Jeanne Fomenko De Mohrenschildt?
Mrs. GIBSON. Yes.
Mr. JENNER. F-o-m-e-n-k-o?
Mrs. GIBSON. I didn't know that.
Mr. JENNER. Also at one point in her life Jeanne Bogoiavlensky; is that correct?
Mrs. GIBSON. Yes; Bogoiavlensky.
Mr. JENNER. You were a resident of Dallas, Tex., in 1962?
Mrs. GIBSON. Yes.
Mr. JENNER. You were then married to Gary Taylor?
Mrs. GIBSON. Yes.
Mr. JENNER. What was your address?
Mrs. GIBSON. 3519 Fairmount.
Mr. JENNER. You married Mr. Taylor at a very early age as I recall?
Mrs. GIBSON. Yes.
Mr. JENNER. When was that?
Mrs. GIBSON. November 21, 1959.
Mr. JENNER. I don't care for the details, but after you married Mr. Taylor, you and he lived in various places in Dallas?
Mrs. GIBSON. That is right.
Mr. JENNER. What was the nature of his employment?
Mrs. GIBSON. Well, he did all sorts of things. He went to school at one time, to college.
Mr. JENNER. In Dallas?
Mrs. GIBSON. No; in Arlington. We lived in Arlington, too.
Mr. JENNER. What college was that?
Mrs. GIBSON. Arlington State. I can't recall all the jobs he did. I mean he did a little bit of this and a little bit of that.
Mr. JENNER. Let's get to 1962. What was he doing then?
Mrs. GIBSON. He was working off and on with a photographer, working on a movie, and driving a taxi part time. He also, he and this friend of his, Steve Moore, were trying to found this little company of landscaping. That didn't work out, so he still kept on his photography business.
Mr. JENNER. Do you recall his first name?
Mrs. GIBSON. Well, it is——
Mr. JENNER. Do you recall his birthday?
Mrs. GIBSON. December 24, I think 1939.
Mr. JENNER. So he was older, 4 years older than you?
Mrs. GIBSON. He was 4 years older than me; that is right.
Mr. JENNER. I take it you were subsequently divorced?
Mrs. GIBSON. That is right.
Mr. JENNER. You and Mr. Taylor. And when was that?
Mrs. GIBSON. Our divorce became final, I believe, the 15th of April of last year.
Mr. JENNER. Of 1963?
Mrs. GIBSON. 1963.
Mr. JENNER. I take it there is a waiting period then?
Mrs. GIBSON. Three months.
Mr. JENNER. So the decree was entered the 15th of January?
Mrs. GIBSON. I really don't know. I didn't enter it. I left Dallas and asked him to please divorce me.
Mr. JENNER. I see.

Mrs. GIBSON. I didn't want to go through all the rigmarole of getting a divorce; no. I wanted to get out of Dallas right then.

Mr. JENNER. Were you living together as man and wife during all of the year 1962?

Mrs. GIBSON. Until November, the last part of November of 1962; yes.

Mr. JENNER. Had you been separated prior to that time?

Mrs. GIBSON. Yes; in 1961, I believe.

Mr. JENNER. Do you have a child?

Mrs. GIBSON. One child.

Mr. JENNER. Born of that marriage?

Mrs. GIBSON. Yes.

Mr. JENNER. And that child's name?

Mrs. GIBSON. Curtis Lee Taylor.

Mr. JENNER. When was that child born?

Mrs. GIBSON. February 10, 1962.

Mr. JENNER. While living at 3519 Fairmount in Dallas during the year 1962, did you become acquainted with a lady by the name of Marina Oswald?

Mrs. GIBSON. Yes.

Mr. JENNER. Did you also become acquainted with a gentleman by the name of Lee Harvey Oswald?

Mrs. GIBSON. Yes.

Mr. JENNER. With whom did you become acquainted first?

Mrs. GIBSON. Marina Oswald.

Mr. JENNER. Tell me when, as closely as you can fix it. Let me put it this way. Tell me first the circumstances under which you became acquainted, what led up to it and how it occurred, and then fix as closely as you can when in 1962 you did become acquainted.

Mrs. GIBSON. Well, my stepmother and my father called me up.

Mr. JENNER. Your stepmother is Jeanne De Mohrenschildt?

Mrs. GIBSON. Jeanne; and my father called me up one evening and asked me—

Mr. JENNER. At your apartment?

Mrs. GIBSON. At my apartment; and asked me if I would please take care of Marina Oswald's child while she went to the dentist, and could she stay overnight with me because she had two appointments in a row, one on one day and one the next day, and I said all right. And as for the date, I imagine you know it better than I do.

Mr. JENNER. I don't know anything better than you do.

Mrs. GIBSON. If you give me the date on the pads. I don't remember the dates at all.

Mr. JENNER. Was it the month of September?

Mrs. GIBSON. No. As I said, I thought it was before September.

Mr. JENNER. Before September?

Mrs. GIBSON. Yes.

Mr. JENNER. Do you remember anything about the weather?

Mrs. GIBSON. It was very hot, but I don't remember the month. It could have been—

Mr. JENNER. Could it have been in August?

Mrs. GIBSON. It could have been the latter part of August. It seems to me that would be about right.

Mr. JENNER. Can you recall anything about what your father and/or your stepmother said to you in identifying these people? You were naturally curious as to who they were?

Mrs. GIBSON. They told me that they were recently, Marina and Lee were recently here from Russia, and hadn't been in Dallas very long, or Fort Worth, wherever they were staying, and that she had a child the same age as mine, and that my stepmother thought it would be very nice if we got acquainted. And she said Marina was around my age, and asked if I would please help them out since they didn't have any room in their apartment to keep her while she had these dental appointments.

Mr. JENNER. That is, they didn't have any room in the De Mohrenschildts' apartment?

Mrs. GIBSON. That is right.

Mr. JENNER. From that conversation you became aware, had the impression that your father and your stepmother had had some prior acquaintance with these people?

Mrs. GIBSON. I think they just recently met them.

Mr. JENNER. That was the impression?

Mrs. GIBSON. That was the impression I got.

Mr. JENNER. Do you recall what day of the week—that is, not the particular date as such, but was it a weekday, a Saturday, or a Sunday?

Mrs. GIBSON. It was a weekday. Whether it was in the beginning of the week or the middle or the end I don't remember, but it was a weekday.

Mr. JENNER. What time of day was it?

Mrs. GIBSON. Well, they called me the night before, but it was in the early morning of the next day.

Mr. JENNER. That you met Marina?

Mrs. GIBSON. That I met Marina.

Mr. JENNER. Did Marina come alone?

Mrs. GIBSON. No; my stepmother brought her and the child.

Mr. JENNER. That was in the morning?

Mrs. GIBSON. In the morning; that is right.

Mr. JENNER. Describe your apartment, will you please?

Mrs. GIBSON. How do you mean describe it?

Mr. JENNER. How many rooms, living room, bedroom, two bedrooms, kitchen, dining room?

Mrs. GIBSON. Well, there are five rooms, I guess, in all.

Mr. JENNER. And they consisted of?

Mrs. GIBSON. Living room, dining room, kitchen, bedroom, and bathroom. There was a small adjoining room to the bedroom but it wouldn't be classified as a whole room.

Mr. JENNER. Sort of more of a dressing room?

Mrs. GIBSON. Yes.

Mr. JENNER. For what purpose were you employing that room at that time?

Mrs. GIBSON. My child slept in that room.

Mr. JENNER. Where did you folks, that is yourself and your husband, normally sleep?

Mrs. GIBSON. We slept in the living room.

Mr. JENNER. That was your normal practice?

Mrs. GIBSON. That is right.

Mr. JENNER. So that the bedroom you mentioned was not occupied?

Mrs. GIBSON. No; it wasn't.

Mr. JENNER. It was not in use, rather, at the time that Marina stayed with you?

Mrs. GIBSON. No; it was used as a playroom really for my son Curtis.

Mr. JENNER. Your stepmother brought Marina and the baby to your home?

Mrs. GIBSON. That is right.

Mr. JENNER. Was your husband home at that time?

Mrs. GIBSON. No; I don't think so.

Mr. JENNER. That is it was at a time when he would have departed for work?

Mrs. GIBSON. Yes; I believe he had already gone to work.

Mr. JENNER. You said that Marina was to receive some dental care?

Mrs. GIBSON. That is right.

Mr. JENNER. Did she remain in the apartment all day after she arrived?

Mrs. GIBSON. After she came back from the dentist, she stayed there, I think she had a tooth, one or two pulled, and she stayed there that afternoon, after she came back from the dentist.

Mr. JENNER. Your stepmother brought her and then your stepmother took her to the dentist?

Mrs. GIBSON. That is right.

Mr. JENNER. They returned?

Mrs. GIBSON. That is right.

Mr. JENNER. That afternoon.

Mrs. GIBSON. That is right.

Mr. JENNER. Did Marina remain and the baby remain with you overnight and into the next day?

Mrs. GIBSON. Yes.

Mr. JENNER. Where did Marina and her child stay that evening?

Mrs. GIBSON. They slept in the bedroom.

Mr. JENNER. You didn't lodge her child, June, in the room in which your son Curtis was?

Mrs. GIBSON. No.

Mr. JENNER. When did you first meet Lee Harvey Oswald?

Mrs. GIBSON. I believe it was on the evening of the first day that Marina stayed with me.

Mr. JENNER. Did someone bring him or did he come alone?

Mrs. GIBSON. As far as I know, he came alone.

Mr. JENNER. What was your impression as to the place from which he had come?

Mrs. GIBSON. I don't know where he had come from.

Mr. JENNER. But he came alone?

Mrs. GIBSON. As far as I know; yes.

Mr. JENNER. Was Marina able to speak English?

Mrs. GIBSON. No; not a word.

Mr. JENNER. Did you have any problems in that connection?

Mrs. GIBSON. Well, I got a little dictionary and tried to figure out a few words, but it was very hard to communicate with her.

Mr. JENNER. I take it then from your remark that you yourself are not fluent in Russian?

Mrs. GIBSON. No.

Mr. JENNER. Do you understand Russian?

Mrs. GIBSON. A few words.

Mr. JENNER. Your father speaks Russian fluently, does he not?

Mrs. GIBSON. Yes; he does.

Mr. JENNER. And your stepmother?

Mrs. GIBSON. Yes.

Mr. JENNER. Despite their fluency in Russian, you never acquired any fluency? You just didn't acquire any familiarity with Russian?

Mrs. GIBSON. No.

Mr. JENNER. Except your understanding of a few words?

Mrs. GIBSON. No; I didn't.

Mr. JENNER. In any event you are unable to speak it?

Mrs. GIBSON. That is right.

Mr. JENNER. When Oswald came to your house that evening, did he speak English or Russian?

Mrs. GIBSON. He spoke English to us and Russian to Marina.

Mr. JENNER. When he arrived, did he speak with his child?

Mrs. GIBSON. Oh, yes.

Mr. JENNER. In what language did he speak with the child?

Mrs. GIBSON. Russian.

Mr. JENNER. That was not merely small talk? All of his conversation with his child was in Russian?

Mrs. GIBSON. Some was small talk. You could tell that he was just playing around, and when he really talked to her, it was in Russian. Of course once in a while he'd lapse into English.

Mr. JENNER. You minded the child June while Marina was at the dentist?

Mrs. GIBSON. That is right.

Mr. JENNER. And also the following day while she was at the dentist?

Mrs. GIBSON. That is right.

Mr. JENNER. How did you get along with the child?

Mrs. GIBSON. Not very well.

Mr. JENNER. Tell us about that.

Mrs. GIBSON. Pardon? I didn't understand you.

Mr. JENNER. You say you didn't get along very well with the child. State it more fully to me factually; what the problems were.

Mrs. GIBSON. Well, the minute Marina left, the child would start to cry. She

whimpered all the time. I couldn't feed her. Every time I got near her she'd scream. She never slept. She's a very difficult child to get along with. She was not at all affectionate to anybody else but to her own parents.

Mr. JENNER. Do you think she found it strange to have anyone speak to her in English as distinguished from Russian?

Mrs. GIBSON. I don't know if it was the English. I don't believe she had ever been with anybody but her parents and I think that might have had a lot to do with it, plus she was very spoiled, very catered to by her mother and her father.

Mr. JENNER. There were subsequent occasions when you visited the Oswalds or they visited you or Marina visited you or you visited Marina?

Mrs. GIBSON. Yes.

Mr. JENNER. Drawing on the whole span of your acquaintance with the Oswalds, rather than merely those first 2 days, did you ever hear Lee Oswald address his child other than in Russian?

Mrs. GIBSON. Oh, like I said, sometimes he'd lapse into English. I imagine it was mainly for our benefit, more so than the child's. I mean normally he probably spoke to the child alone or when he was with Marina always in Russian. He never spoke English to her ever or even tried to teach her English, never attempted to.

Mr. JENNER. That is he never spoke to Marina other than in Russian, and as you say, he never tried to teach her English?

Mrs. GIBSON. He never tried to teach her English, never, not one word.

Mr. JENNER. Did that strike you and your husband Gary as a little out of the ordinary?

Mrs. GIBSON. Well, we told him we thought that it was extremely stupid and we asked him why, and he said that he didn't want to lose his Russian. She, of course—in Russia I believe she worked in a pharmacy. Wasn't she a pharmacist? And therefore we said to be able to get a license over here she would have to speak English, and it didn't seem to bother him. I think he didn't like the idea of her having more education than he did. I think he wanted her to remain solely dependent on him.

Mr. JENNER. During all the period that you and your husband were acquainted with the Oswalds, was there ever any discussion about either of them returning to Russia?

Mrs. GIBSON. No; he did not want to go back.

Mr. JENNER. Did he say that?

Mrs. GIBSON. Yes. He disliked Russia just like he disliked the United States.

Mr. JENNER. What was your impression of him? Was he looking for utopia?

Mrs. GIBSON. I'd say so. He didn't agree with communism and he didn't agree with capitalism. He had his own ideas completely on government.

Mr. JENNER. Would you please call on your recollection and tell us what you recall as to what his beliefs, political beliefs, were, as he expressed them?

Mrs. GIBSON. Well, I'd say that his beliefs were more socialistic than anything else. I mean he believed in the perfect government, free of want and need, and free of taxation, free of discrimination, free of any police force, the right to be able to do exactly what he pleased, exactly when he pleased, just total and complete freedom in everything.

Mr. JENNER. Did he talk in terms of any obligation to this so-called perfect state?

Mrs. GIBSON. No. Actually I think he believed in no government whatsoever, just a perfect place where people lived happily all together and no religion, nothing of any sort, no ties and no holds to anything except himself.

Mr. JENNER. Did he ever discuss in that connection the necessity for making a contribution to that society; working himself? Or was this a utopia in which he was to be free to do what he pleased, work or not as he saw fit?

Mrs. GIBSON. I really don't know if he planned to work or not. I don't know what Lee wanted to do in life. I think he wanted to be a very important person without putting anything into it at all.

Mr. JENNER. Did you have any impression of resentment on his part?

Mrs. GIBSON. He resented any type of authority. He expected to be the highest paid immediately, the best liked, the highest skilled. He resented any people in high places, any people of any authority in government or, oh, in let's say

the police force or anything like that, or in your Army, Navy, Marines or whatever he was in.

Mr. JENNER. Were there discussions between your husband and him on these subjects?

Mrs. GIBSON. Yes; quite frequently. They argued a lot about it.

Mr. JENNER. Was there any discussion—you say he wanted to be the highest paid, he wanted to be the leader and that sort of thing. Did your husband raise with him any necessity on his part to qualify himself for those positions and that high pay?

Mrs. GIBSON. Well, my husband told him you can't be something for nothing. He said you can't expect to get high pay and receive a good position with no education and no ambition, no particular goal, no anything. Well, he just expected a lot for nothing.

Mr. JENNER. You have the impression that he was not an ambitious person, ambitious in the sense of willing to devote himself to an objective and work toward something?

Mrs. GIBSON. No; I don't think he knew what he wanted.

Mr. JENNER. As distinguished from just being given to him or falling in his lap?

Mrs. GIBSON. No; I don't think he knew what he wanted, and I don't think he was too interested in working toward anything. He expected things to be just given to him on a silver platter. But in his ideas, he was extremely devoted.

Mr. JENNER. He was devoted to his concepts?

Mrs. GIBSON. To his ideas as to how he thought. You couldn't change his mind no matter what you said to him.

Mr. JENNER. He was rigid in his views then?

Mrs. GIBSON. Very, very rigid in his ideas.

Mr. JENNER. What did he say about Russia during these periods when you had these discussions?

Mrs. GIBSON. Well, he said he was very disappointed in Russia. Russia was not what he thought it would be. It was not the ideal place, that Communism was not the ideal government, that he disliked Communism just as he disliked capitalism, that he disliked Russia very much.

Mr. JENNER. Did he tell you about his life in Russia? You were curious about it and your husband too, I assume?

Mrs. GIBSON. Yes; he told us bits and pieces about it, and then of course he gave us a manuscript to read. He told us quite a bit about Russia, yes.

Mr. JENNER. Would you please state what you recall as to what he said in that connection?

Mrs. GIBSON. Well, I can't recall any specific thing. I recall that he said he was quite sick over there: this didn't hold too well. He said he was treated with a little more deference than the next ordinary Russian person because he was American, that he had a terrific time leaving Russia, and that it scared him very much.

Mr. JENNER. You mean terrific in the sense of difficulty?

Mrs. GIBSON. A very difficult time. I think he said it took him a year to be able to get out of Russia. He almost didn't make it. It scared him very much. He was supposed to give over his citizenship and become a citizen of Russia to be able to work there, but he didn't do this, and he was still able to work there. He didn't know why exactly, but they allowed him to work there anyway. But they kept pressuring him to give up his citizenship to be able to work in Russia, get working papers.

Mr. JENNER. Tell us more about that. Tell us everything you remember as to what he said about the fact that they pressured him to give up his citizenship so he could stay in Russia and work.

Mrs. GIBSON. Well, I don't know how you consider pressuring him. They kept suggesting that he should give up his citizenship to be able to work in Russia; otherwise, why was he there? If he was there obviously he wanted to become a Russian. To be able to work in Russia you were supposed to be a Russian citizen. You had to give up your citizenship. And he kept objecting to this. I guess he was scared. He didn't really want to go as far as giving up his American citizenship.

Mr. JENNER. Did he say anything about his course of conduct when he first

went to Russia, any attempted surrender by him of his citizenship at that time voluntarily?

Mrs. GIBSON. No; I don't recall that he did say anything about voluntarily giving up his citizenship; no. He might have. I don't recall that.

Mr. JENNER. Was there any discussion as to how he met Marina; and their courtship and marriage?

Mrs. GIBSON. There was. I don't remember too much of it. I think he met her in Minsk. I believe he was working there at a factory that manufactured television chassis, and he met her, I don't know exactly how. I think he met her when he was sick in the hospital. I don't know what was wrong with him. And they I guess went out from there, and I guess, I don't know how long they went out, and they got married.

Mr. JENNER. When you say "went out" you meant began to date?

Mrs. GIBSON. Dating; yes. I don't know exactly what you do in Russia. And I think she wanted to come to the United States very badly.

Mr. JENNER. Would you elaborate on that, calling of course on your recollection of what was said which gave you these impressions? That is, what you learned from her or from conversations with him in her presence?

Mrs. GIBSON. No; I guess this was rather hearsay. I think she told this to my stepmother in conversation, that she wanted very much to come to the United States to make a better life for herself, that she wasn't very much interested in politics, just in a better place to live. Supposedly this is the reason she married Lee.

Mr. JENNER. That was your impression in any event?

Mrs. GIBSON. This is what I was told, yes.

Mr. JENNER. Nothing occurred during the period of time that you had this acquaintanceship with the Oswalds that disabused you of that impression?

Mrs. GIBSON. No; and I wouldn't say there was a tremendous amount of love lost between them.

Mr. JENNER. Between Marina and Lee Harvey Oswald?

Mrs. GIBSON. That is right. They quarreled quite a lot.

Mr. JENNER. Would you tell us about this lack of rapport between Marina and Lee Harvey Oswald?

Mrs. GIBSON. Well, they fought quite a bit. They fought in Russian, always verbally when I saw them, but when she was living with Mrs. Hall in Fort Worth, I was told that he beat her up on numerous occasions, physically assaulted her, and that Mrs. Hall and her, oh, I don't know what you would call him, her fiance, Alex—

Mr. JENNER. Is that Alex, Alexander Kleinlerer?

Mrs. GIBSON. I guess so. I don't know his name.

Mr. JENNER. Describe him to us.

Mrs. GIBSON. Describe him?

Mr. JENNER. Physically.

Mrs. GIBSON. He was short, very dark, moustache, black moustache, European dresser, an accent, very much the gangster type in his looks, very oily looking, very oily in personality, actually a rather creepy customer. He spoke Russian fluently. I think he spoke quite a few languages fluently. He, I believe, was born or originated in Paris. I have no idea what his occupation was. But he did not get along with Lee at all. He had numerous arguments with him over Marina and how he beat her.

Mr. JENNER. Did any of this occur in your presence?

Mrs. GIBSON. One afternoon he was telling Lee off very, very—

Mr. JENNER. Tell us where this occurred?

Mrs. GIBSON. This occurred in Mrs. Hall's home in Fort Worth.

Mr. JENNER. You were present?

Mrs. GIBSON. And my husband; we were both present.

Mr. JENNER. And who else please?

Mrs. GIBSON. Mrs. Hall and Marina were in the other room. Lee and Alex, and he was telling Lee off in no uncertain terms about how he beat up Marina, and about his whole outlook on life. He was really giving him a tongue lashing.

Mr. JENNER. And what response did he obtain from Lee?

Mrs. GIBSON. Very sullen, very sharp answers. In fact I thought there was going to be a fight there for a minute.

Mr. JENNER. Did Lee deny at that time in your presence, these accusations being uttered by Alexander Kleinlerer?

Mrs. GIBSON. He said it was none of his business.

Mr. JENNER. But he didn't deny that he had done this?

Mrs. GIBSON. No.

Mr. JENNER. He just said it was none of Kleinlerer's business?

Mrs. GIBSON. That is right.

Mr. JENNER. Had either you or your husband ever—did either you or your husband ever talk to Lee Oswald about his treatment of Marina?

Mrs. GIBSON. No; we never talked to him about beating his wife. We just talked to him about how he should teach her English, how it was very important for her to know English.

Mr. JENNER. I take it that that phase, that is the teaching of English to her, that sort of conversation occurred several times during your acquaintance with Oswald?

Mrs. GIBSON. Oh, yes; very often.

Mr. JENNER. And his response always was that he didn't want to lose—

Mrs. GIBSON. He didn't want to lose his Russian.

Mr. JENNER. Was there anything said by you or Gary that he could speak to her in Russian and she could speak with him in Russian but at the same time she could be taught English?

Mrs. GIBSON. No.

Mr. JENNER. Neither you nor your husband Gary urged that alternative?

Mrs. GIBSON. No; we just gave up.

Mr. JENNER. What was Lee Oswald's personality? Was he a gracious person, ungracious, was he rude, or was he not? Was he appreciative?

Mrs. GIBSON. He could be very, very rude. He appreciated absolutely nothing you did for him. He never thanked you for anything. He seemed to expect it of you.

Mr. JENNER. We are going to get into all that eventually, but you and your husband Gary were very helpful to him, reasonably so in any event. You did a number of things for him; did you not?

Mrs. GIBSON. I'd say we did a number of things for him that we didn't have to do, and we certainly didn't need to do, and we certainly didn't owe him anything. But we did try to help.

Mr. JENNER. Now in the face of all that, you say that at no time did he express any appreciation or thanks.

Mrs. GIBSON. I think the only time he ever said thank you was when we moved him from Fort Worth to Dallas. I think it was a very brief thank you, and that was that.

Mr. JENNER. But otherwise, he neither expressed nor did you feel any evidence of appreciation on his part for what you and your husband did?

Mrs. GIBSON. No; I didn't feel anything. I fed his wife quite a few meals. He never offered me any reimbursement of any type for it. He never thanked me. He just seemed to act as if we owed it to him, and I felt that I didn't owe him a thing.

Mr. JENNER. What about Marina, on the other hand, in this connection?

Mrs. GIBSON. I think Marina was appreciative.

Mr. JENNER. Discounting the difficulty of communication?

Mrs. GIBSON. I had the feeling she was appreciative; yes. But she was exceedingly lazy. She would do nothing to help. The only thing she would do would be to take care of her child. She would do this, thank goodness, but otherwise she would do nothing to help. She wouldn't help with the dishes or clearing the table or preparing the meal, cleaning the apartment, anything pertaining to the extra work I had to do because she was there. Mrs. Hall had the same complaint.

Mr. JENNER. Mrs. Hall expressed this complaint to you?

Mrs. GIBSON. Exactly the same complaint; that Marina slept very late, which she didn't do in my apartment but she did there, that she did not help with the

house, that she didn't do anything really; just sat around and took care of the baby.

Mr. JENNER. Over this period—let me fix the period of time. You first met them, your present recollection is, sometime the latter part of August 1962. When was the last time you saw either of the Oswalds?

Mrs. GIBSON. Well, when I returned a manuscript to Lee Oswald, it could have been either the end of November or the middle of December. I am not sure which.

Mr. JENNER. 1962?

Mrs. GIBSON. 1962; that is right.

Mr. JENNER. Over this period of approximately, let us say, 3½ months in 1962, how many times did Marina stay in your home? You have given one occasion.

Mrs. GIBSON. It must have been at least two or three, no more than that.

Mr. JENNER. Over that 3½-month period, the Oswalds were in your home no more than two or three times that is on visits, one or the other of them?

Mrs. GIBSON. No; he was. She was only there one other time to visit. He popped in and out frequently. She was in Fort Worth at the time, and I didn't see her.

Mr. JENNER. Going back to this following or second day of Marina's visit in August, I take it your stepmother picked her up and took her to the dentist on the second day as well?

Mrs. GIBSON. That is correct.

Mr. JENNER. Did she return to Fort Worth that day?

Mrs. GIBSON. I think she took a bus that afternoon to Fort Worth.

Mr. JENNER. Did she go to the bus station by herself or was she taken?

Mrs. GIBSON. My stepmother took her.

Mr. JENNER. Did you learn where the Oswalds were living or staying at that time? That is, is this the first occasion that you met them?

Mrs. GIBSON. Well, they must have been staying at that duplex.

Mr. JENNER. On Mercedes Street?

Mrs. GIBSON. Yes; that is where they must have been staying.

Mr. JENNER. Were you ever in that home or apartment?

Mrs. GIBSON. Yes; I was.

Mr. JENNER. When was the first occasion you were in that duplex?

Mrs. GIBSON. It was Sunday afternoon somewhere, it must have been about 2 weeks or more after I first met them. Gary and I went over to visit them in Fort Worth.

Mr. JENNER. Weekday or weekend?

Mrs. GIBSON. Sunday.

Mr. JENNER. On a Sunday. This was then in September of 1962?

Mrs. GIBSON. It must have been early September or late August.

Mr. JENNER. This was a visit on your part?

Mrs. GIBSON. That is right.

Mr. JENNER. Were they aware of the fact that you were going to visit them?

Mrs. GIBSON. No.

Mr. JENNER. When you arrived there, was anyone there?

Mrs. GIBSON. I am not very clear on that point. It is possible that Lee's mother was just leaving. I am not sure. She was either just leaving or she had just left before we came. I don't remember. I am not too clear on if I met her passing as she was going out or if I didn't meet her.

Mr. JENNER. How did you know where they lived?

Mrs. GIBSON. Lee I believe—Lee gave us their address.

Mr. JENNER. On what occasion did he give you their address?

Mrs. GIBSON. It must have been one of the times he stopped by, dropped in. I don't really know.

Mr. JENNER. I don't know as I asked you this. Did he visit at your home at anytime during those first 2 days that Marina stayed with you?

Mrs. GIBSON. Yes; he came to visit the first evening.

Mr. JENNER. Had you expected him?

Mrs. GIBSON. I had thought that he might be coming. I believe she had told

my stepmother that Lee was dropping by or my stepmother had told me. Somebody had said something.

Mr. JENNER. That was the first occasion on which you met Lee Harvey Oswald?

Mrs. GIBSON. Yes.

Mr. JENNER. Did he stay the evening and then leave?

Mrs. GIBSON. He stayed about an hour and then he left.

Mr. JENNER. And what did you notice with respect to the relations between Lee Oswald and Marina on that first occasion?

Mrs. GIBSON. I'd say they got along fairly well.

Mr. JENNER. What was your impression as to whether he was employed at that time?

Mrs. GIBSON. I didn't get any impression one way or the other.

Mr. JENNER. Did you get any impression in that respect when you and your husband, Gary, visited them on the Sunday afternoon you have mentioned?

Mrs. GIBSON. I believe he talked about his employment, but I am not sure. He must have. They must have talked about it.

Mr. JENNER. Your impression was he was then working at some kind of employment?

Mrs. GIBSON. Yes; I mean it was just normal to assume. He had an apartment and a child and a wife. He must have been working.

Mr. JENNER. Were there any others than those you have mentioned who were at the apartment on that Sunday afternoon; you have mentioned the possibility of Lee Harvey Oswald's mother and, of course, there was Lee and the baby and Marina.

Mrs. GIBSON. Later on in the early evening some people came to visit, some of the Russian colony from Fort Worth and Dallas.

I don't recall the names. I think Mrs. Hall and Alex were there. Otherwise, there must have been four other people, four or five other people besides them.

Mr. JENNER. I will mention some names. Mamantov?

Mrs. GIBSON. No; I don't know that name.

Mr. JENNER. Meller?

Mrs. GIBSON. No; I don't know.

Mr. JENNER. You are familiar with the name Meller, aren't you?

Mrs. GIBSON. No; I don't believe so.

Mr. JENNER. I think you mentioned Mrs. Hall and Kleinlerer.

Mrs. GIBSON. Yes.

Mr. JENNER. As possibly having been there. Mr. and Mrs. Max Clark?

Mrs. GIBSON. That is a possibility. The more I think about it, it is possible, but I am not sure.

Mr. JENNER. You were acquainted with or aware of the Clarks?

Mrs. GIBSON. Yes; I believe I knew them.

Mr. JENNER. They were friends of your father and stepmother?

Mrs. GIBSON. Yes; I am not positive that I knew them very well, but I have a feeling, the name rings a bell definitely.

Mr. JENNER. Are you familiar with the name George Bouhe?

Mrs. GIBSON. Yes.

Mr. JENNER. Was George Bouhe there?

Mrs. GIBSON. I am not sure, but the more I think about it, you asked me this question earlier, I think he was there. I think he was the extra man that was there.

Mr. JENNER. What impression did you get as to whether it had been expected that this group was to come by or did they just happen by?

Mrs. GIBSON. No; I think they just dropped in.

Mr. JENNER. Did they stay very long?

Mrs. GIBSON. I left before they left. I don't know.

Mr. JENNER. What was the nature of the conversation on that occasion?

Mrs. GIBSON. I couldn't really tell. A lot of it was in Russian. You couldn't tell what was going on.

Mr. JENNER. These were by and large Russian-speaking people?

Mrs. GIBSON. Yes.

Mr. JENNER. Describe the apartment to me, will you please?

Mrs. GIBSON. Oh, my. Well, it was rather nice. It was clean. There was a living room and a kitchen and a bedroom and a bath, hardwood floors, good paint. It was a duplex. A large backyard. The furniture was rundown but it was usable. All in all it was not a bad apartment.

Mr. JENNER. What impressions did you get of Lee Harvey Oswald throughout the 3½-month period, as to his dress and his self-respect and care?

Mrs. GIBSON. He was not a very clean person. In fact, I'd say he wasn't clean at all. He seemed to wear the same shirt for week after week. Every time we saw him he had the same clothes on. Fairly clean-shaven, but otherwise he was definitely not a clean person in dress.

Mr. JENNER. And Marina on the other hand?

Mrs. GIBSON. I'd say she was fairly clean.

Mr. JENNER. What was Lee Oswald's attitude and his posture with respect to other people? Was he reasonably polite and respectful? How did he conduct himself in the presence of others?

Mrs. GIBSON. It would depend on who the people were. He could be very polite if he wished. He could be very sarcastic, very blunt if he wished. He could be a very friendly person if he wished, and he could be very quiet if he wished. It just depended on who the people were.

Mr. JENNER. Which was predominant?

Mrs. GIBSON. Oh, I don't know. It was really a mixture. He was easy, not too hard to get along with as far as we were concerned. We argued with him but it was always a friendly argument. When I saw him with other people, he was as friendly, smiling, but with his wife he could be very quiet, very brooding. That is about all I can tell you.

Mr. JENNER. It has been said of him by some people that he was somewhat of an introvert, very quiet, not seeking the company of others.

Mrs. GIBSON. No; I wouldn't say he would seek out company, but when they came or when he went to visit them or us, he was always very—he didn't seem to be introverted; no. He seemed to be quite friendly, quite extroverted, no trouble expressing himself. He didn't sit in silence for hours.

Mr. JENNER. What about his regard, his attitude toward others with respect to—that is did he—let's take your father's folks, did he have respect for your father? Did he like him?

Mrs. GIBSON. Yes; he liked my father very much. He had a great deal of respect for him.

Mr. JENNER. And your husband Gary?

Mrs. GIBSON. I would imagine he did.

Mr. JENNER. What is your impression?

Mrs. GIBSON. Yes; I'd say Marina probably liked Gary more than Lee, though.

Mr. JENNER. Lee did visit at your home?

Mrs. GIBSON. Yes.

Mr. JENNER. And he did on occasion seek out your husband?

Mrs. GIBSON. Yes.

Mr. JENNER. And your husband occasionally sought out him?

Mrs. GIBSON. Yes.

Mr. JENNER. Did Lee express any views with respect to others in that milieu, that company, the Halls, the Mellers, the Clarks, Bouhe, the Voshinins, the Russian emigree colony?

Mrs. GIBSON. Well, he liked Mr. Bouhe very much and he expected a lot of him. I think he thought that Mr. Bouhe might be his key to getting a good job. Mrs. Hall now, he liked her, but he said she was a crude, coarse woman. I think maybe he really deeply didn't like her that well.

Alex—what did you say his name was?

Mr. JENNER. Kleinlerer.

Mrs. GIBSON. He didn't like him at all, and the other people you mention, I imagine he has talked about them, but I can't place them, so I don't know his opinion on them.

Mr. JENNER. These people were trying to help, were they not?

Mrs. GIBSON. Yes; especially George Bouhe.

Mr. JENNER. What was Lee's attitude toward that effort?

Mrs. GIBSON. I don't know. I don't know why they were trying to help him.

He didn't deserve it. They didn't owe it to him. Yet he seemed to, I got the feeling he thought they did. Why, I don't know.

Mr. JENNER. Did you get the feeling at any time that he was contemptuous of any of them?

Mrs. GIBSON. When they didn't come up with something he wanted; yes. I'd say George Bouhe was the one that stuck by him the most, more than my father, more than any of them. Mrs. Hall got disgusted with the whole thing, and especially, well, with both of them really, a lot with Marina and a lot with Lee.

She got very disgusted with the whole situation. My father did, too. George Bouhe seemed to be the only one that sort of stuck by them.

Mr. JENNER. Why did your father become disgusted with them?

Mrs. GIBSON. Oh, just in general, with Lee's lack of being able to get a good job or being able to really stick with anything, his treatment of his wife, his treatment of his fellowmen, just his total indifference. My father just got very aggravated with the whole thing, got aggravated with Marina for taking Lee's abuse, and he just got fed up.

Mr. JENNER. Now, there came an occasion when he either lost or quit his position in Fort Worth, isn't that so?

Mrs. GIBSON. I guess so.

Mr. JENNER. Well, that——

Mrs. GIBSON. I imagine, I don't know if he lost it or if he quit. I believe he said he quit.

Mr. JENNER. All right, now that you have said that, the fact is that he did quit. Now, to help orient yourself, that occurred on the 8th of October 1962, which was, I think, a Tuesday but I will check on that to make sure. That was a Monday.

Now, between that Sunday afternoon which would be either late in August or some time in September, and the 8th of October, which was a Monday, when he left the Leslie Welding Co., had you seen the Oswalds?

Mrs. GIBSON. Between when?

Mr. JENNER. Between the Sunday that you visited them and the 8th of October.

Mrs. GIBSON. No; I don't believe we had. We might have. He might have popped in. I don't know.

Mr. JENNER. You have mentioned——

Mrs. GIBSON. Is this before he stayed at the YMCA? This is before, isn't it?

Mr. JENNER. Yes. To help you in that respect, he stayed at the YMCA October 15 through October 19, 1962.

Mrs. GIBSON. He might have popped in. I don't recall whether he did or not.

Mr. JENNER. Now, during that period of time, from that Sunday to October 8, had Marina stayed with you?

Mrs. GIBSON. No; I don't believe so.

Mr. JENNER. You do recall Lee Oswald being in Fort Worth at the YMCA, however, do you?

Mrs. GIBSON. In Fort Worth?

Mr. JENNER. I mean in Dallas.

Mrs. GIBSON. Yes; we took him there.

Mr. JENNER. You did take him to the YMCA?

Mrs. GIBSON. Yes.

Mr. JENNER. All right. Now, that was the 15th of October?

Mrs. GIBSON. Yes.

Mr. JENNER. 1962. Where was Marina then?

Mrs. GIBSON. She might have been with us at the time.

Mr. JENNER. Do you recall whether you went to Fort Worth and picked him up and took him to the YMCA?

Mrs. GIBSON. No; I don't believe we did.

Mr. JENNER. Give me your best recollection of that circumstance.

Mrs. GIBSON. All I can remember is letting him off at the YMCA. I am almost positive we wouldn't go to Fort Worth, though, to pick him up. No; I don't believe so.

Mr. JENNER. That was a Monday.

Mrs. GIBSON. It was the afternoon when we dropped him at the Y.

Mr. JENNER. And you have no present recollection where you picked him up, whether—

Mrs. GIBSON. No.

Mr. JENNER. Whether he had come to your house or what the circumstances were?

Mrs. GIBSON. No; I sure don't. I think he might have come to our house, but I am not sure.

Mr. JENNER. Did Marina stay with you during this October period at all?

Mrs. GIBSON. I think she stayed with us the time that he was in the YMCA.

Mr. JENNER. That is?

Mrs. GIBSON. I think she stayed with us about 5 days.

Mr. JENNER. That is 5 days?

Mrs. GIBSON. No; I don't believe she stayed with us the full time, no.

Mr. JENNER. But she did stay with you during a period?

Mrs. GIBSON. A few; yes.

Mr. JENNER. Do you have a recollection of how she got there, whether you went or your husband went and picked her up and brought her to your home or whether Lee brought her?

Mrs. GIBSON. No; I don't believe Lee brought her. I think it would be more—it would be normal to assume, I don't remember this, that my stepmother or my father must have brought her, because I know we didn't. I don't recall picking her up at all.

Mr. JENNER. But she stayed with you then, you think, during the period that he was at the YMCA?

Mrs. GIBSON. Yes.

Mr. JENNER. Now, did Lee visit at your home while she was there during this YMCA period?

Mrs. GIBSON. Yes.

Mr. JENNER. Do you recall whether your husband Gary went over to the YMCA and picked him up and brought him to your home?

Mrs. GIBSON. No; I don't think so. I think he came by bus, or walked. That was possible, too. It wasn't that far.

Mr. JENNER. Would you locate your apartment at 3519 Fairmont with respect to the location of the Dallas YMCA. That was downtown?

Mrs. GIBSON. Well, it was almost downtown. I believe it was on Maple Avenue or very near Maple Avenue.

Mr. JENNER. That is, the YMCA was?

Mrs. GIBSON. Yes; and Maple Avenue, we were only one block off of Maple Avenue. We ran parallel with Maple, Fairmont did, and we were only 1 block off of Maple, and I'd say it was, oh, maybe 12 blocks from the YMCA.

Mr. JENNER. An easy walk?

Mrs. GIBSON. Yes; 12 or 14, maybe farther, but it was not a real long walk. It is possible to walk the distance. Bus service was very frequent and very easy to get.

Mr. JENNER. Now, did you become aware, you and your husband, of the fact that Lee obtained a position at Jaggars-Chiles-Stovall on the 12th of October? That is while he was at the YMCA, he had already obtained this position and had begun to work at Jaggars-Chiles-Stovall?

Mrs. GIBSON. He began to work there while he was at the Y?

Mr. JENNER. He went to work on the 12th of October 1962.

Mrs. GIBSON. Oh my goodness. Well, it is possible that we knew this. I know, I remember that he was employed there because I remember he used to tell Gary how he liked the job, how that interested him.

Now, when I thought he was employed there I don't know. I remember when he was at the Y that he was looking for a place to live in the Dallas-Oak Cliff area.

Mr. JENNER. Did you or your ex-husband Gary or both of you help him to look?

Mrs. GIBSON. Yes; I believe one evening we went out with them and looked over the prospective places, places that we knew of, the place where we used to live—and Worthington, and just in the general low-rent area which would be accessible to where he was going to be working.

Mr. JENNER. So that you knew at that time where he was working or going to work?

Mrs. GIBSON. We knew the location of the place where he was working.

Now, I am not sure if we knew that he was working already or if we thought he was still unemployed, not unemployed but already employed but not working yet.

Mr. JENNER. Do you recall Mrs. Hall having been involved in an automobile accident?

Mrs. GIBSON. Yes.

Mr. JENNER. That was in October, was it not, 1962?

Mrs. GIBSON. I don't know what the month was, but I imagine it was. It must have been in the latter part of October.

Mr. JENNER. Do you recall Marina residing with Mrs. Hall?

Mrs. GIBSON. She was with Mrs. Hall before the accident and after the accident and while Mrs. Hall was in the hospital she lived at the house.

Mr. JENNER. Do you recall also that Mrs. Hall, after she returned from the hospital, went to New York City?

Mrs. GIBSON. Yes; I do.

Mr. JENNER. And that while she was in New York City, that Marina stayed at her home also?

Mrs. GIBSON. Yes; she did.

Mr. JENNER. Do you know whether during that period Lee Oswald stayed at the Halls'?

Mrs. GIBSON. Yes; he did. I believe, while Mrs. Hall was in the hospital; he stayed with Marina while she was alone for 2, 3, or 4 days, something like that. He was there off and on. He spent quite a few nights there, I know this.

Mr. JENNER. Were there any occasions when you and your husband or either of you were at the Halls' when Oswald was there?

Mrs. GIBSON. I believe we took him to Fort Worth once to visit, and we stayed for supper, and Mrs. Hall was there and she cooked us supper. This is before her accident, and Alex was there and Marina and Gary and myself.

Mr. JENNER. This is the occasion to which you earlier made a reference, is it, or had you done so?

Mrs. GIBSON. It was the occasion where Alex and Lee got into an argument; yes. And this was prior to Mrs. Hall's accident. We stayed until fairly late in the evening. I can't remember if we brought Lee back with us or if he spent the night. It would seem logical, I think we brought Lee back with us.

Mr. JENNER. You brought him back to where?

Mrs. GIBSON. To Dallas.

Mr. JENNER. To where in Dallas?

Mrs. GIBSON. I don't know. I can't remember.

Mr. JENNER. This was before he stayed at the YMCA?

Mrs. GIBSON. No; this was after.

Mr. JENNER. This was after Mrs. Hall returned from the hospital?

Mrs. GIBSON. No; this was before her accident. This is while Marina was there.

Mr. JENNER. To help orient you, she was in the hospital from the 18th of October 1962 to the 26th of October 1962.

Mrs. GIBSON. This is before her accident. I think only a couple of days before her accident or a day before, because I remember how shocked I was when I heard that she had been in an accident. It was only a day or two before, so where would he have been living, at the Y, wouldn't he, at that time?

Mr. JENNER. He would be at the Y.

Mrs. GIBSON. Yes.

Mr. JENNER. He was at the Y on the 15th.

Mrs. GIBSON. I imagine that is where we dropped him then.

Mr. JENNER. Do you know of your own personal knowledge the fact that Lee stayed with Marina at the Halls' from time to time?

Mrs. GIBSON. Yes; Mrs. Hall told me—he told me and Marina——

Mr. JENNER. Oswald told you?

Mrs. GIBSON. Yes; and Marina told me in a roundabout fashion.

Mr. JENNER. How?

Mrs. GIBSON. Well, she'd tell, you know, Mrs. Hall to tell me something and Mrs. Hall would tell me, that is how, or through Lee, or through gestures or a dictionary she would be able to tell me a few words.

Mr. JENNER. Do you know whether or where, I will put it that way, where Lee stayed between the 19th of October 1962, when he left the Y, and November 3, 1962, when they moved into the Elsbeth Street apartment?

Mrs. GIBSON. I know that he stayed part of the time, I'd say a good portion of the time, at Mrs. Hall's. Now, whether he had another residence I don't know. I know he spent a few evenings with my father. If he spent a night there I don't know.

Mr. JENNER. When you say he spent a few evenings with your father, I infer from that—and if my inference is wrong please tell me—that there were occasions when he stayed overnight in your father's home.

Mrs. GIBSON. No; not occasions. I think possibly one or two times. But he would be over there evenings and they would talk. Then he would leave. Now, where he went to I don't know.

Mr. JENNER. But your recollection is that there were at least several occasions in which he stayed overnight in your father's home?

Mrs. GIBSON. Yes; I am trying very hard to think of where he stayed. It is such a very vague recollection, so vague it is barely there, that he had a room. But I don't know where.

Mr. JENNER. During this period?

Mrs. GIBSON. During that period; yes.

Mr. JENNER. From the 19th to the 3d?

Mrs. GIBSON. Yes; it is so vague but it is there, that he had a room somewhere. Where I don't know. I just can't think.

Mr. JENNER. Do you have a recollection that either you or your husband ever went to visit him at some room?

Mrs. GIBSON. No; Gary possibly, but me, no. Gary might have picked him up some place, but not me. I don't recall. It is just so vague and maybe it is just because you think there was one that I say this. But I feel that there was a room some place.

Mr. JENNER. Do you have any recollection that your stepmother gave you at any time an address?

Mrs. GIBSON. No; I don't.

Mr. JENNER. At which Lee, a place where Lee was staying during this period from October 19 to November 3?

Mrs. GIBSON. No; I don't. She might have, but I have no recollection of it whatsoever. But then we weren't on too tremendously good terms and I might have just not even thought of what she said.

Mr. JENNER. In any event, it is your recollection that during this period, October 19 through November 3, that Lee did stay a good portion of the time at the Halls?

Mrs. GIBSON. Yes.

Mr. JENNER. With Marina?

Mrs. GIBSON. It seems to me that he had a place to live somewhere near where he was working, somewhere easily accessible on foot, to where he was working.

Mr. JENNER. That is your former husband Gary's recollection, and he seemed reasonably confident that you would recall the address.

Mrs. GIBSON. No, no; no idea. Did Gary mention something about one night we were in Oak Cliff and we were looking for some place.

Mr. JENNER. He said you were looking for Oswald?

Mrs. GIBSON. Is that what he said? And we went up and down and up and down and we never found the place. I recall one evening, I don't remember what we were looking for, but I recall this.

Mr. JENNER. You were looking for Oswald?

Mrs. GIBSON. Is that who we were looking for?

Mr. JENNER. No; I—

Mrs. GIBSON. I don't know, I am not sure, but one evening Gary and I were looking for some place, and I don't know where it was. But it was in Oak Cliff. It was right over the river. And we went up and down and back and forth for

a good hour looking for this address. And I can't think of where it was, and we never found it. I do remember that. We never found it.

Mr. JENNER. But it had something to do with Oswald?

Mrs. GIBSON. I think it did. I think it had to do with a room that he had over there, but where it was, the address, I don't know. I never knew Oak Cliff very well in the first place.

Mr. JENNER. You say he was now employed and could afford a room?

Mrs. GIBSON. Yes; but I don't know where. I—we couldn't find it wherever it was, because we looked.

Mr. JENNER. But you did have an address at that time?

Mrs. GIBSON. I had an address for something I was looking for. What it was I don't know. If I was looking for him or if I was looking for somebody else, if Gary was looking for somebody, I don't recall. But it could possibly be that it was him that we were looking for. I don't know how Gary thinks I can remember an address, though. I don't.

Mr. JENNER. Do you recall an occasion when you assisted Marina and Lee to move into the Elsbeth Street apartment?

Mrs. GIBSON. Yes; I do.

Mr. JENNER. What day of the week was that?

Mrs. GIBSON. I don't know. Weekend.

Mr. JENNER. Was that a weekend?

Mrs. GIBSON. It seems reasonable that it would have been a weekend, but then with Gary working as a cabdriver, I don't know if it was or not, because he sometimes worked weekends. They were good days to work. Saturday was very good. Was it a Sunday?

Mr. JENNER. Yes. Wait a minute, it was a Saturday, the 3d of November 1962, was a Saturday.

Mrs. GIBSON. Did we move him in on that day or did he start rent from that day?

Mr. JENNER. The advice of the landlord or manager of the building was they moved in on the third, but do you recall that it was a weekend rather than a weekday?

Mrs. GIBSON. I wouldn't know. It could have been. It seems more logical that it would have been a weekend.

Mr. JENNER. Now, tell us about that from the beginning. What led up to it, how you participated, the extent you participated with your husband?

Mrs. GIBSON. Well, when we were over in Fort Worth visiting Mrs. Hall, we had taken Lee over there to see Marina, we told them we would help them move when he found a place, and he came by one evening or——

Mr. JENNER. Excuse me. This then was after he had obtained a job?

Mrs. GIBSON. Yes. He either called or came by one evening.

Mr. JENNER. Was Mrs. Hall home on that occasion when you went over to see them?

Mrs. GIBSON. When we moved them or before, that other time?

Mr. JENNER. That other time.

Mrs. GIBSON. Yes; she was.

Mr. JENNER. So this was subsequent to October 26?

Mrs. GIBSON. And also we were over there to visit them also another time after she had the accident, and I remember she was in bed.

Mr. JENNER. Was it before or after she went to the hospital?

Mrs. GIBSON. It was after, right after, when she came home and she was still in bed. It was before she went to New York.

Mr. JENNER. She came back on the 26th of October?

Mrs. GIBSON. Yes; and we went over there and she was still in bed.

Mr. JENNER. Was that the occasion? Was he there?

Mrs. GIBSON. Yes.

Mr. JENNER. Was that the occasion when you told him that you would help him move?

Mrs. GIBSON. Yes.

Mr. JENNER. When he found a place?

Mrs. GIBSON. Yes; I believe he said he was looking. And I believe——

Mr. JENNER. Lee was at the Halls' on that occasion?

Mrs. GIBSON. No; I think we took him there.

Mr. JENNER. All right, he was not at the YMCA.

Mrs. GIBSON. No.

Mr. JENNER. He was not staying at the Halls'?

Mrs. GIBSON. No; he came to our apartment.

Mr. JENNER. So he must have been staying somewhere in Dallas?

Mrs. GIBSON. Yes; he must have been. He came to our apartment. I don't ever recall taking him back to any place in particular, or picking him up at any place in particular. See, that is my problem. But I do remember the visit when she was in bed, and we told them that we would help them move. And I guess he must have called us or come to visit us about moving, and we took our car and I think, I don't know if we rented a trailer, I think they rented a trailer in Fort Worth, I am not sure, and left it in Dallas.

Mr. JENNER. Let's get it sequentially. You left your apartment?

Mrs. GIBSON. Yes.

Mr. JENNER. Lee came to your apartment?

Mrs. GIBSON. Yes.

Mr. JENNER. In the morning was it?

Mrs. GIBSON. Morning or early afternoon.

Mr. JENNER. And then you left your apartment?

Mrs. GIBSON. Yes.

Mr. JENNER. You, your husband, and Lee?

Mrs. GIBSON. Yes.

Mr. JENNER. And where did you go?

Mrs. GIBSON. To drop the baby off.

Mr. JENNER. Your baby?

Mrs. GIBSON. Yes.

Mr. JENNER. With a sitter?

Mrs. GIBSON. No; to Mrs. Taylor, Gary's mother.

Mr. JENNER. All right.

Mrs. GIBSON. From there we went to Fort Worth to Mrs. Hall's, and then Lee and Gary went to rent a trailer, and I stayed with Marina.

Mr. JENNER. Was Mrs. Hall home on that occasion?

Mrs. GIBSON. No.

Mr. JENNER. Where was Mrs. Hall?

Mrs. GIBSON. I don't know. I guess she was in New York. So, they came back with the trailer and we started to load up all the stuff, and Alex——

Mr. JENNER. Kleinlerer?

Mrs. GIBSON. Kleinlerer came by, I guess to supervise the moving, to see that nothing was taken of Mrs. Hall's, and he watched us move and we got all their stuff out, and we took them to their apartment in Oak Cliff, Elsbeth apartment, to move them in there. By then it was early evening, and then we left them there. We looked over the apartment and we left them there.

Mr. JENNER. Your husband rented that trailer?

Mrs. GIBSON. I think Lee did; didn't he? I don't think Gary paid for it. Did Gary pay for it? I can't imagine Gary paying for it. He might have, but I don't see it.

Mr. JENNER. Apart from that, did Lee thank you for spending the day?

Mrs. GIBSON. Very briefly, thank you, and that was all. Marina was not happy with the apartment at all. She said it was filthy dirty, it was a pigsty and she didn't want to stay there. Lee said it could be fixed up.

Mr. JENNER. What was their attitude toward each other on that occasion?

Mrs. GIBSON. They were arguing.

Mr. JENNER. During the day when you reached the Elsbeth Street apartment?

Mrs. GIBSON. Not too much during the day but after she saw the apartment she was very unhappy with it and they were arguing very much when we left.

Mr. JENNER. Was it your impression she had not seen it?

Mrs. GIBSON. No; I don't believe she had; no.

Mr. JENNER. What was your impression of the apartment?

Mrs. GIBSON. It was a hole. It was terrible, very dirty, very badly kept, really quite a slum. It had possibilities to be fixed up. It was large, quite large, built very strangely, little rooms here and there, lots of doors, lots of

windows. The floor had big bumps in it, you know. It was like the building had shifted and you walked up hill, you know, to get from one side of the room to the other. It was not a nice place; no.

Mr. JENNER. Was it a brick structure, wooden?

Mrs. GIBSON. It was brick outside, dark red brick. It was a small apartment building, I think two stories, overrun with weeds and garbage and people.

Mr. JENNER. Did you visit the Oswald's in that apartment thereafter?

Mrs. GIBSON. No.

Mr. JENNER. Do you know whether your husband did?

Mrs. GIBSON. I think he told me when I came back to Dallas in December that he visited them once.

Mr. JENNER. I take it then that sometime after November 3, you left Dallas?

Mrs. GIBSON. Yes; I left Dallas the latter part of November.

Mr. JENNER. And just to orient you, where did you go?

Mrs. GIBSON. I went to Tucson, Ariz.

Mr. JENNER. You were with your aunt?

Mrs. GIBSON. No; I was by myself.

Mr. JENNER. Had you lived in Tucson?

Mrs. GIBSON. Before that, no; not really. I had been to boarding school there a few years, and I lived in Tucson 1 year with my aunt in a house that we rented, and her husband, but I had not lived in Tucson before this.

Mr. JENNER. Let's identify her. What was her name?

Mrs. GIBSON. Mrs. Tilton.

Mr. JENNER. What was her full name?

Mrs. GIBSON. Do you want her first name?

Mr. JENNER. Yes.

Mrs. GIBSON. Nancy.

Mr. JENNER. Nancy Tilton?

Mrs. GIBSON. Nancy Sands Tilton.

Mr. JENNER. And her married name?

Mrs. GIBSON. Mrs. Charles Elliott Tilton III.

Mr. JENNER. And in previous years you had as a young girl, even as a child, lived with her; had you not?

Mrs. GIBSON. Yes.

Mr. JENNER. That was a good many years?

Mrs. GIBSON. Yes; 14 years.

Mr. JENNER. Fourteen years. Was that in Arizona or Florida?

Mrs. GIBSON. It was all around. I lived in Vermont in the summer, Arizona in the winter, Florida sometimes. It depended.

Mr. JENNER. Your aunt was a person of means I gather?

Mrs. GIBSON. Yes.

Mr. JENNER. You have already mentioned that you saw Lee Harvey Oswald when you returned from Arizona?

Mrs. GIBSON. I am not sure if it was then or if it was right before I left.

Mr. JENNER. Before you left for what?

Mrs. GIBSON. Arizona.

Mr. JENNER. And where did you see him?

Mrs. GIBSON. At the apartment. He came by to pick up a manuscript that I had of his.

Mr. JENNER. That is at your apartment?

Mrs. GIBSON. Yes.

Mr. JENNER. I show you a document that is in evidence in this proceeding as Commission Exhibit No. 95. Would you examine that and tell me whether that is the manuscript to which you have made reference several times.

Mrs. GIBSON. I believe it is. Yes; it is.

Mr. JENNER. Tell me the circumstances under which you first saw that document and how it came into your possession?

Mrs. GIBSON. I asked Lee if he had written anything on Russia that I could read, if he had any material, and he said yes, he did; that he had a manuscript that he had written on general life in Russia and I asked him if I could read it and he said yes and he gave it to me. He brought it over one evening. I have no idea of the date or the time.

Mr. JENNER. Was it reasonably early in the course of your acquaintance with the Oswalds?

Mrs. GIBSON. I think it was before they moved to Dallas, to Oak Cliff.

Mr. JENNER. Did you ever discuss the manuscript with him?

Mrs. GIBSON. Yes; I did. I told him he should publish it and he said no, that it was not for people to read.

Mr. JENNER. Did you ever discuss its contents with him?

Mrs. GIBSON. Yes; a little bit. I asked him questions about it.

Mr. JENNER. Can you recall any of the inquiries you made of the discussions you had with him regarding the substance of it?

Mrs. GIBSON. Well, I asked him, I believe on this manuscript that it was said that you could not move from town to town.

Mr. JENNER. In Russia?

Mrs. GIBSON. Yes; and he was telling me why.

Mr. JENNER. What did he say?

Mrs. GIBSON. He said that the housing problem was so difficult there that once you got an apartment or a room in one city, that you had to wait in line in another city to get housing, therefore, you were not allowed to leave from one city to another unless you already had housing and a job. But for him it was easier because he was an American, and I guess as he said they were trying to impress him a little bit.

Mr. JENNER. In that connection did he imply that he was free to move about the country as he saw fit?

Mrs. GIBSON. Freer than Russians I would imagine. He did imply that he was freer than they were.

Mr. JENNER. To move around?

Mrs. GIBSON. Yes.

Mr. JENNER. Did he say that he had at any time left Minsk to go anywhere else?

Mrs. GIBSON. I believe he had been to Moscow.

Mr. JENNER. Was that in connection with his efforts to return to this country?

Mrs. GIBSON. I have no idea. I think it was just to see the countryside.

Mr. JENNER. Would you look further through that manuscript and see if your recollection is refreshed as to any other discussion you had with him?

Mrs. GIBSON. Well, we talked a little bit about clothing and food.

Mr. JENNER. That is a generalization. Tell me what you talked about.

Mrs. GIBSON. Well, he said that the Russian people were very impressed with his clothing, that they did not have the quality or the style that he had. Also the sparseness of fruits, vegetables there. He told them about the supermarkets we had here and how plentiful fruit and vegetables were, how expensive butter and everything was in Russia, like that, your dairy products, aside from milk, butter, and cottage cheese, and all these things were extremely expensive and, well, like gold. Education we talked about, how much higher their educational standards are.

Mr. JENNER. Than ours?

Mrs. GIBSON. Yes.

Mr. JENNER. What did he say in that connection?

Mrs. GIBSON. They are much higher, that everybody is trained there to do something. That they have what would be considered, well, like your elementary school, and after you finished this required, oh, I don't know what it is, 8 or 9 years of school, you take this test, and if you pass this test you are admitted into what is considered college. If you don't pass it, you are able to choose a vocational school that you can go to to train you in some vocation, oh, like bricklayers or electricians or plumbers or something like this. You are allowed to choose whatever you want. You hear, he said, that women are laying streets, let's say, in Russia and he said that isn't because they are made to but this is because what they have chosen to do, what they want to do. That is about the general gist of what he had to say.

Mr. JENNER. Do you recall something about a time when little June was baptized?

Mrs. GIBSON. Yes; I do.

Mr. JENNER. Tell us about that, please.

Mrs. GIBSON. Well, one evening there was a knock at the door and I went to answer it and Mrs. Hall and Marina and June were outside, and Mrs. Hall came in and told me that she had just brought Marina and June to Dallas.

Mr. JENNER. Did Marina and the baby come in the apartment, too?

Mrs. GIBSON. Yes.

Mr. JENNER. And Mrs. Hall said this in the presence of Marina?

Mrs. GIBSON. Yes.

Mr. JENNER. Was your husband home?

Mrs. GIBSON. No. She said that they brought the baby to Dallas to be baptized without Lee knowing it because he would object, and that Marina had been brought up in Russia with religion, although it was against the law there, and that she wanted her child to be baptized, and that Lee objected so strongly to it that she did it on the sly, and she asked me please not to tell him. And she left a box of clothes of his there for me that she had bought him. It was his birthday, I believe, the next day.

Mr. JENNER. Lee's birthday?

Mrs. GIBSON. Yes.

Mr. JENNER. All right. Now, he was born on the 18th of October 1939, so this was the occasion when he was living at the YMCA?

Mrs. GIBSON. His birthday was the next day or something, or a couple of days.

Mr. JENNER. He was at the YMCA from the 15th through the 19th, 1962?

Mrs. GIBSON. I am getting my days messed up, because I thought she stayed with us while he was at the YMCA. She must not have. You know, I can't place when she stayed with us. I can just place the period of time that she stayed with us, you know, that it was not over 3 or 4 days.

Mr. JENNER. Could it have been right following his leaving the YMCA?

Mrs. GIBSON. It possibly could have been. I really don't know. But like I said, that is something I forgot. Now that you know his birthday, you can place when she was baptized and when she brought this box to me.

Mr. JENNER. She was baptized the day before his birthday?

Mrs. GIBSON. I am not sure if it was the day before or 2 days or 3 days, but it was real close to his birthday.

Mr. JENNER. Real close?

Mrs. GIBSON. Yes.

Mr. JENNER. The records indicate the baptism occurred on the 17th of October, 1962.

Mrs. GIBSON. Then it must have been the day before.

Mr. JENNER. Which is the day before his birthday, but the occasion you remember it was about his birthday time?

Mrs. GIBSON. Yes.

Mr. JENNER. They left a box of clothing or some gift?

Mrs. GIBSON. Oh, it had a shirt and a pair of sox and general things.

Mr. JENNER. These were new?

Mrs. GIBSON. Brand new.

Mr. JENNER. A gift?

Mrs. GIBSON. A gift; yes. From his wife.

Mr. JENNER. Didn't it seem strange to you at that time with him at the YMCA they didn't ring him up or go by the YMCA and leave this birthday gift?

Mrs. GIBSON. She didn't want him to know that she was in Dallas because she didn't want him to know she had baptized the baby.

Mr. JENNER. Did Lee speak with you on that subject?

Mrs. GIBSON. Yes; I guess it must have been the next day that he dropped by and I gave him the box, and I didn't say anything about this, but I think he had heard it. I think he had talked to Marina or something on the telephone.

Mr. JENNER. He became aware when he came by the next day, which would be his birthday, that they had—

Mrs. GIBSON. I think she told him on the telephone that she had baptized the baby, and he asked me if I knew, and I said yes, and he said, "Why didn't you tell me?" And I said, that it was not any of my business.

Mr. JENNER. I am a little bit confused. He came by the next day, that is the day after Mrs. Hall and Marina were there?

Mrs. GIBSON. Yes.

Mr. JENNER. And he came by to pick up his birthday gifts?

Mrs. GIBSON. Yes.

Mr. JENNER. At that occasion you didn't say anything to him about the baptism?

Mrs. GIBSON. No.

Mr. JENNER. Therefore, at some subsequent occasion——

Mrs. GIBSON. Yes.

Mr. JENNER. After that——

Mrs. GIBSON. Yes.

Mr. JENNER. There was a discussion?

Mrs. GIBSON. Yes; I think it was probably the day after that that he dropped by and he asked me about this. He asked me if they had been there, and I said yes. He says, "Why didn't you tell me?"

Mr. JENNER. Why you didn't tell him what?

Mrs. GIBSON. That they had been there and that the baby had been baptized, and I said that it was none of my business.

Mr. JENNER. The thing that confuses me a little bit is he came by and picked up the birthday gift.

Mrs. GIBSON. Yes.

Mr. JENNER. Nothing was said about baptism.

Mrs. GIBSON. No.

Mr. JENNER. On that occasion.

Mrs. GIBSON. No, no; I think he——

Mr. JENNER. Therefore, he must have known or inquired as to where you got the birthday gift, correct?

Mrs. GIBSON. I don't recall. I think I had some story fixed up for that. Mrs. Hall, I think, told me to tell him that she had been by, or something. I can't remember what it was, but she had some story, you know, for how come I had that.

Mr. JENNER. That would explain that, then.

Mrs. GIBSON. Yes; I don't, you know, really remember what was said exactly.

Mr. JENNER. The day following that occasion——

Mrs. GIBSON. I did not tell him that I had seen Marina, though.

Mr. JENNER. Is when he approached you on the subject?

Mrs. GIBSON. Yes.

Mr. JENNER. Of the baptism and why you hadn't told him?

Mrs. GIBSON. Yes.

Mr. JENNER. What did you say to him?

Mrs. GIBSON. I told him it was none of my business, and he wasn't too happy about it.

Mr. JENNER. What did he say about the fact that June had been baptized?

Mrs. GIBSON. Not too much. He wasn't really that upset about it. He just said he didn't like the idea, but that was all. He wasn't terribly upset about it.

Mr. JENNER. Mrs. Gibson, was he upset because the baby had been baptized in the Russian Orthodox Church rather than the Lutheran Church, for example?

Mrs. GIBSON. No; he was an atheist. He just didn't want anything to do with religion.

Mr. JENNER. Did you and your husband have discussions with him on the subject of religion?

Mrs. GIBSON. Yes.

Mr. JENNER. And what were his views on the subject of religion?

Mrs. GIBSON. He didn't believe in it. He didn't believe in God. He didn't believe in anything.

Mr. JENNER. And did that discussion occur reasonably often, on more than one occasion?

Mrs. GIBSON. Oh, it was mentioned in with politics. You know how that can get. The two subjects you are not supposed to talk about we talked about probably the most.

Mr. JENNER. What was your impression about any view or hope or desire or ambition on his part of some future attainment?

Mrs. GIBSON. He didn't really talk too much about in the future or what he wanted to do. I don't know what he wanted to do with himself.

Mr. JENNER. Was President Kennedy ever mentioned in the course of the discussions between your husband and Lee?

Mrs. GIBSON. Never, never. He wasn't President at the time anyway, was he?

Mr. JENNER. Yes; he was.

Mrs. GIBSON. Yes; he was. He had just become President, hadn't he? No, he was never mentioned. Now, the only person ever mentioned pertaining to that was the Governor of Texas.

Mr. JENNER. He became President in 1960.

Mrs. GIBSON. It was the Governor of Texas who was mentioned mostly.

Mr. JENNER. Tell us about that.

Mrs. GIBSON. First you are going to have to tell me who the Governor was.

Mr. JENNER. Connally.

Mrs. GIBSON. Connally. Wasn't that the one that—

Mr. JENNER. That had been Secretary of the Navy.

Mrs. GIBSON. That had been Secretary of the Navy, was it? Well, for some reason Lee just didn't like him. I don't know why, but he didn't like him.

Mr. JENNER. Would this refresh your recollection, that the subject of Governor Connally arose in connection with something about Lee's discharge from the Marines?

Mrs. GIBSON. I don't recall. I just know Lee never spoke too much about why he left the Marines or anything like that. I don't know. Maybe it was a dishonorable discharge, I don't know. All I know is that it was something he didn't talk about. And there was a reason why he did not like Connally.

Mr. JENNER. Whatever the reason was, he didn't articulate the reason particularly?

Mrs. GIBSON. No; he just didn't like him.

Mr. JENNER. But you have the definite impression he had an aversion to Governor Connally?

Mrs. GIBSON. Yes; but he never ever said a word about Kennedy.

Mr. JENNER. Did you answer?

Mrs. GIBSON. Yes; I did; yes.

Mr. JENNER. Your answer is yes?

Mrs. GIBSON. Yes.

Mr. JENNER. That he did have a definite aversion?

Mrs. GIBSON. Yes.

Mr. JENNER. To Governor Connally as a person?

Mrs. GIBSON. Yes.

Mr. JENNER. And did he speak of that reasonably frequently in these discussions?

Mrs. GIBSON. No; not really, no. He didn't bring it up frequently.

Mr. JENNER. But he was definite and affirmative about it, was he?

Mrs. GIBSON. Yes; he didn't like him.

Mr. JENNER. Was General Walker ever discussed?

Mrs. GIBSON. No, no.

Mr. JENNER. Were there any discussions in these political arguments between your husband Gary and Lee Oswald about, oh, the American Civil Liberties Union, the Birch Society, people having, let's say, extreme right viewpoints or left viewpoints?

Mrs. GIBSON. Gary was quite a Democrat, and he disliked the Birch Society intensely. So every once in a while they would come into the conversation, being that Gary felt so personal about them. He didn't like them at all. And Gary once in a while would make a comment, "Oh, he is a Bircher," I can't name any particular person, but just somebody in particular.

I think Dallas is a fairly Republican city. No, there was nothing ever about any of the different factions, or right or left wing. Just I know Gary disliked the Birchers. As I recall, I don't think Lee had much to say about them. I think maybe he liked more radical people than we did, you know, the normal straight down the middle or conservative or something.

Mr. JENNER. Were there occasions when you saw either of the Oswalds at your father's home?

Mrs. GIBSON. No.

Mr. JENNER. Were there occasions when your father and your stepmother brought either of the Oswalds to your apartment other than those you have already testified about?

Mrs. GIBSON. Not that I recall, no.

Mr. JENNER. Do you recall seeing Oswald on the day before he moved into the YMCA? He moved into the YMCA on Monday, October 15. Did you see him the previous day, Sunday?

Mrs. GIBSON. I don't know. I really don't know.

Mr. JENNER. But you do recall taking him to the YMCA?

Mrs. GIBSON. Yes.

Mr. JENNER. On Monday, the 15th?

Mrs. GIBSON. Yes; we might have. I don't know.

Mr. JENNER. Did you go and pick up Oswald at Mrs. Hall's when you took him to the YMCA, or did he just come by your apartment?

Mrs. GIBSON. I can't remember where we picked him up, but I know we didn't go to Fort Worth to pick him up, no. It could have been at the bus station.

Mr. JENNER. But you went somewhere to pick him up is your recollection?

Mrs. GIBSON. We could have gone somewhere. He could have come to our apartment. I don't recall.

Mr. JENNER. You were aware of Marina staying with the Halls?

Mrs. GIBSON. Yes.

Mr. JENNER. Mrs. Hall?

Mrs. GIBSON. Yes.

Mr. JENNER. Were you aware of her going to attend to Mrs. Hall; to do that before she actually went to live with Mrs. Hall?

Mrs. GIBSON. I might have heard something about it from my father. I don't know.

Mr. JENNER. But you did not hear it from Mrs. Hall?

Mrs. GIBSON. I didn't know Mrs. Hall until I met her through Marina.

Mr. JENNER. After Marina——

Mrs. GIBSON. When I went to visit there.

Mr. JENNER. That is when you went to visit Marina while she was staying at the Hall's?

Mrs. GIBSON. Yes; when Lee and Gary and I went over there. That is the first time I ever met her. But she was very friendly because she knew my father, you know, and so it was a very friendly atmosphere.

Did Mrs. Hall give a fixed time of when Marina stayed with her?

Mr. JENNER. I can't say it was a fixed time, but she testified that it was before she had her automobile accident.

Mrs. GIBSON. Well, what I am trying to fix in my mind is when Marina stayed with me, you know.

Mr. JENNER. That is the 3 or 4 days?

Mrs. GIBSON. Yes; I can't fix that in my mind at all now. I thought it was when he was at the YMCA and then it couldn't have been because of when the baby was baptized and when his birthday was. But it must have been shortly before that, because it wasn't after that. So it must have been before.

Mr. JENNER. Well, it wasn't on the 14th of October because you took him to the YMCA on the 15th. Was Marina living with you then?

Mrs. GIBSON. No; not then, no. But she might have been shortly before that. I believe she was at Mrs. Hall's then, wasn't she. Doesn't she know where she was?

Mr. JENNER. Well, she has got some impressions; yes.

Mrs. GIBSON. I hope she does.

Mr. JENNER. I am trying to find out what you recall.

Mrs. GIBSON. Well, you know, I can't recall when she was there. I know when she wasn't there now more than I did before, from placing his birthday and the box and that, I know she wasn't there then.

Mr. JENNER. Wasn't where?

Mrs. GIBSON. At my place. I know she wasn't there then, because she came

to visit me from Fort Worth with Mrs. Hall. But how long she had been with Mrs. Hall must not have been too long.

Mr. JENNER. The thing that bothers me, also, Mrs. Gibson, Mrs. Hall entered the hospital on the 18th of October.

Mrs. GIBSON. Yes.

Mr. JENNER. That is Lee's birthday. She was at your place the preceding day?

Mrs. GIBSON. I think it was that night that she got in the accident. That is why I said it was very shocking when I heard, you know, that she had been in an accident.

Mr. JENNER. And at the time she had her accident, Marina was living with the Halls'?

Mrs. GIBSON. Yes.

Mr. JENNER. Was living at Mrs. Hall's home?

Mrs. GIBSON. Yes.

Mr. JENNER. Your husband Gary recalls that while Lee was at the YMCA, that he came to visit at your home.

Mrs. GIBSON. That is possible.

Mr. JENNER. And his recollection was that Marina was with you at that time.

Mrs. GIBSON. Well, she couldn't have been.

Mr. JENNER. All right. Could it be that she stayed with you for a few days after he left the YMCA and before they moved into the Elsbeth Street home or apartment?

Mrs. GIBSON. Well, I don't know how it could be possible, because when we moved her from Fort Worth, she was at Mrs. Hall's. Now whether she stayed with me while Mrs. Hall was in New York, she couldn't have because she was, Mrs. Hall was in New York when we moved Marina, see, and Marina was there.

Now, I suppose it is possible that she stayed with us, then, but I remember she stayed with Mrs. Hall after the accident because Mrs. Hall needed her. She couldn't get around. I know she was there before the accident because of the baptism and Lee's birthday. So it leads me to believe she was there the whole time, you know.

Mr. JENNER. Do you recall when the Oswalds left the Mercedes Street apartment?

Mrs. GIBSON. No; I don't know when they left that. They moved, from there they moved all her stuff to Mrs. Hall's.

Mr. JENNER. Right from the Mercedes apartment?

Mrs. GIBSON. I guess they must have. All the stuff was there.

Mr. JENNER. Do you recall an occasion when your father moved Marina and the baby from the Elsbeth Street apartment to Mrs. Meller's?

Mrs. GIBSON. No.

Mr. JENNER. Do you recall the Oswalds living at 214 Neely Street?

Mrs. GIBSON. Where was that?

Mr. JENNER. That is just about a block from the Elsbeth Street apartment, which they moved into from the Elsbeth Street apartment.

Mrs. GIBSON. That must have been after I left.

Mr. JENNER. Yes; it was.

Mrs. GIBSON. No.

Mr. JENNER. You just don't recall anything about that?

Mrs. GIBSON. No; I wasn't there.

Mr. JENNER. Now, you do recall Marina staying 3 or 4 days.

Mrs. GIBSON. Yes.

Mr. JENNER. Can you grasp in your recollection why? What led up to that?

Mrs. GIBSON. I think it was the period before she went to Mrs. Hall's. It must have been after Lee lost his job, or quit.

Mr. JENNER. In Fort Worth?

Mrs. GIBSON. Yes; and before he got the new one. It must have been then. And I think it was while they were trying to find her a place to live, while he was job hunting.

Mr. JENNER. And before he got his job with Jaggars-Chiles-Stovall?

Mrs. GIBSON. It must have been.

Mr. JENNER. On the 12th of October? You see that is a 4-day period, Mrs. Gibson.

Mrs. GIBSON. Between when he lost his job and got his job?

Mr. JENNER. That is right.

Mrs. GIBSON. That is probably where she stayed then. I am not sure.

Mr. JENNER. The last day he worked at Leslie Welding was the 8th of October 1962. He became employed and went to work for Jaggars-Chiles-Stovall on the 12th of October 1962.

Mrs. GIBSON. That probably was when she stayed with us, then. I just don't have any recollection of when it was.

Mr. JENNER. Do you have any recollection that she came to stay with you, the reason why? Was she having difficulty with Oswald? Was that the reason, or was it because he was out of work?

Mrs. GIBSON. I think it was because he was out of work. I don't think they had any money. I think my father lent them money, didn't he? I don't know. Somebody must have given them money. It was Bouhe, that is who it was who lent them money.

Mr. JENNER. It was only 4 days, Mrs. Gibson.

Mrs. GIBSON. No; but he had to have money to get started. He had to have money to stay at the YMCA. He had to have money to get started, and I know who gave him money. George Bouhe did.

Mr. JENNER. Yes; George Bouhe did, there is no question about that.

Mrs. GIBSON. Because I recall that. He gave him money, and he also had the debt to pay to the American Embassy.

Mr. JENNER. Do you have any recollection as to where Oswald stayed prior to the time that he went to the YMCA on the 15th of October, that is between the 8th of October and the 15th of October? That is a week.

Mrs. GIBSON. No; all I know is he never did stay at our place overnight ever.

Mr. JENNER. Do you recall when you were looking for this address, was it an address on North Beckley?

Mrs. GIBSON. It is possible that it was.

Mr. JENNER. Does that stimulate your recollection at all?

Mrs. GIBSON. No; it doesn't. I just know that Beckley is near the river.

Mr. JENNER. And you were looking in the area.

Mrs. GIBSON. Near the river; yes.

Mr. JENNER. Now, between the 19th of October and the 3d of November, which was the day you picked up Oswald and Marina and the baby and took them to the Elsbeth Street apartment, do you know where Oswald was staying?

Mrs. GIBSON. No; but it was probably in that area where I was looking, you know. I am not even sure who I was looking for, but it seems possible. I don't know anybody else in Oak Cliff, you know. If that is anywhere near the Jaggars Co., and I think it is, that is probably where, and who we were looking for.

Mr. JENNER. Was Marina taken to the dentist to your knowledge other than the first period, the first visit in August of 1962?

Mrs. GIBSON. I think she might have had another appointment. That possibly could have been the other reason why she stayed with me, but I am not positive. It seems to me you know by the dentist records if she had. I remember she had teeth pulled. Now, how many—and, as I recall, those first appointments led to a later appointment after her mouth had healed. But I am not sure.

Mr. JENNER. Did Marina stay at the Halls' on more than one occasion, that is periods?

Mrs. GIBSON. I don't believe so.

Mr. JENNER. Was it just one period?

Mrs. GIBSON. I think it was one period.

Mr. JENNER. Did it have anything to do with Mrs. Hall's accident?

Mrs. GIBSON. Why Marina stayed there, you mean, or why she left?

Mr. JENNER. Why she went there in the first instance.

Mrs. GIBSON. No; Mrs. Hall had not had her accident when Marina first moved in.

Mr. JENNER. Was Mrs. Hall aware that Marina had stayed at your home?

Mrs. GIBSON. I think so. In fact, I could almost say positively she must have been aware of it.

Mr. JENNER. What leads you to say that?

Mrs. GIBSON. Well, I mean she never knew that Marina and I knew each other.

She brought her to my place. I had told her that, I believe I myself, told her that Marina had stayed with me. I mean it is just in common conversation that she must have known. Didn't she know?

Mr. JENNER. Including this 3- or 4-day period?

Mrs. GIBSON. Yes; she must have known because that was before Marina stayed with her. Does she know?

Mr. JENNER. She didn't mention it in her testimony.

Mrs. GIBSON. Am I the last one to testify?

Mr. JENNER. No. Mrs. Gibson, were you aware that Lee Oswald gave your apartment address and your telephone number—when I say your I mean you and your husband—when he was seeking employment in Dallas?

Mrs. GIBSON. Yes; he asked Gary's permission and Gary said all right.

Mr. JENNER. That was in your presence?

Mrs. GIBSON. Yes.

Mr. JENNER. Was that permission requested before he went to the YMCA on the 15th of October? He obtained his job at Jaggars, remember, on the 12th of October.

Mrs. GIBSON. I believe it was before. He said he needed to establish a residence, and a place where people could get in touch with him, where if there were any jobs coming up that they could get in touch with him and call him and he would check with us and we would tell him if there had been any calls for him or messages during the day.

Mr. JENNER. Now, were there any calls or messages?

Mrs. GIBSON. No; not that I recall. I don't believe there were.

Mr. JENNER. And do you recall him looking for work during this period? That would be the 9th, 10th, 11th, and 12th of October.

Mrs. GIBSON. I really don't know. If he had a job, it doesn't seem that he would be looking for a job.

Mr. JENNER. He was at the Texas Employment Commission on the 9th, 10th, and 11th.

Mrs. GIBSON. Then probably he was. And if he gave our address and our phone number; I am sure he was.

Mr. JENNER. But you don't recall where he was staying during that period?

Mrs. GIBSON. No.

Mr. JENNER. The 9th, 10th, 11th, 12th, 13th, and 14th?

Mrs. GIBSON. No.

Mr. JENNER. Could he have been staying at Hall's?

Mrs. GIBSON. Gee, it is possible, but I don't know.

Mr. JENNER. But you do recall that he did stay at the Hall's a good deal or portions of the time that Marina was there?

Mrs. GIBSON. Yes; he went there weekends, as I recall, when he was working. He spent the weekends there.

Mr. JENNER. When he was working at Jaggars?

Mrs. GIBSON. Yes.

Mr. JENNER. So when he began to work at Jaggars, which was the 12th of October, up to the 3d of November when you and your husband, Mr. Taylor, took the Oswalds to the Elsbeth Street apartment, he visited at the Hall's on weekends?

Mrs. GIBSON. Yes.

Mr. JENNER. So there was some place he was staying then himself during that period?

Mrs. GIBSON. Yes; there must have been.

Mr. JENNER. Did Mrs. Hall live in Fort Worth?

Mrs. GIBSON. Yes.

Mr. JENNER. And Fort Worth is approximately 30 miles?

Mrs. GIBSON. Yes.

Mr. JENNER. From Dallas, isn't it?

Mrs. GIBSON. He didn't stay in Fort Worth.

Mr. JENNER. He stayed in Dallas?

Mrs. GIBSON. Yes.

Mr. JENNER. But you can't recall still where he stayed in Dallas?

Mrs. GIBSON. No; I have no idea.

Mr. JENNER. But it is now your definite recollection that he did stay in Dallas?

Mrs. GIBSON. Well, I know that——

Mr. JENNER. Excuse me—after he became employed at Jaggars?

Mrs. GIBSON. Yes; I will tell you why. Because he told us that he goes by bus Friday night or something to Fort Worth and he'd come back Sunday evening. So it would be my normal assumption, I would say, that he was staying in Dallas at the time.

Mr. JENNER. Had you and your father had some difficulty, some spats between the two of you along about this time?

Mrs. GIBSON. No; we had been spitting all our life.

Mr. JENNER. I mean were you on speaking terms?

Mrs. GIBSON. Yes; I'd say so.

Mr. JENNER. Do you recall at least one occasion when you picked up Oswald in front of the YMCA?

Mrs. GIBSON. No; I don't.

Mr. JENNER. That your husband Gary would go over and pick him up?

Mrs. GIBSON. I guess so.

Mr. JENNER. Bring him to your apartment?

Mrs. GIBSON. I guess so, or he'd walk. I don't know. I don't believe Gary picked him up there. I believe he walked or took the bus.

Mr. JENNER. What do you recall with respect to Lee's habits of temperance or intemperance, drinking?

Mrs. GIBSON. I never saw him take a drink.

Mr. JENNER. Did he smoke?

Mrs. GIBSON. I don't think he did.

Mr. JENNER. Did Marina smoke?

Mrs. GIBSON. On the sly.

Mr. JENNER. Why?

Mrs. GIBSON. Because he objected to smoking, as I recall. He did. He didn't like to see her smoke, and he didn't like to see her wear any makeup.

Mr. JENNER. Did any discussions respecting that occur at your home?

Mrs. GIBSON. No; she told me this. Don't ask me how. We just got it across to each other, you know.

Mr. JENNER. How did she communicate with you?

Mrs. GIBSON. Well, when two people get together, if you try hard enough you will get your idea across. If you have a dictionary and two hands, you will get the idea across, and that is how we managed to, you know, get our ideas fairly well across most of the time. But we didn't make too great an attempt at speaking because it was so much effort. But I do know this about makeup and smoking.

Mr. JENNER. Were there arguments between them on the subject?

Mrs. GIBSON. Oh, I'd say maybe small ones. He didn't like her to wear lipstick and she liked to, things like that. She did like to smoke.

Mr. JENNER. What about his reading habits?

Mrs. GIBSON. He read a lot.

Mr. JENNER. How do you know that?

Mrs. GIBSON. My father had given him books to read. He was very much interested in them.

Mr. JENNER. Did he have them with him at times when he was at your place?

Mrs. GIBSON. One book I think he gave me that my father had asked him to give me or I gave him that my father had asked him to give me, one way or the other, it was called "Animal Farm."

Mr. JENNER. What is that book about?

Mrs. GIBSON. It is a satire, I guess. It is about animals, but it is a takeoff on people. Orwell—did he write it?

Mr. JENNER. I think so. What is your recollection as to whether you gave Oswald that book to read or whether your father gave it to him to read?

Mrs. GIBSON. One way or the other it got to me. Either my father gave it to me to read and I gave it to Lee or he gave it to Lee to read and then Lee gave it to me. It was one way or the other.

Mr. JENNER. Do you remember any other books?

Mrs. GIBSON. I think my father gave him some literature. I don't know what it was, though. Oh, "1984" was another book that he read.

Mr. JENNER. Did he indicate that he had read it before?

Mrs. GIBSON. I believe that he had. That was by Orwell, too, wasn't it?

Mr. JENNER. Yes; it was. Did he indicate that he had read "1984" when he was a Marine at El Toro, Calif.?

Mrs. GIBSON. No; I think he read it again. My father had it and my father read it, and I think Lee said he wanted to read it again.

Mr. JENNER. Did he ever discuss that book in your presence?

Mrs. GIBSON. No.

Mr. JENNER. What else do you recall as to the titles of books he read?

Mrs. GIBSON. I think he read the "Rise and the Fall of the Third Reich." He read Hitler's, what would it be, autobiography?

Mr. JENNER. "Mein Kampf"?

Mrs. GIBSON. Yes; he read the Marx book—what was that, was that the Rise and Fall of the Third Reich? No; what was it, about Marxism?

Mr. JENNER. "Das Kapital"?

Mrs. GIBSON. I don't know what it was, but anyway, he read a book that Marx wrote on Marxism, and that is about all I can recall on his literature.

Mr. JENNER. Do you recall some people or a person whose first name was Natasha or Evalina?

Mrs. GIBSON. I know Natasha.

Mr. JENNER. How did Natasha come into this?

Mrs. GIBSON. First you will have to give me her last name so I am sure I have got the right one.

Mr. JENNER. I can't give it to you.

Mrs. GIBSON. You don't have it?

Mr. JENNER. I can't because I don't know.

Mrs. GIBSON. You can't because you don't have it? Really?

Mr. JENNER. Really.

Mrs. GIBSON. Well, Natasha was a friend of my parents. They got in some numerous squabbles and sometimes they'd part.

Mr. JENNER. Was she a single lady?

Mrs. GIBSON. No; she has a husband.

Mr. JENNER. They lived in Dallas?

Mrs. GIBSON. Yes; they are Russian. I can't think of her last name for the life of me. Now, I don't know if Natasha knew Lee or not. Natasha was a friend of my father and Jeanne. They got in numerous squabbles. Their friendship would break off and then they'd come back together again after a few months after the squabble had quieted down. Now, whether she knew Lee or not, I don't know.

Mr. JENNER. You mentioned that in one of your interviews, and my query of you is what led you to mention that, Natasha?

Mrs. GIBSON. Well, being that she was one of the Russian colony I figured probably she would know them. That is all.

Mr. JENNER. You were speculating?

Mrs. GIBSON. Speculating; that is all. Whether she did or not, I have no idea.

Mr. JENNER. In one of your interviews you stated that after Marina had stayed with you, she had moved into the Hall's. Does that refresh your recollection that that 3- or 4-day period was immediately preceding her moving into the Hall's?

Mrs. GIBSON. No. When all those questions were given to me, I didn't have much time to think. It was completely by surprise. And when I said that, I meant the first day, because as you found out, those days that I am talking about are extremely vague. Why I don't know, but they are very vague.

Mr. JENNER. Do you recall whether possibly Oswald stayed with his mother in Fort Worth?

Mrs. GIBSON. Maybe.

Mr. JENNER. In this period, say, from October 19 through November 3?

Mrs. GIBSON. No; I don't believe he did, because he had to be in Dallas. He couldn't commute to Dallas every day. Does his mother say this?

Mr. JENNER. No. Do you have any recollection that Oswald stayed in the Elsbeth Street apartment before Marina was moved in?

Mrs. GIBSON. No; I don't believe he did.

Mr. JENNER. Did any discussion occur as to whether Oswald had renounced or attempted to renounce his American citizenship?

Mrs. GIBSON. No.

Mr. JENNER. Was the subject even discussed?

Mrs. GIBSON. Well, it was when he told us about how, you know, the Russians wanted him to give it up.

Mr. JENNER. And he declined to?

Mrs. GIBSON. Yes.

Mr. JENNER. Was Marina politically minded?

Mrs. GIBSON. No; I wouldn't say so.

Mr. JENNER. But she was religious?

Mrs. GIBSON. Yes; I'd say she was.

Mr. JENNER. What was your impression of Oswald as to his intellect?

Mrs. GIBSON. I think he was very intelligent.

Mr. JENNER. Was he articulate?

Mrs. GIBSON. Yes.

Mr. JENNER. And what about his argumentation?

Mrs. GIBSON. Very good. He could make almost anybody believe what he was saying.

Mr. JENNER. He was strong in his convictions?

Mrs. GIBSON. Yes.

Mr. JENNER. Unbending?

Mrs. GIBSON. Yes.

Mr. JENNER. Do you have any impression of whether he was quick-tempered or prone to violence?

Mrs. GIBSON. I think he was very quick tempered.

Mr. JENNER. He flared up, did he, during these arguments?

Mrs. GIBSON. Yes.

Mr. JENNER. And other things, with your husband?

Mrs. GIBSON. No; not with my husband. With his wife. He got disgusted, I think, with our stupidity, as he called it, which used to infuriate me. I don't particularly like being called stupid, and he used to call us stupid a lot.

Mr. JENNER. Was that because you differed in your view?

Mrs. GIBSON. Differed with him.

Mr. JENNER. From him?

Mr. GIBSON. Yes; that was his favorite word, we were stupid, we weren't using our brains. He'd come up with something like, "How could you possibly say such a thing?"

Mr. JENNER. Did you ever pick him up at the Jaggars place of business?

Mrs. GIBSON. No.

Mr. JENNER. Your father and your stepmother now reside in Haiti?

Mrs. GIBSON. Yes.

Mr. JENNER. When did they go to Haiti?

Mrs. GIBSON. Last year some time.

Mr. JENNER. June of 1963.

Mrs. GIBSON. I don't know.

Mr. JENNER. Have you seen your father or your stepmother since then?

Mrs. GIBSON. Yes; I saw them a couple of weeks ago.

Mr. JENNER. When they were here to testify, they dropped by to see you, did they?

Mrs. GIBSON. Yes.

Mr. JENNER. Your husband Donald Gibson is a native-born American?

Mrs. GIBSON. Yes.

Mr. JENNER. In an interview on December 3, 1963, you are reported to have said that Lee Oswald occasionally came to your apartment, of yourself and your husband, and although Marina stayed at your apartment, only about 2 weeks, Oswald continued to visit on occasions. Does that refresh your recollection that this stay of Marina at your home was longer than 3 to 4 days?

Mrs. GIBSON. It must have been misunderstood. If I had said 2 weeks I must

have meant in all, meaning putting all your days together, because I never would have said 2 weeks meaning a solid period of time of 2 weeks.

Mr. JENNER. I think that is about all. I neglected to do this, Mrs. Gibson. You received a letter from Mr. Rankin, did you not?

Mrs. GIBSON. Yes; I did.

Mr. JENNER. General counsel for the Commission, with which he enclosed a copy of the legislation, Senate Joint Resolution 137, authorizing the creation of this Commission?

Mrs. GIBSON. Yes.

Mr. JENNER. A copy of President Johnson's Executive Order No. 11130 which created the Commission?

Mrs. GIBSON. Yes.

Mr. JENNER. And fixed its scope and its powers and its duties and responsibilities, which in general are to investigate the circumstances surrounding leading up to, and involving the assassination of President John Fitzgerald Kennedy?

Mrs. GIBSON. Yes.

Mr. JENNER. And, also, a copy of the rules and regulations of the Commission under which depositions are taken?

Mrs. GIBSON. Yes.

Mr. JENNER. And you understand from all those papers that the Commission is interviewing people who had, fortunately, or unfortunately, touched the life of Lee Harvey Oswald and others?

Mrs. GIBSON. Yes.

Mr. JENNER. And we had understood and as has now been revealed you did have a connection with or some connection with the Oswalds?

Mrs. GIBSON. Yes.

Mr. JENNER. Which you have now elucidated.

I am Albert E. Jenner, Jr., one of the members of the legal staff of the Commission, and Mr. Mosk, who was present earlier, likewise is a member. Now, having in mind the objects and purposes and duties of the Commission, is there anything that occurs to you that you would like to add that you think would be helpful to the Commission in its investigation of this subject?

Mrs. GIBSON. No.

Mr. JENNER. All right, that is all I have, and I appreciate very much your coming here today. I know it is a considerable inconvenience.

AFFIDAVIT OF RUTH HYDE PAINE

The following affidavit was executed by Ruth Hyde Paine on June 24, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

Ruth Hyde Paine, being affirmed, says:

1. I reside at 2515 West 5th Street, Irving, Texas. I am the Ruth Hyde Paine who testified before the Commission on March 18, 19 and 20, 1964, and gave testimony by deposition in Washington, D.C. at the offices of the Commission on Saturday, March 21, 1964, and gave further testimony by deposition in my home the evening of Monday, March 23, 1964.

2. On the occasion of Saturday, November 9, 1963, about which I testified before the Commission, when I took Marina and Lee Oswald in my station wagon to the Texas Automobile Drivers Bureau Station in the Oak Cliff section of Dallas, Texas, to enable Lee Oswald to make application for an automobile driver's learner's permit, each of my two children and both of the Oswald children, June and Rachel, accompanied us.

3. Upon our arrival at the Automobile Drivers License Bureau, which was

located in a shopping center area in Oak Cliff, we discovered that the Automobile Drivers License Bureau was closed. All of us went down the street to a ten cent store which was located approximately three doors down the street from the Automobile Drivers License Bureau Station. We entered the store. I purchased some child panties for my children and Marina selected and Lee paid for an infant's pacifier.

4. After we made the purchases, all of us returned to my station wagon, entered it, and I drove directly to my home in Irving, Texas. Upon arrival there, all of us entered my home where we remained throughout the balance of that day and evening. Marina and Lee Oswald and their children were present in my home throughout the two following days and evenings, November 10 and 11, 1963. Lee Oswald returned to his work at the Texas School Book Depository Tuesday morning, November 12, 1963. I was present in my home throughout November 10 and 11, 1963, except as described in paragraph 13.

5. During the course of my testimony by deposition in Washington, D.C. on Saturday, March 21, 1964, Mr. Jenner examined me with respect to the various entries in my calendar diary, Commission Exhibit No. 401, for the period commencing and following September 24, 1963, including, in particular, those entries respecting baby and child clinic appointments for June Oswald and Rachel Oswald, in clinics in Irving, Texas, and in Dallas, Texas, as well as other appointments for June Oswald. On all occasions following Marina's return to my home from Parkland Hospital on October 22, 1963, following the birth of her daughter Rachel on October 20, 1963, when baby clinic, dental and other medical and physical attention appointments for either of Marina's children were made, and about which I have heretofore testified, I drove to the clinic or doctor's office in my station wagon accompanied by each of my children and by Marina and both of her children. This was so irrespective of which of Marina's children was to receive medical or other attention.

6. There were a number of occasions subsequent to September 24, 1963, on which Marina and both of her children accompanied me when I drove in my station wagon to shops, grocery stores, etc., in and about Irving, Texas, to do limited shopping or purchase food stuffs. On each of these occasions, we were also accompanied by my children. Understandably, Marina desired "to get out of the house" and visit with me around Irving, Texas, when convenient to me. I understood this and often went out of my way to invite her to come with me. She always brought her daughter June and after the birth of her daughter Rachel, also brought her.

7. On none of the above occasions did we shop in or visit or enter any furniture store. This includes the Furniture Mart, a store that was located at 149 East Irving Boulevard, Irving, Texas, which I now understand was owned and operated during its existence by one Edith Whitworth.

8. There were only two occasions during all the period in the Fall of 1963 that I took Marina and Lee together in my station wagon to Dallas, Texas, or anywhere in Irving, Texas. One occasion was a trip to Dallas, Texas, the morning of November 9, 1963, which I have mentioned above. (The other is described in paragraph 14.) I do not know Mrs. Whitworth. I never visited her place of business, nor did I ever drive Lee Oswald or Marina to that place of business; and, to the best of my knowledge and recollection, Marina was never at or in that place of business with or without Lee Oswald during the period she resided in my home in the Fall of 1963.

9. At no time after Marina and I and our children arrived in Irving, Texas, on September 24, 1963, from New Orleans, Louisiana, did I ever take Lee Oswald or Marina Oswald to the Irving Sports Shop, which is located at 221 East Irving Boulevard, Irving, Texas. I was quite aware during all of this period of Marina's activities and where she was. I know of no occasion when either she or Lee Oswald visited either the Furniture Mart or the Irving Sports Shop.

10. There was no occasion during the period Marina resided with me in the Fall of 1963, of which I was aware or now recollect, that Marina rode either in my station wagon or any other automobile or means of conveyance with Lee Oswald at the wheel. Neither the Irving Sports Shop nor Mrs. Whitworth nor Dyal Ryder was ever mentioned in my presence by either of the Oswalds.

11. I never drove Lee Oswald, with or without Marina, to any area or place

in or about either Dallas, Fort Worth, or Irving, Texas, to enable Lee Oswald to engage in rifle practice. I did not know until the afternoon of November 22, 1963, that he possessed or owned a firearm of any kind or character. At no time prior to November 25, 1963, did I know or had I heard of anybody by the name of Dyal Ryder.

12. Lee Oswald was not in my home and to the best of my knowledge was not in Irving, Texas, at any time on November 6 or 7, 1963. My recollection is clear that on each of those days, as well as November 8, 1963, Marina and her two children, June and Rachel, were present in my home day and night. Lee Oswald arrived at my home from Dallas, Texas, between 5:30 p.m. and 6:00 p.m. on November 8, 1963, for his customary week-end visit, which as to this particular week-end was to extend over through Armistice Day, November 11, 1963. Except for the trip to Dallas, Texas, on November 9, 1963, which I have described above, Lee Oswald remained in my home from the time of his arrival, the late afternoon of November 8, 1963, until he departed for Dallas, Texas, in the early morning of November 12, 1963.

13. I was not present in my home for part of the day on November 11, 1963. As I testified, I made a trip that day, which was Armistice Day and a holiday, to Dallas, Texas. I was gone from approximately 9:00 A.M. to 2:00 P.M. Not wishing to burden Lee and Marina with my children, I had them stay at my neighbors the Craigs. Marina and Lee Oswald and their children were in my home when I left and were there when I returned. Based upon my conversation with Marina and Lee Oswald, and my understanding of their plans for the day, it is my clear opinion that all of them remained in my home during my trip to and from Dallas.

14. There was one occasion in addition to the occasion of Nov. 9, 1963, which I have described above, that I drove Marina and Lee in my station wagon to Dallas, Texas. On Monday, October 14, which was the day before Lee Oswald obtained a position at the Texas School Book Depository, I drove him to Dallas, Texas. We were accompanied by Marina and her child June as well as by my children. I testified about this event. We left Lee Oswald off in Dallas at Ross Avenue near LaMarr. I then took my typewriter to a shop in Dallas for repair and Marina and I and our children returned to Irving, Texas.

Signed this 24th day of June 1964.

(S) Ruth Hyde Paine,
RUTH HYDE PAINE.

AFFIDAVIT OF M. WALDO GEORGE

The following affidavit was executed by M. Waldo George on June 12, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

M. Waldo George, 6769 Inverness Street, Dallas, being duly sworn says:

1. I am the office manager of Tucker Manning Insurance Company. I am the owner of the premises at 214 Neeley Street, Dallas, Texas, consisting of two apartments, one upper and one lower. In the latter part of January 1963 the upper apartment became vacant and I posted it "For Rent" by means of an appropriate sign in the yard in front of the premises.

2. On March 2, 1963, I was advised by Mrs. George that an individual by the name of "Oswald" had inquired about renting the apartment. Later that day I met the individual who identified himself as Lee H. Oswald. I advised him that the rent for the apartment was \$60 per month, and he rented the apartment on a month-to-month basis, paying me \$60 in cash for one month's rent in advance.

3. On April 1, 1963, I collected \$60 in cash from Oswald, covering rent for the month of April 1963 to and including May 2, 1963.

4. Shortly after this occasion the downstairs tenants, Mr. and Mrs. George B.

Gray, called me and informed me that the man in the upstairs apartment was beating his wife. I made no inquiry into this subject matter.

5. Two or three days later, myself and Mrs. George called on the Oswalds in their apartment and invited them to attend Gaston Avenue Baptist Church with us. He informed me and Mrs. George that he attended the Russian Orthodox Church although they were not regular in their attendance, because they had to depend on their friends to take them.

6. During this visit Oswald stated that he had met his wife while he was serving in the United States Marines as a guard at the United States Embassy in Russia, and had married his wife in Russia. I made direct inquiry of him as to whether he had had any difficulty in getting out of Russia with his wife and he said that he had had no difficulty whatsoever.

7. Neither myself or Mrs. George saw Oswald again at any time thereafter. Oswald did not pay rent for the succeeding rental period of May 2 through June 2, 1963. Because my attention was diverted by other matters, I did not go by the apartment to collect the rent for that period until several days after May 2, 1963. When I arrived at the apartment I found it vacant.

Signed this 12th day of June 1964 at Dallas Texas.

(S) M. Waldo George,
M. WALDO GEORGE.

TESTIMONY OF WILLIAM KIRK STUCKEY

The testimony of William Kirk Stuckey was taken at 9:35 a.m., on June 6, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission.

Mr. JENNER. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, in your deposition which you are about to give?

Mr. STUCKEY. I do.

Mr. JENNER. Be seated. State your full name?

Mr. STUCKEY. William Kirk Stuckey.

Mr. JENNER. I regret, Mr. Stuckey, that we have to inconvenience you to have you back to have your deposition taken again. But through some happenstance in New Orleans, the transcript of your deposition never went beyond the U.S. attorney's office apparently, and we appreciate your willingness to come up here and be with us today so that I can depose you again. When I took your deposition before you had received a letter from Mr. Rankin, had you not?

Mr. STUCKEY. No.

Mr. JENNER. I guess I called you when I was down there, didn't I?

Mr. STUCKEY. Yes; that is correct.

Mr. JENNER. And I explained to you at that time, the time before when I took your deposition, however, the legislation under which the Commission was authorized and the Executive order of the President creating the Commission and the rules and regulations of the Commission on the taking of depositions?

Mr. STUCKEY. Yes; I understand that.

Mr. JENNER. Thank you. In effect, we want to inquire of you in particular with respect to the course of events in which you interviewed Lee Harvey Oswald while he was in New Orleans in 1963 at some radio broadcasts which you, in your professional capacity, that is, your professional business, had organized, had put on, and you had some fairly extended acquaintance with Oswald in a professional sense.

Mr. STUCKEY. Yes. Would you like me to tell you from the very first?

Mr. JENNER. Well, I think for the very first, for the purpose of the record, identify yourself, who you were then and who you are now, and your profession and business and associations.

Mr. STUCKEY. Fine. At present I am employed at Tulane University as a special writer. In this capacity I write a syndicated column on higher education which Tulane distributes to 85 newspapers throughout the country. In August 1963 I was a broadcaster with WDSU Radio, New Orleans. This is

the NBC station. I had a weekly 5-minute radio program on economic and political developments in Latin America. I had been in this particular specialty for about 2 years previous. Prior to that I was a columnist with New Orleans States Item, with an interest in Latin America. As a result I had been looking for a long time for representatives of the Fair Play for Cuba Committee in that area.

Mr. JENNER. If you would excuse me a second, would you give me your formal education because, as I recall in taking your deposition in New Orleans, you acquired some interest in South American relations which led you into looking for something on this Fair Play for Cuba Committee.

Mr. STUCKEY. Yes. Formal education was a B.S. degree in journalism from Southern Methodist University in Dallas. After graduation I went into the Marine Corps and completed 2 years of service, after which I spent some 8 months in Central America and Mexico traveling around, essentially hitch-hiking, some walking, some third-class bus riding, in which I acquired a good deal of Spanish and an interest in the countries.

Mr. JENNER. What is a third-class bus?

Mr. STUCKEY. That is where the goats and chickens aren't on top; they are in there with you.

Mr. JENNER. I see.

Mr. STUCKEY. After I returned I went into the newspaper business.

Mr. JENNER. Excuse me, how old are you?

Mr. STUCKEY. Thirty-two.

Mr. JENNER. You are married?

Mr. STUCKEY. Yes; and—

Mr. JENNER. Do you have a family and you live in New Orleans?

Mr. STUCKEY. Yes.

Mr. JENNER. What is your address?

Mr. STUCKEY. 2317 State Street, and I have two children. I went into the newspaper business after returning from Latin America, working largely as a political reporter for a number of years.

Mr. JENNER. Were you giving attention to any particular phase of politics?

Mr. STUCKEY. Local government?

Mr. JENNER. Thinking of it in the higher sense—local government.

Mr. STUCKEY. You mean in a higher sense, in a subject category?

Mr. JENNER. Yes.

Mr. STUCKEY. I was interested particularly in planning and zoning.

Mr. JENNER. Did you acquire also an interest in South American relations?

Mr. STUCKEY. Yes; well, I had this interest, but I had no opportunity to exercise this interest in my work until the New Orleans States Item made me a columnist. This was in February 1962 when I started my column, and this extended on until April, I believe it was, 1963.

Mr. JENNER. What was the title of that column?

Mr. STUCKEY. New Orleans and the Americas. That was really my first professional involvement in Latin American affairs. After I left the paper, doing public relations, I acquired this radio program, this radio broadcast, which was a very short thing. It was largely to keep my name in front of the public in this capacity. And—

Mr. JENNER. That was a broadcast program?

Mr. STUCKEY. Yes.

Mr. JENNER. It was put on regularly, was it?

Mr. STUCKEY. Once a week.

Mr. JENNER. And it is the NBC station down there?

Mr. STUCKEY. Yes.

Mr. JENNER. Radio and television or just radio?

Mr. STUCKEY. Radio.

Mr. JENNER. That program had a title?

Mr. STUCKEY. Yes; Latin Listening Post.

Mr. JENNER. Tell us in general the character of that program and to what you were directing your attention.

Mr. STUCKEY. Politics and economics. I inquired a bit about the Cuban situation. I had a number of programs that I think you would classify as news

features. They didn't particularly have current events value, but they were interesting topics, and I just went and talked about them. I talked about social welfare programs in Uruguay, the Mexican Revolution; Central American common market; the character of the Latin American university student, this sort of thing.

Occasionally, when I had a live one, when I heard there was somebody in town who was a Latin bigwig, I would bring him on and we would talk whatever he wanted to talk about.

Mr. JENNER. How did you organize those programs?

Mr. STUCKEY. Well—

Mr. JENNER. Did you have any preliminary discussions with the people you were going to have on your programs?

Mr. STUCKEY. Yes, yes; sometimes I took up to 3 to 4 days to prepare a 5-minute broadcast.

Mr. JENNER. Yes.

Mr. STUCKEY. Actually it is 5 minutes which demands about 700 words, which was just about as long or longer than the column that I used to write, so these columns, 700 words, which would run about a column and a half of type in the paper, consumed within a 5-minute period on the broadcast. Anything else along that line?

Mr. JENNER. I think that covers it generally. Tell us the nature of your work with Tulane University.

Mr. STUCKEY. Yes.

Mr. JENNER. You became associated with Tulane when?

Mr. STUCKEY. In January, January 6.

Mr. JENNER. Of this year?

Mr. STUCKEY. Yes.

Mr. JENNER. What is the nature of that work?

Mr. STUCKEY. I write a syndicated column on higher education. The column is called Dimension in Education. We deal with all manner of events and affairs affecting higher education, and sometimes things that do not affect higher education. I roam the spectrum of interest in the things. It is extremely interesting.

I sometimes write about such things as the Common Market, the humanities versus science, all this sort of thing, all the current controversies we get into.

Mr. JENNER. Is that in the nature of public relations work?

Mr. STUCKEY. Yes; very soft shell public relations. Sometimes we don't even mention Tulane. It is just that I think probably Tulane just wants to be established as a fount of wisdom in this particular field, and that is why they print these reports.

Mr. JENNER. During the year 1963, did an event occur, a series of events occur, in which you became acquainted with a man by the name of Lee Harvey Oswald?

Mr. STUCKEY. Yes.

Mr. JENNER. In your own words, taking it from the very first instant of the course of events, perhaps even before you met this man, tell us in your own words, and it doesn't have to be chronological, but the way you would put it out, about it.

Mr. STUCKEY. Fine. As I told you before, as a Latin American columnist and one interested in affairs, I had been looking for some time in New Orleans for representatives of the Fair Play for Cuba Committee. There haven't been any. Most of the organizations that I had contact with in my work—

Mr. JENNER. Excuse me—how did you learn about the Fair Play for Cuba Committee?

Mr. STUCKEY. I was going to get to that.

Mr. JENNER. All right.

Mr. STUCKEY. Most of the organizations that I had contact with were refugee organizations, very violently anti-Castro groups, and there were a number of them in New Orleans. These people were news sources for me also. I used them quite frequently. One day, I think it was in August, the latter part of July of 1963, I was in the bank, and I ran across a refugee friend of mine by the name of Carlos Bringuier. Bringuier told me—

Mr. JENNER. Excuse me—identify Mr. Bringuier.

Mr. STUCKEY. Mr. Bringuier at that time was the New Orleans delegate to the Revolutionary Student Directorate which was an anti-Castro group with headquarters in Miami. He also ran a clothing store called Casa Roca. He was an attorney in Havana before the Revolution, the Cuban Revolution of 1958, and had been very active ever since I had known him in New Orleans in anti-Castro activity. I had interviewed him on a number of occasions in connection with Cuban current events. Mr. Bringuier ran into me in the bank, and I spoke to him and he said that a representative of the Fair Play for Cuba Committee had appeared in New Orleans and that he had had an encounter with him shortly before.

Mr. JENNER. That interested you?

Mr. STUCKEY. Yes, very much, very much, because I knew something of the reputation of this group. I regarded them as being about the leading pro-Castro organization in this country, a propaganda organ for the Castro forces, and I had done a considerable amount of reading of congressional testimony, articles, and this sort of thing about their activities. Mr. Bringuier said he had had an encounter with a young man who was representing the Fair Play for Cuba Committee in New Orleans.

Mr. JENNER. Excuse me—you had known Bringuier and you had had contact with him; had he ever been on your program up to this moment that you speak of?

Mr. STUCKEY. No; he had never been on my program, but, as a newspaperman, I had contacted him quite frequently for information.

Mr. JENNER. Proceed.

Mr. STUCKEY. He told me that—this is in the bank—a few days before, I don't recall exactly—

Mr. JENNER. This was a chance meeting?

Mr. STUCKEY. This was a chance meeting with Mr. Bringuier. I was cashing my paycheck and Bringuier told me a few days before he had run into this fellow in his store, this Casa Roca—this young man had approached him.

Mr. JENNER. A young man had come in?

Mr. STUCKEY. A young man. At the time he had mentioned no name. If he had, it wouldn't have made any difference to me because the name meant nothing.

He said a young man came in, introduced himself and said he was a veteran of the Marine Corps, he had just gotten out, and that he was very disturbed by this Cuban situation and he wanted to do something about hurting Castro, or trying to change the regime. He, in some way—

Mr. JENNER. This was something this up-to-the-moment unnamed young man had said to Mr. Bringuier?

Mr. STUCKEY. Had said to Mr. Bringuier as Bringuier recounted it to me later. I am telling you Bringuier's story now.

Mr. JENNER. Yes; I wanted to make clear that you were.

Mr. STUCKEY. Right. Now, this young man said somehow he knew Bringuier was connected with the Revolutionary Student Directorate, how, I don't know. But, at any rate, as I said, he offered his services.

Then he presented a Marine Corps Handbook to Bringuier. He said, "This might help you out in your guerrilla activities and such. This is my own personal Marine Corps Handbook", which Bringuier accepted. That was the gist of the conversation. Bringuier told me that sometime after that, I don't recall exactly how long it was, he was walking on Canal Street, the main street of New Orleans, about a block away from his store, and he ran into this young man again. This time he was distributing literature, handbills, and the handbills said, "Hands Off Cuba", and on the handbill it said, "Join the Fair Play for Cuba Committee in New Orleans, Charter Member Branch".

It was this same young man. Bringuier, who was a rather excitable fellow, and he couldn't understand why this fellow was now distributing pro-Castro literature whereas a short time before he had posed as an anti-Castro man. So Bringuier got into a shouting match with him on the street corner, and I think some blows were exchanged, I am not sure.

Mr. JENNER. Bringuier is again telling you this?

Mr. STUCKEY. This is what Bringuier is telling me, because I did not witness

this. At any rate, regardless of what happened, I don't know the exact sequence of events, the police arrived on the scene and took everybody down to the jail. Oswald was booked for disturbing the peace, and I think later fined \$10, and let go. Well, this is what Bringuier told me in the bank.

Mr. JENNER. I may assume up to this moment you had not seen anything in the newspapers on this subject?

Mr. STUCKEY. No; I hadn't. There wouldn't have been anything in the newspaper had it not been in my column, and my column at that time did not exist.

Mr. JENNER. I see.

Mr. STUCKEY. So I mentioned to Bringuier that I was interested in locating this fellow and talking to him. Bringuier gave me his name.

Mr. JENNER. Do you recall that this was the early part of August?

Mr. STUCKEY. Or the latter part of July, I am not really sure. It wasn't—I would say probably the early part of August. It was a Friday. I can tell you that.

Mr. JENNER. It was August 9, 1963.

Mr. STUCKEY. That is quite possible. So I inquired as to the name and the address of this fellow, and telephone, if any, and Bringuier said his name was Lee Oswald, and he lived on Magazine Street, somewhere in the 4000 block, I forget the exact address, and he had no telephone. This was a Friday. My program is on a Saturday.

I decided that early the next morning I would go by this address and ask Oswald if he would appear on my program. So very early, it was about 8 o'clock the following—wait a minute, I am losing some chronology. This was not the next Saturday. Then some time elapsed, and, at any rate, it was August 17 when I went by his house. I forget now exactly why this time did elapse, but it did.

Mr. JENNER. Had he again distributed handbills?

Mr. STUCKEY. To my knowledge; no. He may have. He may have. But, of course, I had no particular interest in it, and the papers were not carrying stories about it, and I, well, just had no contact with him at all.

I did not meet him until August 17, at which time I went by his house on Magazine Street to ask him to appear on my program. This was early in the morning, about 8 o'clock. I went early because I wanted to get him before he left.

Mr. JENNER. This was a Saturday?

Mr. STUCKEY. It is a Saturday. I knocked on the door, and this young fellow came out, without a shirt. He had a pair of Marine Corps fatigue trousers on. I asked him, "Are you Lee Oswald?" And he said, "Yes."

I introduced myself and I told him I would like to have him on my program that night. So he asked me in on the porch. This was a screened porch, and I had a very brief chat. He said he would ask me inside for some coffee but that his wife and his baby were sleeping so we had better talk on the porch.

Mr. JENNER. Describe this Magazine Street place. Were you able to find it easily?

Mr. STUCKEY. Yes; no problem. It was on the side of the house—or the entrance was on the side.

Mr. JENNER. Was on the side and somewhat back from the front?

Mr. STUCKEY. Yes; it was facing the street; it wasn't facing the side of the property, but it was offset, to the rear.

Mr. JENNER. Frame house?

Mr. STUCKEY. Yes; it was a frame house, as well as I recall.

Mr. JENNER. Yes.

Mr. STUCKEY. So we had a few cursory remarks there about the organization. He showed me his membership card to the Fair Play for Cuba Committee, which was interesting, and it identified him as the secretary of the New Orleans chapter of the Fair Play for Cuba Committee, and it was signed by A. Hidell, president.

Mr. JENNER. Was that president or secretary?

Mr. STUCKEY. President, A. Hidell. He was identified on the card, as I recall, as the secretary.

Mr. JENNER. That is, Oswald?

Mr. STUCKEY. Oswald; yes. It was a card on which there was a handwritten—it said “Mr.” and then a blank, and a handwritten name “Lee Oswald” was in the center of the card. In the lower right-hand corner it was signed by A. Hidell, president.

Mr. JENNER. Was this name familiar to you?

Mr. STUCKEY. No; as a matter of fact, I would like to explain this, that the name meant nothing to me at all, and the name never occurred to me again. I never thought of the name again, until after the assassination when Mr. Henry Wade of Dallas on television on a Sunday, I believe, mentioned that Oswald purchased a rifle from a Chicago mail-order house and had used the name A. Hidell in purchasing the rifle. When he said “A. Hidell” it hit me like, it was like a light bulb over my head, I recalled the name. Otherwise I would never have remembered the name.

Oswald gave me some pieces of literature at this time. There were several—I will mention them if you would like.

Mr. JENNER. I wish you would.

Mr. STUCKEY. There were two speeches by Fidel Castro. One was “The Revolution Must Be a School of Unfettered Thought.” Another was “Bureaucracy and Sectarianism.” There was a pamphlet by Jean Paul Sartre, and this pamphlet was called “Ideology and Revolution.”

There was a pamphlet called “The Crime Against Cuba,” by Corliss Lamont. I believe that is all the literature that he gave me at that time. I got some subsequently to that which, incidentally, Mr. Jenner, I promised you that pamphlet the last time I saw you, and I couldn't find it, but I have since found it, and I brought it up for you. I will give it to you now before I forget.

Mr. JENNER. Yes. I will show you what is marked Garner Exhibit No. 1 and ask you if you recognize the person shown on that photograph.

Mr. STUCKEY. Yes; that is Lee Oswald.

Mr. JENNER. Does it look like him as of the time that you interviewed him on Saturday, August 17?

Mr. STUCKEY. Almost exactly. He was dressed almost in exactly the same way, with a short-sleeved dress shirt, and a tie, and a black looseleaf notebook under his arm which apparently he used as a holder for literature.

Mr. JENNER. I hand you a series of exhibits, Pizzo Exhibits Nos. 453-A, 453-B, and 453-C. Would you examine those and tell me whether your friend, Mr. Bringuier, is shown on any of those photographs?

Mr. STUCKEY. He is not there.

Mr. JENNER. You were referring to Pizzo Exhibit No. 453-A; he is not on that one?

Mr. STUCKEY. No. Pizzo Exhibit 453-C is of Oswald alone.

Mr. JENNER. Pizzo Exhibit 453-C is a picture of Oswald?

Mr. STUCKEY. Yes. Pizzo Exhibit 453-B is also Oswald, but Bringuier is not in the picture.

Mr. JENNER. All right. We will mark the pamphlet you have brought with you, which is entitled “The Cuban ‘Episode’ and the American Press: April 9-23, 1961” as Stuckey Exhibit No. 1.

(The pamphlet was marked Stuckey Exhibit No. 1 for identification.)

Mr. JENNER. Handing you Stuckey Exhibit No. 1, being a 15-page pamphlet—I guess it is 16 including the back cover—is that one of the pamphlets that he handed to you and exhibited to you on August 17 and Saturday morning when you interviewed him in his home?

Mr. STUCKEY. No; this is not one. I received this pamphlet that night when he showed up at the radio station.

Mr. JENNER. We will go into it later on, but I think for purposes of identification, was it a pamphlet that he gave you?

Mr. STUCKEY. Yes; he gave it to me.

Mr. JENNER. Prior to the radio broadcast you are about to describe?

Mr. STUCKEY. Immediately prior to that. Incidentally, I requested all the literature that he had.

Mr. JENNER. You did?

Mr. STUCKEY. Yes; and he gave me everything he could find that morning

which were the four or five pieces I have already described. Then at night he says, "Look, I found this also", and he brought this.

Mr. JENNER. Meaning Stuckey Exhibit No. 1?

Mr. STUCKEY. Stuckey Exhibit No. 1.

Mr. JENNER. I offer Stuckey Exhibit No. 1 in evidence. All right, we had you still on Saturday morning talking with him at his home on Magazine Street.

Mr. STUCKEY. Right. We discussed literature, his literature, the pieces of information I have already described. He showed me the Fair Play for Cuba Committee membership card. I asked him about the membership of this organization, and he said there were quite a few, quite a few members. The figure 12 or 13 sticks in my head. I don't really recall why now. There were that many officers or something like that, 12 or 13 people he mentioned that he was responsible to, or active workers, something like that, although I guess I shouldn't mention it until I have a more coherent idea of why he used that.

Mr. JENNER. Just give your best recollection of what he said on that occasion.

Mr. STUCKEY. Right. Also as I recall, he was very vehement, insisting he was not the president, but was the secretary, and that was the occasion in which he pulled out his card showing that he was the secretary, not the president, and this other gentleman, Hidell, was the president.

Mr. JENNER. Did that strike you in any special way that he was apparently careful to point out to you that he was secretary instead of president?

Mr. STUCKEY. No; it made no impression on me, none whatsoever. It seemed logical. He appeared to be a very logical, intelligent fellow, and the only strange thing about him was his organization. This was, seemed, incongruous to me that a group of this type—or he should associate with a group of this type, because he did not seem the type at all, or at least what I have in my mind as the type.

I would like to mention this. I was arrested by his cleancutness. I didn't expect this at all. I expected a folk-singer type, something of that kind, somebody with a beard and sandals, and he said—I found this fellow, instead I found this fellow who was neat and clean, watched himself pretty well.

Mr. JENNER. You mean he watched his—

Mr. STUCKEY. He seemed to be very conscious about all of his words, all of his movements, sort of very deliberate. He was very deliberate with his words, and struck me as being rather articulate. He was the type of person you would say would inspire confidence. This was the incongruity that struck me, the fact that this type of person should be with this organization. That is the gist of the first meeting.

I asked him to meet me at the radio station that afternoon about 5 o'clock for the interview, and he agreed.

Mr. JENNER. This was to be an interview preliminary to a broadcast?

Mr. STUCKEY. Well, this was to be a recorded interview prior to the broadcast.

Mr. JENNER. Why would you do that?

Mr. STUCKEY. To avoid the possibility of errors. It is a risky business going on live. You know, you never know when you are going to slip up and, particularly, with somebody as controversial as a representative of the Fair Play for Cuba Committee you want to know what you have in hand before you put it on.

During that day I thought quite a bit about Oswald before he arrived at the station for the interview, and I was interested in his articulateness and in discussing this organization, so I had decided during the day that instead of just interviewing him for 5 minutes, which was the length of my program, that I would just let him talk as long as he wanted to.

Mr. JENNER. In the private interview with you?

Mr. STUCKEY. Yes; but record it.

Mr. JENNER. Yes; of course.

Mr. STUCKEY. Yes. And then I thought after doing that I could take some excerpts out for a 5-minute program, and then ask the management at the station if they would be interested in running the whole thing in toto as a demonstration of the line of this organization. So this was the decision I made before the broadcast.

I drew up a lengthy list of questions, and then I met him that afternoon about 5 o'clock at the studios of WDSU, 520 Royal Street, New Orleans.

Mr. JENNER. That is in the French Quarter, is it not?

Mr. STUCKEY. In the French Quarter. He was dressed exactly as he is shown in this picture.

Mr. JENNER. Garner Exhibit No. 1.

Mr. STUCKEY. Which is Exhibit No. 1, short-sleeved dress shirt with a tie, a black looseleaf notebook under his arm. There were no preliminary remarks particularly. We just went immediately into the studio. It was at this point that he gave me this pamphlet.

Mr. JENNER. Stuckey Exhibit No. 1.

Mr. STUCKEY. Yes.

Mr. JENNER. Is that correct?

Mr. STUCKEY. That is correct. And we were seated—this conversation was witnessed or listened to by an engineer in WDSU by the name of Al Campin.

Mr. JENNER. Was that prearranged?

Mr. STUCKEY. Well, you have to have an engineer to record it.

Mr. JENNER. I see.

Mr. STUCKEY. He just happened to be there operating the equipment, but he was, I mean he was, there, as a witness, and was greatly interested in it, because like me he hadn't run across too many of these birds, and we were curious to see how they thought and why.

So at that time then we began a long rambling recorded interview which lasted 37 minutes, covered a wide range of subjects.

Naturally, a lot of the subjects had to do with Cuba. We discussed the problem of the refugees leaving Cuba, we discussed as to whether or not Castro was an independent ruler of an independent nation or whether he was merely the head of a colony which was the line that I took.

Mr. JENNER. Head of a colony?

Mr. STUCKEY. Yes; a Russian colony, Cuba. This was the line that I took in this questioning.

We discussed the economic situation in Cuba, as to what had happened to the economy since Castro took over. We discussed a few abstracts. I asked him the definition of "democracy," which was interesting to me.

Mr. JENNER. Do you have a transcript of that interview?

Mr. STUCKEY. I do.

Mr. JENNER. Have you brought one with you?

Mr. STUCKEY. Yes.

Mr. JENNER. May I have it, please?

Mr. STUCKEY. Incidentally, I have a letter here that you may or may not be interested in. Father Clancy is the chairman of the political science department at Loyola University in New Orleans. I sent him this transcript as a Catholic and as a political science man just to see what his opinion was, and he went much stronger than I ever did after reading that, but the last paragraph, I thought, was interesting, and I thought you might be interested in reading the letter.

Mr. JENNER. The witness has furnished me a 13-page document on light-weight, green-tinted paper. The first page is entitled "Transcript of Taped Interview Between William K. Stuckey and Lee Harvey Oswald, August 17, 1963," and the last page of which, the last three lines of which, read:

"STUCKEY: Tonight we have been talking with Lee H. Oswald, secretary of The Fair Play for Cuba Committee, New Orleans," et cetera. "(Standard close,)"

I wonder if you would be good enough, Mr. Stuckey, to initial each of these 13 pages. We will mark this as Stuckey Exhibit No. 2. I suggest you put your initials at the bottom.

(The document was marked Stuckey Exhibit No. 2 for identification.)

Mr. JENNER. The witness has now placed his initials at the foot of each of the 13 pages of the transcript.

When and how was this document prepared, Stuckey Exhibit No. 2?

Mr. STUCKEY. I typed it.

Mr. JENNER. You typed it as you were listening to your tape?

Mr. STUCKEY. Yes.

Mr. JENNER. You have also brought with you the actual original tape of this interview?

Mr. STUCKEY. Yes.

Mr. JENNER. That is the radio tape?

Mr. STUCKEY. Yes.

Mr. JENNER. And this 13-page document is a literal transcription or translation of that tape?

Mr. STUCKEY. Yes; there are some errors, but they are very, very small errors, largely typographical errors.

Mr. JENNER. Prepared by you?

Mr. STUCKEY. Yes.

Mr. JENNER. Would you look at the 13-page document, and if there are any errors other than obvious typographical errors which you would like to draw to our attention, I wish you would do it. You were going to look through it and see if there were—

Mr. STUCKEY. I can tell you in advance there are no errors in fact, and no deletions, with the exception of this last paragraph which I abbreviated by saying "standard close." All that was, was I would have been talking with Lee Harvey Oswald—"This is Bill Stuckey, Latin Listening Post. Good night"—that is all that was, no facts at all.

Mr. JENNER. The words ("standard close") appearing on the last line of page 13 is a shorthand way of your designating your customary signoff?

Mr. STUCKEY. Yes; correct.

Mr. JENNER. All right. I offer in evidence Stuckey Exhibit No. 2.

Mr. STUCKEY. I was going to refer to this definition of "democracy" that he gave.

Mr. JENNER. Yes.

Mr. STUCKEY. Are you interested in it?

Mr. JENNER. Yes.

Mr. STUCKEY. This is interesting to me for a number of reasons, not just the meaning but how adept this fellow was at taking a question, any question, and distorting it for his own purposes, saying what he wanted to say while making you think that he was answering your question. He was expert in dialectics.

"STUCKEY: What's your definition of democracy?"

Mr. JENNER. You are reading from Stuckey Exhibit No. 2 now?

Mr. STUCKEY. Correct.

"OSWALD: My definition—well, the definition of democracy—that's a very good one. That's a very controversial viewpoint. You know, it used to be very clear, but now it is not. You know, when our forefathers drew up the Constitution they considered that democracy was creating an atmosphere of freedom of discussion, of argument, of finding the truth; these rights, well, the classic rights of having life, liberty, and pursuit of happiness. In Latin America they have none of those rights, none of them at all, and that is my definition of democracy, the right to be in a minority and not to be suppressed; the right to see for yourself without government restrictions such countries as Cuba, and we are restricted from going to Cuba."

The question was, "What is your definition of democracy?", and we discussed the passport ban as part of the definition.

Mr. JENNER. In other words, he did not respond to your question?

Mr. STUCKEY. No; except obliquely to make the point.

Mr. JENNER. Did you find that he did that—it will appear, of course, in that transcript—

Mr. STUCKEY. Constantly throughout the interview.

Mr. JENNER. In your discussions with him he parried your questions by not answering them.

Mr. STUCKEY. He would—his general attack would be "I am glad you asked that question, it is very good," and then he would proceed to talk about what he wanted to talk about, and completely ignore your questions on occasions. So there were at least half a dozen examples of that.

Mr. JENNER. In the transcript which you have furnished?

Mr. STUCKEY. Yes.

Mr. JENNER. Did you supply a copy of that transcript to anyone else prior to your bringing Stuckey Exhibit No. 2 today?

Mr. STUCKEY. Yes; I did.

Mr. JENNER. To whom?

Mr. STUCKEY. To the Federal Bureau of Investigation.

Mr. JENNER. When you were interviewed by the FBI you supplied the FBI with a transcript?

Mr. STUCKEY. No; as a matter of fact I gave the tape to the FBI the Monday following the interview, which would have been August 20, 1963. I told them I thought it was very interesting, and if they would like to have a transcript they could copy it, which they did. They made a copy and then they gave me a copy of their transcript, and returned the tape to me.

Mr. JENNER. But Stuckey Exhibit No. 2 is the one that you prepared?

Mr. STUCKEY. Correct.

Mr. JENNER. And not one that the FBI prepared.

Mr. STUCKEY. Correct.

Mr. JENNER. All right.

This was on Saturday afternoon. Were you scheduled to go on the air that evening?

Mr. STUCKEY. Yes; my broadcast time is 7:30. I met him about 5, about two and a half hours in advance.

Mr. JENNER. Had you contemplated that the broadcast that evening would be a discourse only between you and Lee Harvey Oswald?

Mr. STUCKEY. Yes.

Mr. JENNER. Is that the way it developed?

Mr. STUCKEY. That is the way it developed.

Mr. JENNER. What was the nature of that broadcast? I should say to you we have from—what is the radio station?

Mr. STUCKEY. WDSU.

Mr. JENNER. From WDSU we have obtained a copy of that tape.

Mr. STUCKEY. Now, you mean of this tape?

Mr. JENNER. No.

Mr. STUCKEY. Because I don't think they have a copy of that tape.

Mr. JENNER. No; the broadcast that evening I am talking about.

Mr. STUCKEY. Is that right? They located it?

Mr. JENNER. Yes.

Mr. STUCKEY. Because I tried to find a copy of that mainly to take it off the market and never did locate it. I couldn't find it. This must be a recent development.

Mr. JENNER. Yes; but despite that would you tell us about that broadcast?

Mr. STUCKEY. Yes.

As I said, this was a 37-minute, rambling interview between Oswald and myself, and following the interview, first we played it back to hear it. He was satisfied.

Mr. JENNER. That is, you played back the tape of which Exhibit No. 2 is a transcript?

Mr. STUCKEY. Correct; Oswald was satisfied. I think he thought he had scored quite a coup.

Then I went back over it in his presence and with the engineer's help excerpted a couple of the remarks by Oswald in this. I forget now what the excerpts were. It has been so long ago. I think we had his definition of democracy because that, in particular, struck me, and we had a couple of his comments in which he said Castro was a free and independent leader of a free and independent state, and the rest of it, as I recall, was largely my summarizing of the other principal points of the 37-minute interview, and it was broadcast on schedule that night.

Mr. JENNER. You had watered it down in length to how many minutes?

Mr. STUCKEY. Five minutes.

Mr. JENNER. Five minutes?

Mr. STUCKEY. Actually 4½.

Mr. JENNER. So you took the portions of your 37-minute interview, which

we now have a transcript of, which is Exhibit No. 2, and boiled that down to 4½ minutes?

Mr. STUCKEY. Correct.

Mr. JENNER. And that was a radio broadcast?

Mr. STUCKEY. Yes.

Mr. JENNER. That evening. All right. Was that your last contact with Mr. Oswald?

Mr. STUCKEY. No; it was not.

Mr. JENNER. Following the broadcast did you have any further conversation with him, that evening?

Mr. STUCKEY. That evening; no. The only thing that did transpire was I told him that I was going to talk to the news director to see if the news director was interested in running the entire 37-minute tape later, and I told him to get in touch with me, Oswald to get in touch with me Monday, and I would let him know what the news director said, and that was all the conversation we had that night, and he went his way.

I did just that the next Monday, I called the news director and asked him if he had heard the tape, and he said no. I asked him if he was interested in running it. I told him I thought it was pretty interesting, and he said, for some reason, he thought that it would be more spectacular a little bit—there would be more public interest if we did not run this tape at all, but instead arrange a second program, a debate panel show, with some local anti-Communists on there to refute some of his arguments, which I did. Which I did—I arranged a debate show for a regular radio feature that WDSU has called "Conversation Carte Blanche." This is a 25-minute public affairs program that runs daily. It is almost always interviews of people in the news locally or this sort of thing.

I was in charge of arranging the panel, so I picked Mr. Edward S. Butler.

Mr. JENNER. Tell us who he is.

Mr. STUCKEY. He is the Executive Director of the Information Council of the Americas in New Orleans.

Mr. JENNER. What is that organization?

Mr. STUCKEY. It is an anti-Communist propaganda organization. Their principal activity is to take tape-recorded interviews with Cuban refugees or refugees from Iron Curtain countries, and distribute these tapes which are naturally, it goes without saying, these tapes are very strongly anti-Communist, and they distribute these tapes to radio stations throughout Latin America. As I recall, they came to have over 100 stations using these tapes regularly.

Well, Mr. Butler is a friend of mine. I knew him as a columnist, and it just seemed like—

Mr. JENNER. He was an articulate and knowledgeable man in this area to which he directs his attention?

Mr. STUCKEY. Yes; so I asked him to be one of the panelists on the show, which he accepted, and, incidentally, I let him hear the 37-minute tape in advance; and for the other panelist I asked Mr. Binguier, Mr. Carlos Binguier, that we mentioned earlier, as being the man who led me to Oswald—I asked him to appear on the show to give it a little Cuban flavor.

And then Oswald called me after it was arranged, and I told him we were going to arrange the show and would he be interested, and he said, yes, indeed, and then he said, "How many of you am I going to have to fight?" That was his version of saying how many are on the panel.

Mr. JENNER. He said this to you?

Mr. STUCKEY. Yes; in a jocular way.

Mr. JENNER. Where did this take place, on the telephone?

Mr. STUCKEY. On the telephone; yes.

This was Monday or Tuesday, the 19th or the 20th of August, whenever it was that I had informed him of the show.

Mr. JENNER. Had he called you?

Mr. STUCKEY. Yes; I gave him my office number so he called me at a pre-arranged time. He was very punctual, very punctual. He was always there on time, all those calls came on time. So I informed him about this debate show and he agreed. He said he thought that would be interesting.

Then the next time I see him is on the afternoon of August 21, Wednesday. I believe this was about 5:30.

Mr. JENNER. Was this to be a preliminary session also?

Mr. STUCKEY. Yes—well, no; this was to be a live program. The Conversation Carte Blanche panel show is not to be prerecorded as the other one was.

Mr. JENNER. I appreciate that, but I was just talking about your meeting with him on Wednesday afternoon, the 21st, at 5:30. The program went on at what time?

Mr. STUCKEY. At 6:05.

Mr. JENNER. I see. It was not long before the program.

Mr. STUCKEY. No.

Mr. JENNER. It was not a preliminary interview such as you had had, which is transcribed as Stuckey Exhibit No. 2?

Mr. STUCKEY. No; there were some comments of which I will tell you later.

Mr. JENNER. All right.

Mr. STUCKEY. I would like to add this, this is very interesting, and gave a little bit of spice to this encounter. During that day, Wednesday, August 21, one of my news sources called me up and said, "I hear you are going to have Oswald on Carte Blanche." I said, "Yes, that is right." He said, "We have some information about Mr. Oswald, the fact that he lived in Russia for 3 years."

He had omitted reference to this in the 37-minute previous interview, and in all of our conversations.

Mr. JENNER. He had never mentioned that subject prior to that?

Mr. STUCKEY. As a matter of fact, he gives an account of his background in here.

Mr. JENNER. In Stuckey Exhibit No. 2?

Mr. STUCKEY. Right; in which he completely omits this. Would you like me to read it?

Mr. JENNER. Yes; you have turned to a particular page?

Mr. STUCKEY. Yes; I will be reading from this. Here is my question. "STUCKEY:"—

Mr. JENNER. Maybe we can identify the page.

Mr. STUCKEY. This will be page 11.

Mr. JENNER. Page 11 of Stuckey Exhibit No. 2.

Mr. STUCKEY. My question was:

"Mr. Oswald, I am curious about your personal background. If you could tell something about where you came from, your education and your career to date, it would be interesting.

"OSWALD:"—this is his reply—"I would be very happy to. I was born in New Orleans in 1939. For a short length of time during my childhood I lived in Texas and New York. During my junior high school days I attended Beauregard Junior High School. I attended that school for 2 years. Then I went to Warren Eastern High School, and I attended that school for over a year. Then my family and I moved to Texas where we have many relatives, and I continued my schooling there. I entered the United States Marine Corps in 1956. I spent 3 years in the United States Marine Corps working my way up through the ranks to the position of buck sergeant, and I served honorably having been discharged. Then I went back to work in Texas and have recently arrived in New Orleans with my family, with my wife and my child."

There is his answer. He omits the 3 years in Russia by saying that, referring to the fact that, after leaving the Marine Corps he says he went to Texas and then to New Orleans. You will note in there he lied about his rank he achieved in the Marine Corps. Why, I don't know. As far as I know he was just a Pfc.

Mr. JENNER. He never rose any higher.

Mr. STUCKEY. And, as I recall, he did not go to Warren Eastern High School over a year.

Mr. JENNER. You have become aware he attended Beauregard only 1 year rather than 2?

Mr. STUCKEY. Yes.

Mr. JENNER. That he attended Warren Eastern about 6 weeks or 2 months.

Mr. STUCKEY. That was my impression. I mention this because with this in mind, this is why it was so interesting to me to find out on that day, August 21, that he had lied to me, that he had, in fact, lived in Russia for 3 years, and had just recently returned, and this individual who called me and gave me this information gave me dates of Washington newspaper clippings that I could check, which were stories about his leaving for Russia, or rather his appearance in Moscow in 1959.

Mr. JENNER. Now, this information came to you between the time of your interview transcribed as Stuckey Exhibit No. 2 and the 21st of August when you were about to put on your debate program, the discussion program?

Mr. STUCKEY. That is correct.

Mr. JENNER. Did this come to you sufficiently in advance to enable you to do some checking vis-a-vis newspaper or articles?

Mr. STUCKEY. Yes.

Mr. JENNER. And was he unaware when he came in at 5:30 on the afternoon of Wednesday that you had done this, had received this information and had done some research?

Mr. STUCKEY. He was unaware of that fact. During that day Mr. Butler called, after I had already been tipped off about his Russian residence, Mr. Butler called and said he too had found out the same thing, I think later; his source apparently was the House Un-American Activities Committee or something like that.

At any rate, we thought this was very interesting and we agreed together to produce this information on the program that night.

Mr. JENNER. You were going to face him on the program with this?

Mr. STUCKEY. Unawareness.

Mr. JENNER. You thought it might be a bombshell and be unaware to him.

Mr. STUCKEY. Exactly.

Mr. JENNER. All right.

Mr. STUCKEY. And we decided it would be me who would do it as the introducing participant.

So at about 5:30 that afternoon I arrived at the studio alone. Oswald appeared, and in a very heavy gray flannel suit, and this is August in New Orleans, it is extremely hot, that he appears in a very heavy gray flannel suit, very bulky, badly cut suit, and looking very hot and uncomfortable. He had a blue shirt on and a dark tie, and a black looseleaf notebook.

Mr. JENNER. The same one he had had before?

Mr. STUCKEY. As far as I know. We shook hands, passed a few pleasantries, nothing much of importance.

Mr. JENNER. Were the others present?

Mr. STUCKEY. No; they arrived a little bit later. Oswald was there first, as usual on time, and then Mr. Butler came in with Mr. Bringuier. Both looked as if they had pounds and pounds of literature with them, and statistics.

Mr. JENNER. Did Bringuier and Oswald recognize each other?

Mr. STUCKEY. Oh, yes.

Mr. JENNER. And it was apparent to you they were acquainted?

Mr. STUCKEY. Oh, yes; indeed.

Mr. JENNER. And that Oswald was acquainted with Bringuier and vice versa?

Mr. STUCKEY. Right.

Mr. JENNER. Had Oswald met Mr. Butler before?

Mr. STUCKEY. I don't know if he had or not. It was my impression that he had not, but I think he knew who he was. Oswald asked me something about the organization, and I told him, I said, "Well, it is just like your organization; it is a propaganda outfit, just on the other side of the fence," and that satisfied his curiosity.

I think he immediately kissed it off as a hopeless rightest organization, "You can't reason with those people," that approach.

So it was a somewhat touchy exchange there between Bringuier and Oswald in the studio. Bringuier, as well as I recall, started out with a remark like this, saying, "You know, I thought you were a very nice boy. You really made a good impression on me when I first met you." Referring to Oswald's visit to Bringuier in the store when Oswald was posing as an anti-Castro enthusiast,

and Bringuier said, "I cannot understand how you have let yourself become entangled with this group."

He said, "I don't think you know what you are doing."

Oswald said something to the effect that, "I don't think you know what you are doing," and back and forth such as this. Bringuier said, "Anytime you want to get out of your organization and join mine there is a place for you," and he says, "I hope one day you will see the light."

And again Oswald says, "I hope you see the light," and that was about all there was to that.

Butler didn't say anything to him particularly. It was just pleasantries, "How do you do," and such.

Mr. JENNER. How old a man is Butler?

Mr. STUCKEY. Butler is in his late twenties, he is 29 or 30.

Mr. JENNER. Is he an educated man?

Mr. STUCKEY. College, as far as I know. He is advertising, public relations man before he went into the propaganda business, and that was about the extent of the exchanges prior to the broadcast.

Then I left to go back to the newsroom, which was a different room from the room where we were sitting, to get Bill Slatter, who is the official moderator of the program, and we came back and picked up our participants and went into the broadcast room.

As I recall, in opening the show Bill Slatter said that myself and he would be talking to three other people. In other words, I was not considered a panelist, but there were two station people and three panel people. This was the way it was explained, and Slatter turned the program over to me after a very brief introduction and description of Oswald and a brief capsule of his background in New Orleans to date, and then he turned the show over to me, and I gave a several-minute description of the organization, Mr. Oswald and his activities in New Orleans up to that time, and then I pulled the Russian thing on him.

I did mention—I think I did it this way, I said:

"Mr. Oswald, in the previous interview, gave me a description of his background. He told me this and that and this and that, but he omitted some information, to the best of my knowledge," and I mentioned that that day some newspaper clippings had come to my attention about his residence in Russia, and I said, "Is this true, Mr. Oswald?"; and Oswald said, "Yes."

Mr. JENNER. Would you mark what I hand you, Mr. Reporter, as Stuckey Exhibit No. 3.

(The item was marked Stuckey Exhibit No. 3 for identification.)

Mr. STUCKEY. You may be interested in knowing that the Information Council of the Americas, Mr. Butler's organization, has since made a record out of this debate, and just released it about 2 weeks ago, called "Self-Portrait in Red."

Mr. JENNER. I am going to hand you, to refresh your recollection, if it needs refreshing, a 10-page document which I have marked for purposes of identification only as Stuckey Exhibit No. 3. Each of these pages bears the figure 236 in red ink at the bottom. It is also known here as, that is, around here, as Commission Document No. 87B. The pages are numbered at the top 1 through 10, inclusive. It purports to be a transcript of a tape recording of your broadcast of the evening about which you speak, a debate on August 21, 1963.

We have obtained from the radio station, WDSU, a duplicate of the tape itself. Would you take a look at this transcript and perhaps, if you will run through it, tell us whether it is, to your recollection, a transcript of your program that night?

Mr. STUCKEY. I would like to say this about this transcript. I think it is very unfair. These people have put in all of Oswald's hesitations, his "er's," and that sort of thing. I notice when the AP ran an account of this after the assassination they had done all of this on Oswald. They were apparently trying to make him look stupid. Everybody else was using the "er's," but they didn't put those in.

Mr. JENNER. I will say it is a transcript—your attention is drawn to the fact that the hesitations of Oswald are included, but the hesitations of, let us say, even yourself and the other participants, are not.

Mr. STUCKEY. Are not.

Mr. JENNER. And in that sense it is in some measure a distortion of the actual tape.

Mr. STUCKEY. A slight distortion. I think it is an unfair thing.

Mr. JENNER. Well, we have the actual tape so the hesitations will appear, and what I was using this primarily for is to afford you an opportunity, if you wish to use it, to refresh your recollection of this program.

What were some of the things that you now recall that struck you about this dissertation?

Mr. STUCKEY. Well, of course, the principal thing that came out on that program, aside from the Russian residence, the most striking thing was his admission that he was a Marxist. We asked him if he was a Communist—we were always doing this—he was very clever about avoiding the question. He would usually say, "As I said before, I belong to no other organization other than the Fair Play for Cuba Committee."

So we asked him this question, of course, and he gave us that answer, and I asked, "Are you a Marxist?"; and he said, "Yes."

Otherwise, it was—the program was largely speeches by Bringuier and Butler, and Oswald did not have a chance to ramble much or to talk much as he had earlier, and most of his answers are rather short.

Mr. JENNER. Did you get into a discussion of democracy and communism and Marxism and then the distinctions?

Mr. STUCKEY. Yes, yes.

Mr. JENNER. The distinctions between them?

Mr. STUCKEY. A brief discussion. We asked him, I say "we," I mean Mr. Butler asked him the difference between being a Marxist and being a Communist, and this was a typical oblique Oswald answer. He says, "It is the same difference between Ghana and Guinea, and even in Great Britain they have socialized medicine," and that is about the extent of the answer.

Mr. JENNER. What impression did you have as to this man's deep or fundamental appreciation of Marxism, democracy, communism, fascism, socialism, as the case might be?

Mr. STUCKEY. It was my impression he had done a great deal of reading.

Mr. JENNER. Did you have an impression that his knowledge—that he was, if I may use this expression, that he had a superficial knowledge as distinguished from a close study with a critical leader or teacher pointing out to him the fundamental distinctions between these systems?

Mr. STUCKEY. It would be difficult to say. It was apparent he was acquainted with a wide body of facts and he knew appropriate words and such from historical points concerning the development of Marxism.

Mr. JENNER. You see I am seeking your impression at the time and not one that you have formed since.

Mr. STUCKEY. Yes; right. Well, I had not run across many Marxists in my time, and I guess this was about the first professional Marxist I had run across, and he impressed me as knowing something about the subject. But again it was difficult to appraise the full measure of his learning because of his oblique way of answering questions and dodging questions whenever he did not want to speak about a particular point. I would hesitate to say whether it was superficial or not. I just don't know that much about it.

Mr. JENNER. Give me your impression of his demeanor.

Mr. STUCKEY. Confident.

Mr. JENNER. Confident, self-assured?

Mr. STUCKEY. Self-assured, logical.

Mr. JENNER. Able to handle questions?

Mr. STUCKEY. Very well qualified to handle questions, articulate. There was a little bit of a woodenness in his voice at times, and a little stiff. This was another impression of mine about Oswald, his academic manner. If he could use a six-syllable word—

Mr. JENNER. You mean demeanor?

Mr. STUCKEY. Demeanor; yes. If he could use a six-syllable word instead of a two-syllable word, he would do so. Now that characteristic in itself would not tend to make it that his learning was superficial.

Mr. JENNER. Did you have the impression he searched for the multisyllable word?

Mr. STUCKEY. Yes, yes; as I say, he would prefer that. I don't know why—of course, this is all hindsight, but it occurred to me he would be the type of man who would not use the word, say, "murder," when he could use something a little more formal like "act of violence," this sort of thing. It was, as a matter of fact, his manner was sort of quasi-legal. It was almost as if he had—as if he were a young attorney. He seemed to be very well acquainted with the legal terminology dealing with constitutional rights.

Mr. JENNER. Did this discussion become heated?

Mr. STUCKEY. Yes; it did. It got rather heated. Mr. Butler, in particular, more or less took the offensive, and attempted to trip him up a few times on questions, questions about the nature of Marxism and of the nature of the Castro regime and this sort of thing, and Mr. Oswald handled himself very well, as usual. I think that we finished him on that program. I think that after that program the Fair Play for Cuba Committee, if there ever was one in New Orleans, had no future there, because we had publicly linked the Fair Play for Cuba Committee with a fellow who had lived in Russia for 3 years and who was an admitted Marxist.

The interesting thing, or rather the danger involved, was the fact that Oswald seemed like such a nice, bright boy and was extremely believable before this. We thought the fellow could probably get quite a few members if he was really indeed serious about getting members. We figured after this broadcast of August 21, why, that was no longer possible.

Mr. JENNER. The broadcast ran approximately how long?

Mr. STUCKEY. Twenty-five minutes.

Mr. JENNER. And after the broadcast broke up was that the last of your contacts with Oswald?

Mr. STUCKEY. No; it wasn't. The others left, and Oswald looked a little dejected, and I said, "Well, let's go out and have a beer," and he says, "All right." So we left the studio and went to a bar called Comeaux's Bar. It is about a half-block from the studio and this was the first time that his manner kind of changed from the quasi-legal position, and he relaxed a little bit. This was the first time I ever saw him relaxed and off of his guard. We had about an hour's conversation, 45 minutes to an hour, maybe a little more, maybe a little less, and, by the way, I mentioned his suit being rather gawky cut, and he told me afterward the suit was purchased in Russia, and they didn't know much about making clothes over there. Would you like me to tell you about the conversation?

Mr. JENNER. Yes; I would.

Mr. STUCKEY. We covered a number of points because I was relaxed, as far as I was concerned professionally I had no other occasion to contact Oswald. He was off the spot. So we just had a little conversation. During that conversation he told me that he was reading at that time about Indonesian communism, and that he was reading everything he could get his hands on. He offered an opinion about Sukarno, that he was not really a Communist, that he was merely an opportunist who was using the Communists.

We had a discussion about alcohol. I noticed he wasn't doing very good with his beer, and it was a hot night, and he made a reference to that. He said, "Well, you see, I am not used to drinking beer. I am a vodka drinker." And he said, "My father-in-law taught me how to drink vodka," and then he proceeded to tell me that his father-in-law, who was the father of his wife Marina, was a Russian Army colonel, and mentioned that as an army colonel he earned quite a bit more money than Oswald was earning in Russia. Oswald told me at that time he was making about 80 rubles a month as a factory worker, whereas his father-in-law, the Colonel, was making something like 300 rubles a month, so he could afford all the vodka he wanted, and he says that is who taught him to drink vodka. May I refresh my memory—

Mr. JENNER. Yes.

Mr. STUCKEY. With some notes?

Mr. JENNER. Yes. You have mentioned Marina for the first time when you cited her a moment ago. Had he mentioned her prior to that time?

Mr. STUCKEY. Not by name. He only referred to her as "my wife."

Mr. JENNER. Had he identified her as to her origin here or in Russia?

Mr. STUCKEY. Yes; this was afterward. Naturally when we brought up this business about the Russian residence, he mentioned she was a Russian girl and spoke no English. He said that was the way he wanted it because it gave him an opportunity to keep up his Russian. He wanted to keep his Russian up, and so they spoke nothing but Russian in the home.

Mr. JENNER. Did he say anything about having any family?

Mr. STUCKEY. He mentioned a wife and child. Now on the first broadcast on Saturday the 17th he mentioned, you will recall, in that brief digest of his background, he said he had been in the Marine Corps and then had left and gone to Texas and had recently arrived in New Orleans with his wife and his child. So in that case he mentioned that he did have a daughter and a wife. I see something I have omitted about the first meeting I had with him on the morning of August 17th.

Mr. JENNER. All right.

Mr. STUCKEY. At his home.

Mr. JENNER. Tell us about that.

Mr. STUCKEY. He told me at that time he was working as an assistant to a commercial photographer in New Orleans.

Mr. JENNER. You made no check on that?

Mr. STUCKEY. No; I didn't check him out.

Mr. JENNER. You were not then aware of the fact that, the fact was that he was not an assistant to a commercial photographer.

Mr. STUCKEY. No; I was not aware of that.

Mr. JENNER. Did he tell you where he was working?

Mr. STUCKEY. No.

Mr. JENNER. You were not aware, therefore, at that time he was at that time an oiler or a greaser at the Reily Coffee Co.

Mr. STUCKEY. Is that correct?

Mr. JENNER. He was out of work at that time, but he had been.

Mr. STUCKEY. I never could figure out why he referred to the trade of photography. Had he been involved in photography?

Mr. JENNER. When he was in Dallas prior to his coming to New Orleans in the spring of 1963, he had been an apprentice with a company, Jaggars-Chiles-Stovall, a commercial advertising photographing company that produced advertising materials, mats, and photographs, and that sort of thing. He worked in the darkroom. He had very limited experience.

Mr. STUCKEY. That apparently is what he was referring to.

Mr. JENNER. Yes.

Mr. STUCKEY. Here is some additional information if you would like me to bring this out.

Mr. JENNER. Yes; go ahead.

Mr. STUCKEY. I am going to the conversation after the broadcast of the 21st, this is with Oswald and me at Comeaux's Bar. I asked him at that time how he became interested in Marxism and he said that there are many books on the subject in any public library. I asked him if he, if his family was an influence on him in any way. He says, "No," and he kind of looked a little amused. He said, "No," he says, "They are pretty much typical New Orleans types," and that was about all he said.

Mr. JENNER. Did he mention his mother?

Mr. STUCKEY. No; he didn't. As a matter of fact, when we referred to his family, all his references were in the plural, and it was my impression that he had a mother and a father, sisters, aunts, uncles and everybody, because the general impression was that there were a number of people in the family. I was surprised to find out that it wasn't true, later.

Mr. JENNER. Well, he had relatives in New Orleans, the Murret family.

Mr. STUCKEY. I see.

Mr. JENNER. Mrs. Murret is—Marguerite Oswald, that is his mother—that was her sister.

Mr. STUCKEY. He told me that he had begun to read Marx and Engels at the age of 15, but he said the conclusive thing that made him decide that Marxism

was the answer was his service in Japan. He said living conditions over there convinced him something was wrong with the system, and that possibly Marxism was the answer. He said it was in Japan that he made up his mind to go to Russia and see for himself how a revolutionary society operates, a Marxist society.

Mr. JENNER. He thought that Russia was a Marxist society?

Mr. STUCKEY. Yes.

Mr. JENNER. Did you question or discuss with him whether he found that the system in Russia was a Marxist society or whether it was—

Mr. STUCKEY. Yes; he wasn't very pleased apparently with some of the aspects of Russian political life. Particularly in the factories he said that a lot of the attitudes and this sort of thing was the same sort of attitude that you would find in an American factory. There was a lot of dead-heading, as we say in Louisiana. I don't know what your expression is.

Mr. JENNER. Goldbricking.

Mr. STUCKEY. Goldbricking. The boss' relatives on the payrolls at nice salaries.

Mr. JENNER. Nepotism.

Mr. STUCKEY. Nepotism, this sort of thing. Anybody with any authority at all would just use it to death to get everybody extra privileges that they could, and a lot of dishonesty, padding of production figures and this sort of thing. He said he wasn't very impressed.

Mr. JENNER. Were you curious as to why he had come back to the United States and did you, if you were curious, discuss that subject with him?

Mr. STUCKEY. I don't believe I did. As a matter of fact, I wasn't curious at the time. We just accepted the fact that he had. In hindsight we should have asked a lot of questions about him.

Mr. JENNER. The newspaper material that you had read, there was, was there not, something about his dishonorable discharge from the Marines?

Mr. STUCKEY. No; I don't recall any reference to that in the newspapers. Incidentally, Oswald had told me and had produced a discharge card that he was honorably discharged from the Marine Corps. He produced a card showing this.

Mr. JENNER. When had he done that?

Mr. STUCKEY. This was the night of the 17th at the radio station. Why he did this I don't know. I forget what the circumstances were. I recognized the card because, after all, I was a marine myself and I had one exactly like it.

Mr. JENNER. Did you, in the *tete-a-tete* in Comeaux's Bar discuss with him his attempt, when in Russia, to renounce his American citizenship?

Mr. STUCKEY. No; we didn't, because that was alluded to in the broadcast and, as far as I was concerned, it was satisfactorily answered.

Mr. JENNER. He does respond—you say, and I am now turning to the document identified as Stuckey Exhibit No. 3, a transcript of that radio debate—in your preliminary remarks you advert to the fact that you had sought an independent source, Washington newspaper clippings—you advert to the fact that Mr. Oswald, and I am reading, "Mr. Oswald had attempted to renounce his American citizenship in 1959 and become a Soviet citizen.

"There was another clipping dated 1952 saying Mr. Oswald had returned from the Soviet Union with his wife and child after having lived there 3 years. Mr. Oswald, are these correct?" And he responds, "That is correct." I might say for the record that the date 1952 is the date that appears in this transcript, but the fact is that it was 1962. That was either a slip of the tongue or it is a typographical error, is that correct?

Mr. STUCKEY. I think so.

Mr. JENNER. But in this informal conversation following the broadcast you did not pursue these subjects?

Mr. STUCKEY. Not those. We discussed other subjects. He made another observation about life in Russia. He said things were extremely bland, homogenized.

Mr. JENNER. Did he elaborate on that?

Mr. STUCKEY. Yes; I thought it was interesting.

Mr. JENNER. Tell us about that, please.

Mr. STUCKEY. He said that nobody—everybody seems to be almost alike in Russia because, after all, they had eliminated a lot of the dissenting elements in Russian society and had achieved fairly homogenous blend of population as a result.

Mr. JENNER. That was an observation on his part, was it, of an aspect of Russian society that disappointed him?

Mr. STUCKEY. I don't know. I don't recall him expressing an opinion as to whether he was disappointed by that. It was a comment. His tone was slightly acid as if he did not like it, but again this is my impression. He did say this which was interesting, he said that they wouldn't allow any Fair Play for Cuba Committees in Russia.

Mr. JENNER. He did?

Mr. STUCKEY. Yes; he said they just would not because it is the type of organization that Russian society would just suppress.

Mr. JENNER. Russian society?

Mr. STUCKEY. The Russian authorities would suppress.

Mr. JENNER. Russian authorities suppress any militant organization of this character.

Mr. STUCKEY. Exactly.

Mr. JENNER. Whether it was Fair Play for Cuba or anything else that is militant in the sense of being openly critical of the Russian society and Russian politics?

Mr. STUCKEY. Correct.

Mr. JENNER. Did he observe on that subject, did he observe in the sense of his feeling that in America you are permitted within the bounds of the Constitution to enjoy free speech and criticize your Government as distinguished from not being able to do so in Russia?

Mr. STUCKEY. He didn't add anything other than what I have already said, but the implication was that we can do that here. "After all, you know here I have this organization and I am doing this. They probably would not let me do a similar thing in Russia," and this was his tone.

Mr. JENNER. Do you have any impression as to his regard or judgment with respect to the government in which he was, whose privileges he was then exercising?

Mr. STUCKEY. No; he had given lip service a time or two to the fact that he considered himself a loyal American. He was constantly referring to rights, constitutional rights, and he made some historical references. He illustrated the development of these rights in America.

Mr. JENNER. Did this informal conversation at Comeaux's Bar go on, you said, for about an hour?

Mr. STUCKEY. Approximately an hour.

Mr. JENNER. Was he comfortable in the sense—was he eager, was he pleased—

Mr. STUCKEY. He was relaxed, he was friendly. He seemed to be relieved it was all over. My impression was he was relieved that he did not have to hide the bit about the Russian residence any more, and that it had been a strain doing so, because his manner was completely different. There wasn't the stiffness or the guarded words and guarded replies. He seemed fairly open, and I have no reason to believe that everything he told me that night was not true. I think it was true.

Mr. JENNER. Was there any difference in his attitude or demeanor with respect to personal self-confidence, for example, in that Saturday interview at his home and your interview with him prior to the Monday night broadcast, taking that as a base, and comparing it with his attitude in Comeaux's Bar after you had revealed the fact that he had been in Russia and had attempted to defect?

Mr. STUCKEY. Well, there wasn't any change. He was pretty consistent in his behavior from the very first time I met him until Comeaux's Bar, so this was the only notable change I observed. The manner was always guarded, even from the very first when he came out on his porch on August 17 in his dungarees, his manner was guarded.

Mr. JENNER. Was it guarded in Comeaux's?

Mr. STUCKEY. No; it was not.

Mr. JENNER. This was much more relaxed?

Mr. STUCKEY. Considerably.

Mr. JENNER. Following that tete-a-tete in Comeaux's Bar for about an hour, did you ever see Oswald after that?

Mr. STUCKEY. That was the last time I ever saw him.

Mr. JENNER. When was the next time you heard of Oswald?

Mr. STUCKEY. On November 22, 1963.

Mr. JENNER. What was that occasion?

Mr. STUCKEY. The assassination of President Kennedy.

Mr. JENNER. How was it raised, what brought it to your attention?

Mr. STUCKEY. I was watching a TV news broadcast at the time, and they had a bulletin in which they said a suspect had been arrested in the assassination, and they mentioned Lee Harvey Oswald, and I fell to the ground practically; I was surprised.

Mr. JENNER. Was there a video tape?

Mr. STUCKEY. Yes. Following the debate show of August 21, Bill Slatter, the radio announcer, decided that some news had been made that night on the show, so he took Oswald back to the studio to repeat some of the statements he had made on the radio show for video tape. And they interviewed Oswald for quite a while, I would say for 5 minutes. But I understand that that night they only ran a brief excerpt of that tape, and the rest of it they threw away.

Mr. JENNER. The station has supplied us with what tape they did not throw away, the video tape.

Mr. STUCKEY. They are not throwing away anything at that station any more, by the way, now.

Mr. JENNER. I suppose not. Without speculation on your part, if you have a recollection, do you recall whether he was right handed or left handed?

Mr. STUCKEY. I don't recall. I don't believe that he ever had the opportunity to use his hand in such a way you could identify it. I never saw him writing.

Mr. JENNER. At least you never noticed it one way or the other?

Mr. STUCKEY. No.

Mr. JENNER. Did he smoke?

Mr. STUCKEY. No; he did not smoke. Again, this was part of my—of the impression of him that struck me. He seemed like somebody that took very good care of himself, very prudent, temperate, that sort of person. It was my impression Oswald regarded himself as living in a world of intellectual inferiors.

Mr. JENNER. Please elaborate on that. And on what do you base that, please?

Mr. STUCKEY. Well, I base a lot of this on the conversation that we had in Comeaux's Bar. After all, I had paid some attention to Oswald, nobody else had particularly, and he seemed to enjoy talking with somebody he didn't regard as a stupid person, and it was my impression he thought that everybody else he had come in contact with was rather cloddish, and got the impression that he thought that he had—his philosophy, the way he felt about things, all this sort of thing, most people just could not understand this, and only an intelligent or educated person could. I don't mean to say that there was any arrogance in his manner. There was just—well, you can spot intelligence, or at least I can, I think, and this was a man who was intelligent, who was aware that he was intelligent, and who would like to have an opportunity to express his intelligence—that was my impression.

Mr. JENNER. What impression did you obtain of this man with respect to his volatility, that is, did you get any impression that he was quick to anger?

Mr. STUCKEY. No; very well-disciplined, as a matter of fact. After all, he had been provoked on several occasions that afternoon by Bringuier and Butler on the show.

Mr. JENNER. Or that evening.

Mr. STUCKEY. That evening; yes. And, of course, Bringuier's attempt to convert him to the cause of Revolutionary Students Directorate was presented in a rather biting way, and Oswald just took it, and just more or less told him that he wasn't interested, whereas other people might have gotten a little mad. After all, you have to recognize that Oswald—they were ganging up on him. There were a bunch of us around there. There were three people who disagreed

with him, and he was only one man, and the fact that he kept his composure with this type of environment indicates discipline.

Mr. JENNER. That is right. Now, I show you a Pizzo Exhibit No. 453-A. Do you see Mr. Oswald shown on that exhibit?

Mr. STUCKEY. Yes.

Mr. JENNER. Is there a mark or something over his head?

Mr. STUCKEY. Yes; there is a green cross of some sort.

Mr. JENNER. All right. There is a man to his left, there is an arrow, a vertical arrow, over that man's head. Do you recognize that person?

Mr. STUCKEY. No.

Mr. JENNER. Far to the left, the most extreme left, of the picture is another man with dark glasses on. He has a green vertical stripe over his head. Do you recognize him?

Mr. STUCKEY. No.

Mr. JENNER. Now, to the left of the man with the vertical arrow above his head is a tall rather husky young fellow whose back is turned. Do you, by any chance, recognize him?

Mr. STUCKEY. This one?

Mr. JENNER. Yes.

Mr. STUCKEY. No.

Mr. JENNER. I will ask you the general question do you recognize anybody depicted on Pizzo Exhibit No. 453-A other than Oswald?

Mr. STUCKEY. Oswald is the only person I recognize in that picture.

Mr. JENNER. I show you Pizzo Exhibit No. 453-B. Do you recognize Oswald on that picture?

Mr. STUCKEY. Yes; he has the green mark above his head.

Mr. JENNER. That is the vertical mark and it is the only mark on that photograph, is it not?

Mr. STUCKEY. That is correct.

Mr. JENNER. Directing your attention to the group of men on that photograph in which Oswald is a part although his back is to the group, do you recognize any of those men shown on that photograph?

Mr. STUCKEY. No; I recognize nobody.

Mr. JENNER. And to the right side of the girl there are some ladies. Do you recognize any of them?

Mr. STUCKEY. I was just looking over that. One of them looks vaguely familiar, but—no; I would have to say. No; I don't know the women.

Mr. JENNER. Do you recognize the vicinity or place shown?

Mr. STUCKEY. Yes; that is the front of the International Trade Mart Building on Common and Camp Streets in New Orleans.

Mr. JENNER. If I may have that tape so I can put an exhibit number on it—

Mr. STUCKEY. Do you want to take it now rather than go through all the letter-writing proceedings?

Mr. JENNER. I am not going to take it, but I am going to mark it and give it back to you. I don't want to have possession of it. I just want to look to see—

Mr. STUCKEY. Would it be easier for the Commission if it were made into a record rather than a tape? I have a record that I have made, my own personal record.

Mr. JENNER. I will inquire about that. It possibly might be better. You mean a platter, a disc?

Mr. STUCKEY. A platter, a disc.

Mr. JENNER. I suppose a tape is easier to preserve. A hundred years from now this tape would be just as true as it is today, that is assuming it is kept under good conditions, whereas a platter might deteriorate.

Mr. STUCKEY. That is true.

Mr. JENNER. So I think we had better have the tape.

Mr. STUCKEY. The disc would start decomposing after about the 25th time you played them, and also they get scratched and such. But one thing is you can't erase a record and you can erase a tape. That is the kind of nightmares you have with a tape. I was afraid to have a copy made of that thing for a

long time just out of fear somebody might make a mistake and it would be erased.

Mr. JENNER. You have insured against that by your disk, a platter?

Mr. STUCKEY. That is correct.

Mr. JENNER. Mr. Stuckey, was a recording made on audio tape of the 37-minute interview that you had with Mr. Oswald on Monday, the 17th of August?

Mr. STUCKEY. Yes; I have made one record which is strictly for my own use.

Mr. JENNER. You say you made it?

Mr. STUCKEY. Yes.

Mr. JENNER. I take it it was made for you by somebody?

Mr. STUCKEY. It was made for me by Cosimo's Recording Studio in New Orleans.

Mr. JENNER. From what source was the tape made by the commercial company you have named?

Mr. STUCKEY. From——

Mr. JENNER. What was used to make the tape? Did you have a tape and you made a copy of the tape?

Mr. STUCKEY. No; they took my original tape and from that they made the disc.

Mr. JENNER. I see. We are a little confused here. You have an audio tape of the 37-minute interview, do you?

Mr. STUCKEY. Yes; I do.

Mr. JENNER. And you also have a wax disk?

Mr. STUCKEY. That is correct.

Mr. JENNER. It is the wax disk which is the disk recording from the original tape?

Mr. STUCKEY. That is correct.

Mr. JENNER. And it is the wax disk that was made by the commercial people you have named?

Mr. STUCKEY. True.

Mr. JENNER. What I am getting at, Mr. Stuckey, was an audio tape transcript made of your interview with him on the 17th of August 1963?

Mr. STUCKEY. Yes.

Mr. JENNER. Who made the original tape?

Mr. STUCKEY. The original tape was made by WDSU radio in the studios of WDSU, and the engineer doing the taping was Mr. Al Campin.

Mr. JENNER. Do you know what happened to that original tape?

Mr. STUCKEY. Yes; I have it; it is in my possession.

Mr. JENNER. Did you bring it with you today?

Mr. STUCKEY. No; this is a copy which you have in your hand.

Mr. JENNER. Did you bring a copy of that tape, which is Stuckey Exhibit No. 4?

Mr. STUCKEY. That is correct?

Mr. JENNER. From what source did you obtain the original tape?

Mr. STUCKEY. From WDSU. When the management of WDSU decided not to run that tape but instead to have the debate, the second show, then they gave me the tape.

Mr. JENNER. What is now marked as Stuckey Exhibit No. 4 is a reproduction on tape of the original tape?

Mr. STUCKEY. That is correct.

Mr. JENNER. Who made the reproduction which is Stuckey Exhibit No. 4?

Mr. STUCKEY. Cosimo's Recording Studio.

Mr. JENNER. Where are they located? Do you happen offhand to recall the address?

Mr. STUCKEY. It is on Governor Nichol's Street in the 500 block.

Mr. JENNER. Would you tell us the full name of that company?

Mr. STUCKEY. Yes; Cosimo's Recording Studio, I believe it is.

Mr. JENNER. Did you have more than one tape reproduction made of that?

Mr. STUCKEY. Yes; I have had—how many do I have? I have two copies and the record in addition to the original tape, so there are four pieces of, four items involved.

Mr. JENNER. You will recall, Mr. Stuckey, that you were good enough when I was in New Orleans to take me over to the radio station, what is the name of it again?

Mr. STUCKEY. WDSU.

Mr. JENNER. WDSU, and there was played in my presence and in my hearing a tape transcript of your 37-minute interview with Oswald on the 17th of August 1963. Is the tape which I have in my hand, marked Stuckey Exhibit No. 4, the tape that was played that evening in my presence?

Mr. STUCKEY. It is.

Mr. JENNER. And it is in the same condition now as it was at the time I heard it?

Mr. STUCKEY. Exactly.

Mr. JENNER. It is in the same condition now as it was when it was prepared by Cosimo's?

Mr. STUCKEY. Correct.

Mr. JENNER. Subject to my understanding with you that you will receive a communication from Mr. Rankin respecting the preservation of this tape against commercial use, I offer Stuckey Exhibit No. 4 in evidence. I am going to return the tape to you so that there will be no question in your mind but what, in the meantime, until you do receive Mr. Rankin's letter, that the tape has been in your possession, and no one has made, surreptitiously or otherwise by accident or any fashion, a copy of it.

Mr. STUCKEY. Very good.

Mr. JENNER. I think I will state for the record, Mr. Reporter, that in an off-the-record discussion with Mr. Stuckey respecting the audio tape of the interview of August 17, 1963, Stuckey Exhibit No. 4, Mr. Stuckey has agreed that he will supply or return, let us say, Exhibit No. 4 to us upon his receipt of a communication from Mr. Rankin, as counsel for the Commission, that the tape when redelivered to us and becomes part of the record of the Commission, will not be subjected to use for any commercial purpose and reproduction.

Mr. STUCKEY. I would like to ask for one qualification.

Mr. JENNER. All right.

Mr. STUCKEY. I would like my attorney to read over the letter before—

Mr. JENNER. Of course.

Mr. STUCKEY. Before sending you the tape, and in case we suggest possibly some changes—

Mr. JENNER. I think that is wise. Since I am returning the tape to you, why, I am sure you won't send it back unless your counsel is satisfied that you are reasonably protected, because we appreciate the fact that this is personal property and that it has some commercial value to you and, frankly, we would be a little bit surprised if you were not concerned about preserving that.

I think that is all. Is there anything that you would like to add, that you think might be helpful to the Commission in its investigation of the assassination of President John Fitzgerald Kennedy?

Mr. STUCKEY. I think we have covered just about everything.

Mr. JENNER. All right.

Mr. STUCKEY. Certainly all the hard facts.

Mr. JENNER. What is that?

Mr. STUCKEY. I say certainly all the hard facts. The rest is just a lot of speculation and such.

Mr. JENNER. One other thing. Give Bringuier's physical description, describe Bringuier physically to me, please.

Mr. STUCKEY. Describe Oswald?

Mr. JENNER. No; Bringuier.

Mr. STUCKEY. He is about 5 feet 10 inches. He is not particularly dark-skinned, although his hair is black, his eyes are brown. He has the beginnings of a paunch, although his build is generally rather slender; he wears glasses, smokes cigars. I can't think of a thing else.

Mr. JENNER. OK. I guess that is about it.

AFFIDAVIT OF HORACE ELROY TWIFORD

The following affidavit was executed by Horace Elroy Twiford on July 11, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Harris, ss:

I, Horace Elroy Twiford, 7018 Schley Street, Houston, Texas, being duly sworn say:

1. I have been a resident of Houston since May, 1956, and I am a merchant seaman. I am a member of the Socialist Labor Party.

2. The first time I ever heard of Lee Harvey Oswald was in July 1963, when The Headquarters of the Socialist Labor Party in New York wrote me that Oswald had requested literature. The New York Headquarters usually furnishes me with the names of any persons in the Texas area who make inquiries about the Socialist Labor Party. I then routinely mailed Oswald literature concerning the Socialist Labor Party to a box number in Dallas appearing on Twiford Exhibit No. 1. I had my return address on the envelope containing the material I sent to Oswald.

3. Twiford Exhibit No. 1 is the envelope which Oswald sent to the Socialist Labor Party in New York, and which they in turn sent to me.

4. The handwritten note across the front of this envelope, containing the words "Labor Day issue WP, 9/11/63" is in my handwriting and indicates that I mailed to Oswald on September 11, 1963, the Labor Day issue of the "Weekly People." I do not recall if this was the first time I sent him material.

5. I recollect having flown home to visit my wife on September 27, 1963, from New Orleans, Louisiana, where the S.S. Del Monte, the ship upon which I was working, was docked. Either at this time or on October 1, when the S.S. Del Monte reached Houston, my wife told me that a L. H. Oswald had called and asked for me during the week. My wife had written his name and the words "Fair Play for Cuba Committee" on a piece of paper in order to mention the telephone call.

6. I recollect that my wife told me that this telephone call had taken place during the week preceding my visit home. I had been home on the previous weekend, and neither at that time nor prior thereto had my wife said anything about a telephone call from Oswald.

7. I have never seen nor heard from Lee Harvey Oswald.

Signed this 11th day of July 1964.

(S) Horace Elroy Twiford,
HORACE ELROY TWIFORD.

AFFIDAVIT OF MRS. ESTELLE TWIFORD

The following affidavit was executed by Mrs. Estelle Twiford on July 2, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Harris, ss:

I, Mrs. Estelle Twiford, 7018 Schley Street, Houston, Texas, being duly sworn say:

1. I am the wife of Horace Elroy Twiford.

2. In late September of 1963, Lee Harvey Oswald telephoned my house and asked to speak to my husband. I told him that my husband was at sea. Oswald inquired as to how my husband had his address. He also said that he had hoped to discuss ideas with my husband for a few hours before he flew down to Mexico. He said he only had a few hours. I assume he was calling from

the Houston area since he did not, to my knowledge, place a long distance call. However, he did not specifically say that he was in Houston. I have no information concerning his whereabouts when this call was placed. I told him if he desired to correspond with my husband, he could direct a letter to 7018 Schley Street, Houston, Texas, and I would see that my husband received it.

3. I cannot recall the date of the call, but I think it occurred during the week prior to the weekend my husband flew home to visit me from New Orleans where his ship was docked. I recall, my husband had shipped out the weekend prior to the call.

4. I cannot recall the exact time he called, but I think that it was in the evening, sometime between 7:00 and 10:00 o'clock. I was not working during this period.

5. I wrote down on a slip of paper that Oswald had called and that he mentioned he was a member of the Fair Play for Cuba Committee. I did this in order to remember to tell my husband about the call. I told my husband about the call on the weekend he visited me. I have initialed and released note made of telephone call. (To Secret Service.)

6. Oswald did not state what he was going to Mexico for, nor did he state how long he would be there.

7. Other than the above mentioned telephone call, I have never had any contact with Lee Harvey Oswald.

8. I am not a member of the Socialist Labor Party.

Signed this 2d day of July 1964.

(S) Mrs. Estelle Twiford,
Mrs. ESTELLE TWIFORD.

TESTIMONY OF VIRGINIA H. JAMES

The testimony of Virginia H. James was taken at 2:15 p.m., on June 17, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. William T. Coleman, Jr., and W. David Slawson, assistant counsel of the President's Commission. Thomas Ehrlich, Special Assistant to the Legal Adviser, Department of State, was present.

Mr. COLEMAN. Miss James, would you state your name for the record?

Miss JAMES. Virginia H. James.

Mr. COLEMAN. Do you mind raising your right hand?

Do you solemnly swear the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Miss JAMES. I do.

Mr. COLEMAN. Miss James, as you know, you are the International Relations Officer, Office of Soviet Affairs, in the Department of State. You will be asked to testify about your actions with respect to Oswald concerning his attempt to return to the United States commencing in 1961, and his attempt to secure a visa for his wife, Marina.

You will also be questioned concerning your actions in connection with obtaining a waiver of Section 243(g) of the Immigration and Nationality Act for Marina, and what part, if any, you had in getting the Bureau of Immigration and Naturalization to reverse its initial decision to refuse such waiver. And I will also ask you a few questions on whether you have any knowledge concerning actions taken by the Department in 1959 when Oswald first attempted to renounce his American citizenship. Would you state for the record your present address?

Miss JAMES. 2501 Q Street NW.

Mr. COLEMAN. Are you presently employed by the Federal Government?

Miss JAMES. I am employed by the Department of State in the Office of Soviet Union Affairs.

Mr. COLEMAN. What is your official title?

Miss JAMES. International Relations Officer.

Mr. COLEMAN. Did you occupy that position from 1959 through to date?

Miss JAMES. I did ; and do still.

Mr. COLEMAN. I have shown you, and I take it you are generally familiar with, the resolution of Congress which was adopted by Congress in connection with this Commission.

Miss JAMES. Yes.

Mr. COLEMAN. To the best of your present knowledge, Miss James, could you tell me the first time you heard the name Oswald?

Miss JAMES. When I read a copy of the telegram from the American Embassy at Moscow, dated, as I recall, October 30, 1959, saying that Oswald had called at the Embassy and had attempted to renounce his American citizenship.

Mr. COLEMAN. Would you accept my suggestion if I told you that that telegram was dated October 31 rather than the 30th?

Miss JAMES. Yes.

Mr. COLEMAN. Why did you receive, obtain or see a copy of the telegram?

Miss JAMES. To begin with, it is my function in the Department of State in the Office of Soviet Union Affairs, to handle matters relating to visas, issuance of visas and passport matters from the political angle only.

Mr. COLEMAN. For what area?

Miss JAMES. For the Office of Soviet Union Affairs, and it is part of our responsibility to know what goes on in the American Embassy in Moscow, and to see how it is handled in order that we can continue our function of advising, helping and assisting so it is routine for our office to get a copy of all these telegrams. Practically every telegram that goes back and forth between the Embassy in Moscow and the Department, both ways, comes through our office.

Mr. COLEMAN. What did you do after you received the telegram, or saw a copy of the telegram?

Miss JAMES. I think we took no action at that time. We read it with a great deal of interest, as we do all of this type of case of a potential defector, and a person who is an American citizen who is renouncing American citizenship is very unusual. I don't recall any action except that I know it was a source, I mean the subject of unhappy conversation in the office, to see this man carrying on this type of action.

Mr. COLEMAN. You knew, didn't you, that within 2 or 3 days after the telegram was received, that the State Department sent a reply to the Embassy?

Miss JAMES. I must have seen it. I notice from the file copy I cleared it, but I don't remember that exact telegram.

Mr. COLEMAN. I show you Commission Exhibit No. 916, which is a copy of the telegram.

Miss JAMES. I recall this.

Mr. COLEMAN. You do recall it?

Miss JAMES. I do.

Mr. COLEMAN. Do you recall clearing the text of it?

Miss JAMES. I can't recall clearing the text of it, but I am perfectly sure that it was a natural thing for me to clear the text.

Mr. COLEMAN. They normally would clear it with your office?

Miss JAMES. Yes.

Mr. COLEMAN. And so, therefore, when it is recorded in the lower left-hand corner that it had been cleared with you, you have no doubt of the accuracy of that statement?

Miss JAMES. I have no reason to doubt.

Mr. COLEMAN. The accuracy of that statement?

Miss JAMES. Because we, the Office of Soviet Union Affairs, try to get all offices in the Department to clear everything that is going to Moscow.

Mr. COLEMAN. After clearing the telegram, what was the next time that you had anything to do with the name Oswald, to the best of your knowledge?

Miss JAMES. As I recall, we had a copy of the report that came in from the Embassy telling more in detail about his appearance at the Embassy, and I also read it in the Washington papers.

Mr. COLEMAN. Could we mark as James Exhibit No. 1, and I show you—a reference sheet from Bernice Waterman to EE:SOV, Virginia James, under date of November 25, 1959, and I ask you do you remember seeing that reference sheet?

(The document referred to was marked James Exhibit No. 1 for identification.)

Miss JAMES. Yes; I remember seeing it in this form [pointing to document in the file].

Mr. COLEMAN. That [James Exhibit No. 1] is a photostatic copy?

Miss JAMES. Yes; I mean the yellow [copy in the file] I recall.

Mr. COLEMAN. Do you know why you asked them to send you a copy of the telegram of November 2?

Miss JAMES. Again, it is in accordance with my continuing responsibility to follow these cases of visa and passport matters, and the only way we can be informed is to have all the incoming and outgoing correspondence.

Mr. COLEMAN. After you received that document which has been marked as James Exhibit No. 1, did you receive other material from Miss Waterman in connection with Oswald during the period November 2, 1959, to July 1961?

Miss JAMES. I don't recall having received anything from Miss Waterman, but I am sure that we would have had copies of anything coming back and forth, back from the Embassy on the case which we would have read.

Mr. COLEMAN. So, therefore, you would say that you or someone in your office should have received in the normal course every Embassy Despatch dealing with Oswald that went to the Department of State?

Miss JAMES. Routine. In fact, it would have been out of order if we hadn't gotten it.

Mr. COLEMAN. Did you early in December 1959 draft a letter for Mr. Davis' signature to Mr. Snyder dealing with the general question of how he should handle people who want to renounce their citizenship in the Soviet Union?

Miss JAMES. May I ask is that the letter in which we tried to give him helpful advice in handling cases of people who tried to renounce?

Mr. COLEMAN. Yes.

Miss JAMES. Yes; and, as I recall—if it is the letter I think—it included several paragraphs that had been contributed by Mr. Hickey in the Passport Office. I am not sure that is the one. I would like to see it, please.

Mr. COLEMAN. I show you a photostatic copy of a letter which has already been marked Commission Exhibit No. 915. It is from Nathaniel Davis to Richard E. Snyder, and it is under date of December 10, 1959, and it is State Department File Document No. XIII-40. I ask you whether you drafted that letter.

Miss JAMES. As I recall, I did. I am sure I did, in fact.

Mr. COLEMAN. You were replying to Mr. Snyder's letter to Mr. Boster, under date of October 28, 1959, which has already been marked as Commission Exhibit No. 914, is that correct?

Miss James. As I read this letter, it didn't refer specifically to the Oswald case.

Mr. COLEMAN. That is because the Oswald case hadn't yet occurred.

Miss JAMES. Yes; I mean the effect of renouncing. I mean it had no relation; yes. He had called that in. Yes; I remember that. This isn't the one, though. You just handed me one by Mr. Snyder to Mr. Davis.

Mr. COLEMAN. Yes.

Miss JAMES. Now, you asked me if I drafted it. I did draft it.

Mr. COLEMAN. Miss James, I take it that after you drafted the letter of December 10, Commission Exhibit No. 915, that from that time until some time in July 1961 that you had no knowledge of any actions with respect to Oswald.

Miss JAMES. As I recall, I did not, unless, as I say, there had been something in from Moscow in the ordinary routine way it would have gone across my desk.

Mr. COLEMAN. On July 11, 1961, or shortly thereafter, perhaps on July 12, the State Department received a Foreign Service Despatch dated July 11, 1961, from the American Embassy in Moscow, which has already been marked as Commission Exhibit No. 935. I show you a photostatic copy of Commission Exhibit No. 935 and ask you whether you have seen the original or a copy of that document?

Miss JAMES. Yes; I recall this.

Mr. COLEMAN. Now, after you saw that, what did you do?

Miss JAMES. As I recall, at that time, in 1961, through that period there were

several persons in the Soviet Union who attempted or could be placed in the category of defectors. Webster was one, these various people that Mr. Snyder mentioned, and this was a very serious question. We discussed these matters in our office, and so when we saw this, we immediately were interested in it, and the most important thing to our mind was what answer is going to be made to it. So I think I called Miss Waterman and wanted to know what the Passport Office, what action they were going to take on the letter, and told her that SOV was interested and we wanted to clear it, as I recall.

Mr. COLEMAN. Did you speak first to Mr. Boster about it?

Miss JAMES. Yes; I would have talked to Mr. Boster about this. He was interested in it.

Mr. COLEMAN. Who is he?

Miss JAMES. He was officer in charge of our office at that time.

Mr. COLEMAN. Was he your superior?

Miss JAMES. Yes.

Mr. COLEMAN. What did you tell Miss Waterman?

Miss JAMES. As I recall, I would not have made any policy, any effort to judge what they would do, but I would only say we want to know what action you are going to take. That is the way I recall that I would handle it.

Mr. COLEMAN. Did you say that the Passport Office was the only office of the State Department whose communications to Moscow are not cleared in the SOV?

Miss JAMES. Miss Waterman says I did, and I wouldn't be surprised if I had said it. I know we all felt many times that we would like to have had more of the communications cleared with us, and I have no doubt that I must have said it if she said I did.

Mr. COLEMAN. Do you recall her replying that she had never heard that—

Miss JAMES. Yes; I do remember at one time she said she didn't recall that this was a necessity, that they had to clear everything with us.

Mr. COLEMAN. But she did tell you that she would put a memorandum in the file to show that there was a special interest of the SOV in the reply to the Embassy Despatch of July 11?

Miss JAMES. Yes.

Mr. COLEMAN. What was the special interest of the SOV?

Miss JAMES. Again, it is the same interest I outlined before, which is our responsibility of advising and knowing what is going on in the Embassy in Moscow. We are the political office. We are responsible for the Embassy, and we work together very closely, and we want to be sure that what they send in is answered, how it is answered, and it is our routine way of working to be sure that any despatch is answered, and especially one of this type where we are interested in the case because of the nature of the case.

Mr. COLEMAN. I show you an operations memorandum from the Department of State to the American Embassy in Moscow, dated August 18, 1961, which has already been marked as Commission Exhibit No. 939, and I ask you if you saw a copy of that memorandum at or around the time when it was sent, namely in August 1961?

Miss JAMES. My reply is we should have seen it, but whether we did or not I don't think we did according to this file.

Mr. COLEMAN. You are saying there is nothing on the file which indicates that you got a copy.

Miss JAMES. Nothing on the file that indicates we had it.

Mr. COLEMAN. You said that—

Miss JAMES. But I think we must have known that they made this decision.

Mr. COLEMAN. Did you have anything to do with the making of the decision?

Miss JAMES. No; I don't think I can say we had anything to do with the making of the decision. Those matters are legal decisions, and the Passport Office would make it on the basis of their information.

Mr. COLEMAN. You or your office never called, to the best of your knowledge—

Miss JAMES. To needle them on to make it? No.

Mr. COLEMAN. To make it one way or the other?

Miss JAMES. No.

Mr. COLEMAN. Could you tell me from your file the next document that you looked at after receiving a copy of the Embassy despatch of July 11, 1961?

Miss JAMES. I have some notes I think will help me better than the file which isn't in chronological order. I think it would have been the Embassy report asking for a security advisory opinion on Mrs. Oswald's visa application, which would be August 28, 1961, Commission No. X-26—

Mr. COLEMAN. You mean State Department number.

Miss JAMES. I say, State Department No. X-26(2).

Mr. COLEMAN. Can the record show that the Commission exhibit number on that document is Commission Exhibit No. 944.

Now, you say you received a copy of the August 28, 1961—

Miss JAMES. Yes, sir; I received that.

Mr. COLEMAN. Operations memorandum—

Miss JAMES. Twenty-five.

Mr. COLEMAN. Now, after you received a copy, what did you do?

Miss JAMES. I have no exact remembrance of that, but I can tell you what my practice is. In receiving a document like this, and we have many cases similar, I keep it some place handy, and I will check with the Visa Office and see what they are going to do about it, and are they going to—are they handling it. Then we follow through to see if she is passed by the various security offices. We are aware when these come in that a person has an exit visa. This time it was before the exit visa, I think. Yes—well, we were trying to get this case prepared so it wouldn't be held up in Moscow because of investigations that might be delayed on this side.

Mr. COLEMAN. Why would you do that?

Miss JAMES. Only because it is our regular practice to expedite these matters.

Mr. COLEMAN. Wouldn't that depend upon whether the case was meritorious or not?

Miss JAMES. Yes; but I mean as a general thing we would expedite, hoping it would be expedited until it is turned down. Then if it is turned down, that is the end of it.

Mr. COLEMAN. What you are saying is that SOV just wants to make sure that all the paperwork gets done, that you are really not making the decisions but you don't want any decision held up on the ground that the papers aren't there, but you have no particular interest which way the decision would be made?

Miss JAMES. Yes; we have an interest in that. We know from our policy what we think is good for the U.S. Government, and we would hope that cases are handled in that framework.

Mr. COLEMAN. Would you say that there was a decision in the Oswald case that the best thing for the United States was to get Oswald out of Moscow, Russia, and back to the United States, even if he had renounced his citizenship?

Miss JAMES. I can't go on that because that is a supposition, but on the basis of the case we felt that it was better for the U.S. Government to bring Oswald back.

Mr. COLEMAN. Who made that decision?

Miss JAMES. Again, that is our general policy. When we received this OMV asking for an advisory opinion on Mrs. Oswald's visa application, we already knew that the Passport Office had approved her husband's citizenship.

Mr. COLEMAN. So you say, therefore, that once it was clear that Oswald was still an American citizen, that you felt it was to the interests of the United States?

Miss JAMES. Of the United States?

Mr. COLEMAN. To get him out of Russia?

Miss JAMES. To get him out of the Soviet Union, and also to bring his family.

Mr. COLEMAN. Now, could you look in file No. VIII of the State Department, Document No. 21. Is that a telegram?

Miss JAMES. No; that is a wire.

Mr. COLEMAN. Would you read what it says? Will you describe to whom it is sent and tell me what it means?

Miss JAMES. It says, it is addressed to the American Embassy in Moscow and refers to this request for an advisory opinion—

Mr. COLEMAN. It has typed thereon: SOV, Miss James. You signed it, didn't you?

Miss JAMES. No; this was the Visa Office telegram, and in fact I didn't initial that telegram. It has my name on it, but Mr. Owen initialed it.

Mr. COLEMAN. Does it have your name?

Miss JAMES. It has my name typed on it, but Mr. Owen initialed it.

Mr. COLEMAN. On October 3, 1961, a cable was sent to the Embassy in Moscow having something to do with Oswald. Would you indicate for the record what the cable said?

Miss JAMES. As I understand it, the cable authorized the American Embassy in Moscow to issue a visa to Mrs. Oswald if when she appeared there was nothing against her otherwise derogatory, and the cable also indicated that her membership in the Trade Union would not affect the issuance of a visa, that such membership did not indicate that she was a Communist.

Mr. COLEMAN. Now, the cable or the copy that I have seen indicates that it was typed by you, at least your name appears on it.

Miss JAMES. No; it was drafted by the Visa Office, drafted by V. Smith, typed by initials RLC, signed in the Visa Office by Frank L. Auerbach, and sent to the Soviet Desk, Office of Soviet Union Affairs, for clearance, typed "SOV Miss James" and in parentheses "(in substance)," and I apparently was out that day and it has Mr. Owen's initials on it, and there is another initial which I don't identify, but mine are not on that.

Mr. COLEMAN. But to the best of your recollection you never saw that or had anything to do with it?

Miss JAMES. Never saw that cable, but I was aware that they approved it.

Mr. COLEMAN. Had there been some discussion of the operation memorandum of August 28, 1961, Commission Exhibit No. 944, in your office as to whether Mrs. Marina Oswald was eligible for a nonquota immigrant visa?

Miss JAMES. I don't recall any special detailed discussion, except that this was a case, an unusual case, which we would be interested in following.

Mr. COLEMAN. Were you the one in the office who had the initial contact with the INS, in connection with the waiver of section 243(g)?

Miss JAMES. As I recall, I had no contact with INS at that time. I never remember discussing these cases directly with INS. Our conversations were all with the Visa Office.

Mr. COLEMAN. You dealt directly with the Visa Office?

Miss JAMES. Yes.

Mr. COLEMAN. Is Mr. Crump in your office?

Miss JAMES. I was going to say I dealt with Mr. Crump in the Visa Office at that time.

Mr. COLEMAN. But he is not in your office?

Miss JAMES. No; he was in the Visa Office, now assigned abroad.

Mr. COLEMAN. Did you know that the Visa Office had made a request of INS to get it to, (1) determine whether Mrs. Oswald was eligible to come into the country, and, (2) whether it would waive the section 243(g) provision? I just asked you, Miss James, what you knew. When was the first time you knew that—

Miss JAMES. When Mr. Crump told me that INS had approved the petition of the husband but had not approved the request for waiver of section No. 243(g).

Mr. COLEMAN. Prior to that time, you had nothing to do with the visa request or the section 243(g) waiver?

Miss JAMES. No; I don't recall having anything to do with it.

Mr. COLEMAN. Do you recall—

Miss JAMES. As I recall, it was a surprise to me that it was refused.

Mr. COLEMAN. But you had nothing to do with the first petition?

Miss JAMES. No.

Mr. COLEMAN. You weren't the one that sent the petition from the Department of State to INS?

Miss JAMES. No; that is routine visa work.

Mr. COLEMAN. Do you recall when Mr. Crump informed you that INS had refused to grant the waiver under section 243(g)?

Miss JAMES. I don't recall the date. I do recall his informing me that they had had this information from INS that the petition was approved, but that the section 243 (g) waiver was not approved and, therefore, it looked as though Mrs. Oswald would not be able to come directly to the United States. If she came at all she would have to go via another country that did not have this sanction against it.

Mr. COLEMAN. Could you explain for the record just what the sanction is under section 243 (g) ?

Miss JAMES. Yes; the sanction is that the United States will not issue an immigration visa to a citizen of a country which refuses to accept a deportee from the United States based on the reasoning that if you can't deport to that country, if a person turns out to be an unsatisfactory immigrant, you are stuck with that immigrant.

Mr. COLEMAN. Does that mean that the person cannot come into the United States?

Miss JAMES. No; it means that Mrs. Oswald could have gone to Belgium, France, England, any other country that accepts deportees, and applied for an immigration visa and have been admitted without any question on a section 243 (g) waiver.

Mr. COLEMAN. I have marked as James Exhibit No. 2 a memorandum from Robert I. Owen to John E. Crump, under date of March 16, 1962, and the subject of the memorandum is: "Operation of sanctions imposed by Section 243 (g) of the Immigration and Nationality Act in case of Mrs. Marina N. Oswald."

(The document referred to was marked James Deposition Exhibit No. 2, for identification.)

Mr. COLEMAN. Did you prepare the original of that memorandum.

Miss JAMES. Yes; I prepared it under Mr. Owen's supervision.

Mr. COLEMAN. Do you recall Mr. Owen asking you to prepare it?

Miss JAMES. This was my responsibility, this case, but I had long discussions with Mr. Owen on the case as to how we should proceed with it before I wrote the memorandum.

Mr. COLEMAN. And Mr. Owen told you, "Why don't you draft a memorandum for Mr. Crump explaining to him the situation?"

Miss JAMES. We came to agreement in a talk as to how to handle the case, and I drafted the memorandum which would go to Mr. Crump because he was the officer in the Visa Office handling the case.

Mr. COLEMAN. In the third paragraph of the memorandum it is stated that: "SOV believes it is in the interest of the U.S. to get Lee Harvey Oswald and his family out of the Soviet Union and on their way to this country soon. An unstable character, whose actions are entirely unpredictable, Oswald may well refuse to leave the USSR or subsequently attempt to return there if we should make it impossible for him to be accompanied from Moscow by his wife and child."

Did you draft that?

Miss JAMES. Yes.

Mr. COLEMAN. Was this language that Mr. Owen had discussed with you and told you to put in the memorandum?

Miss JAMES. My way of working is to draft a memorandum in rough draft. I give it to Mr. Owen. He and I—he might well have put in some few words. I don't know just where he would have changed it or whether he did change it. I can't say. It is impossible to say at this time unless I had the original draft, but I know he was in agreement with this.

Mr. COLEMAN. Were you the one that brought up the point that Oswald was an unstable character, or was that something Mr. Owen contributed?

Miss JAMES. I believe the Department—I will say our office was sure that he was an unstable character by the very fact that he had tried to renounce his American citizenship, and then come—by the fact he had tried to renounce his American citizenship, makes him an unstable character to me.

Mr. COLEMAN. Was it your thought that once he got out of Russia and back into the United States, that we wouldn't let him go back again?

Miss JAMES. I think we would have—I would have, based on my work in the office, I would have hoped we would have done everything to keep him from

going back. Whether the passport regulations would have made this possible, I don't know.

Mr. COLEMAN. You never wrote a memorandum to the Passport Office, though?

Miss JAMES. No; that if he applies again, don't let him go back—no; we did not.

Mr. COLEMAN. Why didn't you do that in the light of the fact—

Miss JAMES. Because there was no reason at this time. He was in the Soviet Union trying to get out, and it would not have occurred to me to predict that 5 years from now he might want to go back and we should put a stop on his passport. In fact, I don't ever recall taking such action.

Mr. COLEMAN. After you drafted this memorandum, did you send the telegram to the Embassy which you suggest in the last paragraph should be sent?

Miss JAMES. I did not send any telegram as far as I know. If it had been sent, it would have been sent by the Visa Office on the basis of our recommendation. I would assume if they agreed to this memorandum, they sent it.

Mr. COLEMAN. Was the memorandum which I have marked as James Exhibit No. 2 in any way motivated or written as a result of the telegram dated March 15, 1962, which you received from the Embassy in Moscow, which says: "Please advise when decision on petition in 243(g) waiver Lee Oswald wife may be expected," which I have marked as James Exhibit No. 3 and am showing you a copy of it.

(The document referred to was marked James Exhibit No. 3 for identification.)

Miss JAMES. May I have you repeat that question again, please?

Mr. COLEMAN. I am asking you was the memorandum of March 16, 1962, drafted by you, which we have marked as James Exhibit No. 2, in any way motivated by the telegram from the Embassy dated March 15, which I have marked as James Exhibit No. 3? It came out of State Department file IV-13.

Miss JAMES. My memory is that it was not motivated in entirety, although undoubtedly the telegram brought the case to our attention. As I recall in those days or weeks preceding March 16, I had been in conversation with Mr. Crump and Mr. Owen and I had been discussing the case, and I cannot be sure, but I believe that we would have had this in our mind before the telegram came in. But undoubtedly the telegram would make us expedite the writing of this memorandum.

Mr. COLEMAN. After you wrote the memorandum of March 16, 1961, did you draft the letter which Mr. Crump sent to INS, asking it to reconsider its original decision that it would not waive section 243(g)?

Miss JAMES. May I see a copy of that letter? You asked me if I drafted it?

Mr. COLEMAN. Yes.

Miss JAMES. No; I did not draft it, but I believe some of the reasoning in the letter was based on the memorandum from SOV.

Mr. COLEMAN. Can you tell me who drafted it?

Miss JAMES. Mr. Crump has his initials on the file copy. Again, I didn't clear that outgoing letter. Mr. Owen cleared it.

Mr. COLEMAN. Did you draft a memorandum from Mr. Hale to Mr. Cieplinski, dated March 20, 1962, or did Mr. Crump draft that?

Miss JAMES. Mr. Crump drafted that.

Mr. COLEMAN. March 20, 1962.

Miss JAMES. We have March 23 from Hale to Cieplinski. It was drafted on the 20th, apparently sent on the 23d.

Mr. COLEMAN. I will mark as James Exhibit No. 3-A a memorandum from Mr. Hale to Mr. Cieplinski in re immigrant visa of Mrs. Marina H. Oswald, and ask you whether you have seen a copy of that document.

Miss JAMES. Yes.

Mr. COLEMAN. You got a copy, but you didn't draft it?

Miss JAMES. No; you said, did I see a copy of it, I thought.

Mr. COLEMAN. Yes; and is that the same document that you described as the memorandum dated March 23?

Miss JAMES. Yes.

Mr. COLEMAN. After the memorandum—

Miss JAMES. May I have a moment, please, to read this letter that they sent to the INS?

Mr. COLEMAN. Sure.

Miss JAMES. Which I don't remember seeing before.

Mr. COLEMAN. You didn't draft that letter?

Miss JAMES. No. Thank you.

Mr. COLEMAN. You say you didn't draft that?

Miss JAMES. No; it was drafted in the Visa Office.

Mr. COLEMAN. But you knew that it had gone out, I take it?

Miss JAMES. I received a copy of it, so, therefore, I knew that they had sent this to the head of the Special Consular Administration at that time, SCA.

Mr. COLEMAN. Now after—

Miss JAMES. Special Consular Affairs, I beg your pardon.

Mr. COLEMAN. After that letter was sent out, did you have occasion to call INS, and ask them to find out what the status of the letter was?

Miss JAMES. To the best of my memory I never called INS on this case.

Mr. COLEMAN. My problem is I have a letter here which is from Robinson to Michael Cieplinski, and it says at the bottom: "5-29-62 Miss James SOV called to say she had received letter from Mr. Oswald's mother saying he had written he had no money and was unable to travel."

Miss JAMES. I would have called the Visa Office on that. That doesn't mean I called INS.

Mr. COLEMAN. Oh, I see. All your calls were to the Visa Office?

Miss JAMES. Yes; in fact, I think I am clear that in saying that there is a policy that all approaches to INS are through the Visa Office.

Mr. COLEMAN. I will mark as James Exhibit No. 4 a copy of a letter from Robert H. Robinson to Mr. Michael Cieplinski, dated May 9, 1962, and I ask you whether you have seen a copy of that letter.

(The document referred to was marked James Exhibit No. 4 for identification.)

Miss JAMES. I don't recall having seen it at the time. I do recall reading it in the file prior to my coming to this meeting.

Mr. COLEMAN. Do you recall making the call that they at the bottom said you made?

Miss JAMES. I am sure that I did if Mr. Crump put his initials on it. I don't remember it. I do remember the letter from Mr. Oswald's mother. In fact, I had some telephone calls from her, also.

Mr. COLEMAN. Do you recall receiving a copy of a telegram from the Embassy at Moscow, which telegram is dated May 4, 1962, which I have marked as James Exhibit No. 5?

(The document referred to was marked James Exhibit No. 5 for identification.)

Mr. COLEMAN. Have you seen that telegram?

Miss JAMES. An information copy came to EUR, which is European Bureau, and I am sure that that means that an information copy came on down to the Office of Soviet Union Affairs, and I would have seen it, and that is why I called to inquire about the case.

Mr. COLEMAN. And there is a note on there that on May 8, 1962, you called to inquire about the case and apparently you were told that the waiver had been granted.

Miss JAMES. Yes.

Mr. COLEMAN. Do you know why you made the call?

Miss JAMES. Well, I would have considered, reading it today, that this is an urgent telegram from the Embassy in Moscow wanting some action from the Department, and I would have made the call to try to get done what the Embassy was pleading for, action one way or the other on this case.

Mr. COLEMAN. Did you clear this with anybody else within the office?

Miss JAMES. There is nothing to clear on this, only that I called to find out—I might well have talked to Mr. Owen about this telegram. I am sure he saw it. The general routing is for telegrams to go through the officer in charge to the person who handles the specific subject, but it has been a part of my duty to have called them to—

Mr. COLEMAN. And you say that as a result of getting the telegram from Moscow, that you without consulting with anybody else in the office would call and find out the status?

Miss JAMES. I wouldn't have to have any further instruction on that telegram.

Mr. COLEMAN. I would then like to show you a document which has been marked as Commission—James Exhibit No. 7 which is a telegram to the American Embassy in Moscow, dated May 8, 1962, and ask you whether you sent that telegram.

(The document referred to was marked James Exhibit No. 7 for identification.)

Miss JAMES. That telegram was sent by the Visa Office of the Department, and was apparently cleared by me telephonically and initialed by Mr. Crump as having cleared with me over the telephone.

Mr. COLEMAN. Oh, I see, Mr. Crump is in the Visa Office?

Miss JAMES. Yes; now this gives me a lead to another paper back there, where I said I had not seen it. It had Mr. Owen's initials or some initials, which I couldn't identify.

I now identify those initials as Mr. Crump's initials, and, after that, it said Miss James, in substance. I now realize that he had probably telephoned to me, cleared it in substance, initialed it, sent it up to SOV, and Mr. Owen put his initials on it, and I never had my initials on it for that reason.

Mr. COLEMAN. In other words, you say that this telegram which I have marked as James Exhibit No. 7, was actually drafted by Mr. Crump as a result of Mr. Crump's office finding out that the waiver had been granted?

Miss JAMES. Yes.

Mr. COLEMAN. That they called you, told you what they were going to do, and you said, "Fine," and that is how your name got on the telegram?

Miss JAMES. That is why my name is there and Mr. Crump's initials above it show that he was the officer who cleared it with me.

Mr. COLEMAN. Now, I take it in the document that I have marked as James Exhibit No. 8, which is a telegram dated March 20, 1962, in which the Embassy at Moscow was instructed to "withhold action on Department's OMV 61" because the sanction is being reconsidered. That telegram also was not drafted by you, and the only reason why your name appears on it is that it was cleared with you over the telephone.

(The document referred to was marked James Exhibit No. 8 for identification.)

Miss JAMES. Yes; and, again, although that was cleared, those are my initials, VHJ, that is my initials. It was apparently cleared over the phone telephonically and also sent it up to us and Mr. Owen and I each initialed it, VHJ, and O for Owen.

Mr. COLEMAN. But the fact that your name appeared on the telegrams doesn't mean you wrote them?

Miss JAMES. No; you see, the way the telegrams are in the State Department, that first line says drafted by, and then underneath is clearances, and those offices are clearing offices.

Mr. COLEMAN. And could you identify for me a letter which I have marked James Exhibit No. 6, which is a letter from Michael Cieplinski to Mr. Farrell, dated March 27, 1962. I ask you whether that is a copy of the letter which was sent forward to the Immigration Service asking them to reconsider the waiver?

Miss JAMES. This exhibit is a photostatic copy of the file copy which is in the file I am examining, and it is an exact copy. I did not clear it.

Mr. COLEMAN. As far as you know, that is a copy of the letter?

Miss JAMES. An exact copy; yes. I see the initials are carried through. Everything is exactly the way the file copy is, the Department's file copy.

(Discussion off the record.)

Mr. COLEMAN. I would like to mark as James Exhibit No. 9 a transmittal slip under date of March 16, 1962, and it bears the signature which purports to be Virginia H. James, and I ask you whether that is your signature that appears thereon.

Miss JAMES. Yes.

Mr. COLEMAN. Now, what occasioned your sending this transmittal slip to the American Embassy and the attachment?

Miss JAMES. We wanted the Embassy in Moscow to know what we were doing on the despatches and telegrams that they sent in, and that we were in agreement with their recommendation, that we were making these recom-

mendations to the Visa Office, and this would more or less give them some assurance that their recommendations were in harmony with our thinking. This is the way we work, very closely with the Embassy in Moscow.

When we are in harmony with what they do, we write memos through the Department. We frequently send memos to them so they say, "Well, we have made the right recommendation. The Political Office is supporting us and now we wait for the other offices in the Department."

Mr. COLEMAN. Were you aware, did you know, or did you have anything to do with suggesting to the Embassy that they should try to send Mrs. Marina Oswald into the country by her first going to Brussels?

Miss JAMES. No; except that is a regular procedure that we use, we call it third country procedure. The immigrant can't come directly to the United States. They do go to another country.

Mr. COLEMAN. But you were not the one to suggest it in the Oswald case?

Miss JAMES. No; it is established procedure, though. It would not be unusual for any officer in the Visa Office to think of that.

Mr. COLEMAN. But you didn't suggest it?

Miss JAMES. No; I did not.

Mr. COLEMAN. Now, when Mr. Oswald came into the country—when Oswald left Moscow, I take it you were informed the day he left or the day after he left, and did you receive a copy of the telegram from Moscow to the State Department, dated May 31?

Miss JAMES. Yes; our office received it, SOV.

Mr. COLEMAN. I have marked that as James Exhibit No. 10.

(The document referred to was marked James Exhibit No. 10, for identification.)

Miss JAMES. Yes.

Mr. COLEMAN. And you then, after he got back, drafted a letter to Oswald's mother?

Miss JAMES. Yes.

Mr. COLEMAN. I will mark that as James Exhibit No. 11.

(The document referred to was marked James Exhibit No. 11 for identification.)

Mr. COLEMAN. This is in file IV, a copy of it. I show you a copy of a letter from Robert I. Owen to Mrs. Oswald, under date of June 7, 1962, and ask you whether that is the letter.

Miss JAMES. Yes; I drafted that letter. I recall it.

Mr. COLEMAN. Now, in connection with the Oswald case, was there any instance where you wanted to do one thing but somebody told you no, something else would have to be done?

Miss JAMES. In the Oswald case?

Mr. COLEMAN. Yes.

Miss JAMES. We worked in harmony on these cases. The Visa Office is very well—harmonize with SOV policy on these cases. There is no bickering or unpleasantness or somebody pulling one way or the other. We seem to go along with them. Every time one comes up they go along in the regular way based upon established policy.

Mr. COLEMAN. There was no instance where you said, "I think that this ought to be done" and somebody said, "I don't care what you think, this is the way it should be done."

Miss JAMES. No.

Mr. COLEMAN. In all these cases you discussed the problem with the Visa Office and you reached a mutual agreement. You never had a dispute?

Miss JAMES. I recall no such feeling or reactions.

Mr. COLEMAN. You had indicated earlier, Miss James, that there was a general policy in your office to see that husbands and wives were not separated. Would you want to describe for the record just what that policy was?

Miss JAMES. May I go back historically?

Mr. COLEMAN. Yes.

Miss JAMES. Since the time we first recognized the Soviet Union, we have had these cases of separated families, spouses, husbands and wives and children and other relatives who by some reason or another, mostly because of the opera-

tion of Communist policy, have become separated from their American citizen families. And from the time we first recognized the Soviets, this has been a problem there. Files are filled with notes to the Soviet Government asking them to please issue exit visas to permit certain relatives to join families in the United States. This has gone on, and I remember hearing an officer say that if the result of recognizing the Soviet Union was for no other reason than to assist these people this was a very powerful reason. During World War II no visas were issued and nobody traveled and this died. Right after the war we again had the problem of people trying to get their relatives out, and the number was greatly increased by Russia taking over those various countries. Lithuania, Estonia, parts of Poland, parts of Czechoslovakia, Rumania went into the Soviet Union, and we had the number greatly enlarged.

Then, in addition to that, because of war operations, American citizens were stationed in the Soviet Union and they had married Soviet women, and so we had pressing cases of correspondents, American correspondents, a few people assigned to the Embassy in Moscow who married Soviet wives, probably about 15 or 16 who were very, what we would call, worthy cases of good marriages and good people who had made a good marriage with women we thought were good people, and they have since made good American citizens.

So in 1953, when Stalin died, we had the first break, and they issued the visas on this group. And since then we have gone forward with this. We saw we had a break and so we have been pressing the Soviet Government to issue visas to clear this problem up.

In 1959 when Mr. Nixon went there, he was importuned by relatives to help to get their relatives out, I mean American citizens, and he took a list of about 80 people, and he agreed to take up these cases, and we added a number of worthy cases, and Mr. Khrushchev said, "I want to clear up this problem"—present it through channels.

Since then, we have presented it through channels and we have succeeded in getting about 800 relatives of American citizens out. And the defector's wife falls into that pattern, because while we are not sympathetic with these people we know that if we refuse to grant U.S. visas to a wife of an American citizen, the Soviet Government can immediately say, "Well, we grant visas to these people, exit visas. Then you don't allow them to go to the United States. What does this mean?"

So that was the basis of our whole policy with Marina Oswald, that we felt that we didn't want to put the Embassy in a position of fighting for exit visas for relatives, and then when they issue you say, "Well, this is not quite the kind we want."

Mr. COLEMAN. In other words, you say that once the Passport Office made the decision that Oswald was still an American citizen, then your policy that you don't want to separate husbands and wives came into play, and if the Soviet Union is willing to let both of them out, that we will let them come in?

Miss JAMES. That is the basic policy. That was the whole interest in our Office, the Embassy in Moscow's primary interest there as far as Marina Oswald was concerned, and her child.

Mr. COLEMAN. I have no further questions.

Thank you.

TESTIMONY OF JAMES L. RITCHIE

The testimony of James L. Ritchie was taken at 12:20 p.m., on June 17, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. William T. Coleman, Jr., and W. David Slawson, assistant counsel of the President's Commission, Thomas Ehrlich, Special Assistant to the Legal Adviser, Department of State, and Carroll H. Seeley, Jr., were present.

Mr. COLEMAN. Mr. Ritchie, will you state your full name?

Mr. RITCHIE. James L. Ritchie.

Mr. COLEMAN. Will you raise your right hand? Do you solemnly swear the testimony you are about to give is the whole truth, and nothing but the truth, so help you God?

Mr. RITCHIE. I do.

Mr. COLEMAN. Please state your name and address.

Mr. RITCHIE. James L. Ritchie, 5010 North 13th Street, Arlington, Va.

Mr. COLEMAN. Our information is, sir, that some time around October 22, 1963, you had occasion to look at the Oswald file——

Mr. RITCHIE. I did.

Mr. COLEMAN. After the Department received a telegram from the CIA indicating that Oswald had made an inquiry at the Russian Embassy in Mexico City, and that you took certain action as a result of looking at the file?

Mr. RITCHIE. I did.

Mr. COLEMAN. And that is what we want to ask you about, sir. But before I do that, let me ask you a few preliminary questions.

Mr. RITCHIE. Certainly.

Mr. COLEMAN. You have given your address, is that correct?

Mr. RITCHIE. Yes, sir.

Mr. COLEMAN. Where are you presently working?

Mr. RITCHIE. State Department Passport Office, Legal Division.

Mr. COLEMAN. And what is your position?

Mr. RITCHIE. Attorney advisor.

Mr. COLEMAN. And how long have you been in that capacity?

Mr. RITCHIE. Nine or ten years.

Mr. COLEMAN. Are you a member of the Bar?

Mr. RITCHIE. Yes; District of Columbia.

Mr. COLEMAN. When was the first time you ever heard the name Lee Harvey Oswald?

Mr. RITCHIE. October 22, 1963.

Mr. COLEMAN. And would you indicate what occasioned your hearing the name?

Mr. RITCHIE. The Security Division transmitted a telegram from the CIA marked Secret, to the Passport Office. It was received in the Legal Division October 16, and it had been marked "Mr. Anderson, pull previous" which means get the file, and it was then handed to me October 21, approximately.

Mr. COLEMAN. Who handed it to you?

Mr. RITCHIE. I don't know. It was placed on my desk. I imagine the file——

Mr. COLEMAN. Prior to that time, you hadn't called for the file? You knew nothing about the case?

Mr. RITCHIE. No; I knew nothing about it. It had been placed on my desk for review. I read the telegram, noted that copies had been sent to SCA, that is the Bureau of Security and Consular Affairs, CMA, Mexico, the Soviet desk, and the press section of RAR.

Mr. SEELEY. American Republics Political Division.

Mr. COLEMAN. Then what did you do after you got the telegram?

Mr. RITCHIE. I reviewed the entire file.

Mr. COLEMAN. That means you read every document in the file?

Mr. RITCHIE. Yes.

Mr. COLEMAN. And do you have any idea how long it took you?

Mr. RITCHIE. Not more than a half hour.

Mr. COLEMAN. And then what did you do after you read or reviewed the file?

Mr. RITCHIE. I don't want to say I read every item. I read the majority.

Mr. COLEMAN. As a lawyer?

Mr. RITCHIE. Yes; I glanced over it.

Mr. COLEMAN. You read what you felt was relevant?

Mr. RITCHIE. Relevant.

Mr. COLEMAN. But you did thumb through every document?

Mr. RITCHIE. Yes.

Mr. COLEMAN. What did you then do?

Mr. RITCHIE. I made a judgment there was no passport action to be taken, and marked the file to be filed.

Mr. COLEMAN. Did you make a written memorandum?

Mr. RITCHIE. No, sir; just put "file" on it.

Mr. COLEMAN. Did you discuss it with Mr. Seeley or anyone else?

Mr. RITCHIE. I took the file to Mr. Seeley.

Mr. COLEMAN. Did you summarize for him what was in the file?

Mr. RITCHIE. No; I did not. I don't know what my exact words were to him. I must have said, "Look at this."

Mr. COLEMAN. Didn't you say to him, "This guy was a defector"?

Mr. RITCHIE. I don't recall what I said to him, back in October. I know I said something to him. I directed his attention to it.

Mr. COLEMAN. Then did he discuss it with you?

Mr. RITCHIE. No.

Mr. COLEMAN. You put the file on his desk and you didn't have anything to do with it?

Mr. RITCHIE. That is right.

Mr. COLEMAN. Why did you put it on his desk?

Mr. RITCHIE. He was in charge of the section, and I just brought it to him for his attention.

Mr. COLEMAN. Would you do that with every file that you are asked to review?

Mr. RITCHIE. Those files that I thought should be brought to his attention; yes.

Mr. COLEMAN. So, therefore, you felt that this file was other than just the routine file that you would look at and put back?

Mr. RITCHIE. Yes, sir.

Mr. COLEMAN. Wouldn't you tell Mr. Seeley something as to why you thought it was other than routine?

Mr. RITCHIE. No, sir; I just said "Look at it." I presume I just directed his attention to the file, and that he should look at it.

Mr. COLEMAN. And then you had no more discussion with him?

Mr. RITCHIE. None that I can recall.

Mr. COLEMAN. Did you say anything to him, like for example, "This guy the last time he was abroad tried to, or at least threatened that he would give to the Soviets whatever he had learned in the Marine Corps with reference to our radar information"?

Mr. RITCHIE. I have no recollection of my conversation with Mr. Seeley. All I know is my usual procedure is I review a case. If there is no passport action to be taken, I place it, mark it "file" and place it in the box to go to file.

Mr. COLEMAN. Without Mr. Seeley taking a look at it?

Mr. RITCHIE. Without Mr. Seeley ever seeing it.

Mr. COLEMAN. And this one you felt—

Mr. RITCHIE. And this one I felt he should see.

Mr. COLEMAN. But you didn't give him any memorandum—

Mr. RITCHIE. No, sir.

Mr. COLEMAN. Or point out what he should look at?

Mr. RITCHIE. I may have directed his attention to the case, but I have no independent recollection of it.

Mr. COLEMAN. Then after October 22, 1963, you had no contact with Oswald, the file or anything else?

Mr. RITCHIE. No, sir; let me change that. I reviewed the file before I came here. I have reviewed the file.

Mr. COLEMAN. Oh, sure.

That is all. Thank you, sir.

TESTIMONY OF CARROLL HAMILTON SEELEY, JR.

The testimony of Carroll Hamilton Seeley, Jr., was taken at 11 a.m., on June 17, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. William T. Coleman, Jr., and W. David Slawson, assistant counsel of the President's Commission. Thomas Ehrlich, Esq., Special Assistant to the Legal Adviser, Department of State, and James L. Ritchie, were present.

Mr. COLEMAN. Would you state your full name, please, sir?

Mr. SEELEY. Carroll Hamilton Seeley, Jr.

Mr. COLEMAN. Would you raise your right hand, please?

Do you solemnly swear the testimony you are about to give in this deposition is the whole truth, and nothing but the truth, so help you God?

Mr. SEELEY. I do.

Mr. COLEMAN. Sir, I would like to state that you have been called and asked to give a deposition because in looking through certain files supplied us by the State Department, there are indications that you had something to do with one or more of the documents in the file, and we also want to ask you concerning what you did after you received information that a person named Lee Harvey Oswald was at the Soviet Embassy in Mexico City some time around the first of October. As we understand it you received such notice on or about the 16th of October.

Mr. SEELEY. I did see the notice. I think that I saw that notice on the 22d, on October 22, 1963.

Mr. COLEMAN. Those are the two subjects that we are going to question you about.

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Would you state your address for the record?

Mr. SEELEY. My address is 6944 Nashville Road, Lanham, Md.

Mr. COLEMAN. Are you familiar with the congressional resolution in re this Commission?

Mr. SEELEY. I am familiar with the newspaper accounts.

Mr. COLEMAN. You are familiar with the resolution?

Mr. SEELEY. I am familiar with it to the extent that I have read in the newspapers that there is a Commission set up to investigate the assassination.

Mr. COLEMAN. Would you state whether you are presently employed by the Federal Government?

Mr. SEELEY. Yes, sir; I am. I am employed with the Department of State.

Mr. COLEMAN. What is your position with the State Department?

Mr. SEELEY. I am Assistant Chief of the Legal Division of the Passport Office of the Department of State.

Mr. COLEMAN. Who is your immediate superior?

Mr. SEELEY. Robert D. Johnson, chief counsel.

Mr. COLEMAN. How long have you had that position?

Mr. SEELEY. I have been in that position since approximately February 1962.

Mr. COLEMAN. Prior to February 1962, what was your position?

Mr. SEELEY. I was Chief of the Security Branch of the Legal Division of the Passport Office.

Mr. COLEMAN. How long did you have that job?

Mr. SEELEY. I had held that job since approximately 1957.

Mr. COLEMAN. As assistant to Mr. Johnson—

Mr. SEELEY. Yes.

Mr. COLEMAN. What are your duties?

Mr. SEELEY. My duties are mainly supervisory and to review material that has been prepared in the Passport Office Legal Division, and on some occasions to clear information or material that has been prepared in other divisions of the Passport Office.

Mr. COLEMAN. I take it you are a lawyer?

Mr. SEELEY. Yes, sir; I am.

Mr. COLEMAN. Are you a member of the Bar?

Mr. SEELEY. Yes, sir; I am.

Mr. COLEMAN. Of what State or States?

Mr. SEELEY. I am a member of the Bar of the District of Columbia.

Mr. COLEMAN. How long have you been with the Department of State?

Mr. SEELEY. I have been with the Department of State since 1954.

Mr. COLEMAN. Could you tell me the first time you heard, read or saw the name Lee Harvey Oswald?

Mr. SEELEY. Well, Mr. Coleman, I don't have an independent recollection of that. I feel that probably the name first appears in the file on March 28, 1961.

Mr. COLEMAN. So, therefore, by consulting the file, to refresh your recollection, you think that the first time you heard or saw the name Lee Harvey Oswald was in March 1961?

Mr. SEELEY. It is possible, it may have been that I had heard of it before, though, because he did have some publicity, and I usually follow those items, but I don't have any recollection of it.

Mr. COLEMAN. What happened in March 1961, that occasioned your knowing or hearing the name Lee Harvey Oswald?

Mr. SEELEY. May I look at the file?

Mr. COLEMAN. Certainly.

I take it, sir, you are looking at the file which is the file of the passport—the original passport file of the State Department.

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. That is the file that has been given State Department file No. X, is that correct?

Mr. SEELEY. Yes, sir.

The first time my name appears in the file is on a form DS-10, which is a reference slip, and it is addressed to Mr. Cacciatore in PT-F, and to Mr. Seeley, in PT-LS.

It requests to know insofar as I am concerned, should instruction be classified confidential.

Mr. COLEMAN. Sir, I will mark for the purposes of this deposition a document as S-1, meaning Seeley Exhibit No. 1, which is the State Department document which already has been marked by the State Department as X-45.

Mr. SEELEY. Yes, sir.

(The document referred to was marked Seeley Exhibit No. 1 for identification.)

Mr. COLEMAN. Who is the reference slip dated March 28, 1961, from?

Mr. SEELEY. Mr. Kupiec.

Mr. COLEMAN. To two persons, and you are one of the two persons, Mr. Seeley, is that correct?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. I show you the document which has been marked as S-1 and ask you is that a copy of the document you referred to?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. I take it that you got this because someone asked whether the instructions should be classified as confidential.

Mr. SEELEY. Yes, sir. I don't have an independent recollection of this, but I assume that it is referring to this instruction which is State Department's document X-47, which had been classified as Official Only.

Mr. COLEMAN. Sir, I show you a document which has already been marked as Commission Exhibit No. 969, and ask you whether these were the instructions that were attached to S-1.

Mr. SEELEY. So far as I am able to determine, I don't have an independent recollection, but looking at the formation of the file and the fact that this was not sent, and I know that there was another one that was sent, I believe it is the same document.

Mr. COLEMAN. And you were asked as to whether it should be classified as confidential?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. What, if anything, did you do?

Mr. SEELEY. I don't know. I have no recollection of what action I took on that particular aspect of it.

Mr. COLEMAN. You don't recall ever talking to Miss Waterman or anyone else in the Department as to what form the proposed instruction should take?

Mr. SEELEY. No. I don't know whether I even know Miss Waterman. I know Mr. Kupiec, and I probably know Miss Waterman, but I don't have recollection of what she looks like.

Mr. COLEMAN. Did you ever discuss with Mr. Kupiec as to what form the instruction should take?

Mr. SEELEY. No, sir. This instruction was drafted by Miss Waterman, and it was sent up for clearance to PTL, Mr. Johnson. I presume that when it went to either Mr. Cacciatore or Mr. Kupiec, I put my name on for the clearance

procedure, in particular with regard to whether the thing should have been classified, have a higher classification than it did.

Mr. COLEMAN. You don't have any independent recollection of discussing Oswald?

Mr. SEELEY. No, sir.

Mr. COLEMAN. Or whether the instruction should have been in a different form?

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

Mr. COLEMAN. Could you tell me the next occasion where you had anything to do with Oswald, or the file?

Mr. SEELEY. The next occasion, I think, relates to document X-43.

Mr. COLEMAN. I would like to mark as S-2 a memorandum from Robert D. Johnson to Mr. John T. White, under date of March 31, 1961, which in the State Department files has been marked as X-43.

(The document referred to was marked Seeley Exhibit No. 2 for identification.)

Mr. COLEMAN. Is that the document referred to?

Mr. SEELEY. Yes, sir; it is.

Mr. COLEMAN. Now, sir, did you draft S-2?

Mr. SEELEY. Yes, sir; I did.

Mr. COLEMAN. Can you tell me the circumstances surrounding your drafting S-2?

Mr. SEELEY. This particular item I do have a recollection of because there was a discussion between Mr. Johnson and myself concerning the propriety of sending the passport through the mail as had been proposed.

Mr. COLEMAN. What was that discussion?

Mr. SEELEY. We were opposed to this action on several grounds.

Mr. COLEMAN. What were they?

Mr. SEELEY. One was the fact that I think we already had information that Mrs. Oswald, the mother, had not been able to get in touch with her son.

Mr. COLEMAN. You are talking about Oswald's mother?

Mr. SEELEY. The mother; yes. And we felt that the mails shouldn't be trusted for a U.S. passport which we know has a value outside the United States.

Mr. COLEMAN. Now, you also indicated in the memorandum that, "We should not be bound by the opinion he expressed in paragraph 2 of his letter set out in Moscow Despatch No. 985 of February 28, 1961."

Mr. SEELEY. May I get that? It is No. 585. The paragraph that we are referring to reads: "I desire to return to the United States, that is if we could come to some agreement concerning the dropping of any legal proceedings against me. If so, then I would be free to ask the Russian authorities to allow me to leave. If I could show them my American passport, I am of the opinion they would give me an exit visa."

The item in the memorandum concerns itself mainly with his request for agreement concerning the dropping of any legal proceedings against him.

Mr. COLEMAN. You indicated that the Department ought not to give such agreement.

Mr. SEELEY. Yes.

Mr. COLEMAN. Did you have any discussions with Mr. Johnson with respect to this March 31, 1961, memorandum?

Mr. SEELEY. Yes, sir. I don't have a complete recollection of it, but I do know that I did discuss this particular item, particularly the mailing of the passport, with Mr. Johnson.

Mr. COLEMAN. And do you recall what Mr. Johnson said?

Mr. SEELEY. I think Mr. Johnson was the one that instructed me to draft this so that we would not send this through the mail, so that the passport would not be sent through the mail.

Mr. COLEMAN. After the memorandum of March 31, 1961, and this discussion you had with Mr. Johnson, what did you do?

Mr. SEELEY. I am sorry?

Mr. COLEMAN. Did you draft the instructions in the form that they actually went forward?

Mr. SEELEY. No, sir.

Mr. COLEMAN. Did you have anything to do with that?

Mr. SEELEY. No, sir; except I think there is a clearance, but I am not sure about that. I think we cleared it.

Mr. COLEMAN. And the instructions that actually went forward did indicate that they ought not to return the passport by mail?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. What was the date of that instruction?

Mr. SEELEY. The instruction that went forward?

Mr. COLEMAN. Yes.

Mr. SEELEY. That was AE-173, of April 13, 1961. It is Department X-38.

Mr. COLEMAN. Will the record show that that document has already been marked as Commission Exhibit No. 971 before the Commission. You say that you read Commission Exhibit No. 971 and cleared it before it went forward?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Exhibit No. 971 which you referred to as X-38 shows on the left-hand side that there is a notation that a copy of the instructions was sent to the CIA.

Mr. SEELEY. Was furnished to the CIA.

Mr. COLEMAN. Was that done at the same time the instructions went forward?

Mr. SEELEY. No, sir.

Mr. COLEMAN. Did you have anything to do with sending it to the CIA?

Mr. SEELEY. I don't have a recollection on this. I would imagine what happened is that there was a request by the CIA for a copy of this, and that I authorized them to be furnished a copy on October 5, 1961.

Mr. COLEMAN. I take it you actually read the instructions which went forward on April 13, 1961.

Mr. SEELEY. Yes, sir. My initials are at the bottom.

Mr. COLEMAN. The fact that your initials are at the bottom indicates that you approved them?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. What was the next occasion on which you had anything to do with the Oswald file or heard the name Oswald?

Mr. SEELEY. I will have to check the file. The next occasion where the record shows that I had something to do with the Oswald file concerns Item X-31. It is a Department of State instruction, W-7, dated July 11, 1961, drafted by Mrs. Waterman, and I cleared this particular instruction.

Mr. COLEMAN. Can we note for the record that that instruction has already been marked as Commission Exhibit No. 975?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. You cleared those instructions prior to the time you received word from Mr. Snyder in the Embassy in Moscow that Oswald had appeared at the Embassy on July 8, 10, or 11?

Mr. SEELEY. Of 1961?

Mr. COLEMAN. 1961.

Mr. SEELEY. Yes, sir; that is true. I wasn't sure of the time element in there, but that is true. This went out the same day, apparently, that the instruction was drafted and was sent in, or the despatch was drafted and sent in.

Mr. COLEMAN. So, therefore, you took that action or you approved that action prior to the time that you knew that Oswald had appeared at the Embassy in Moscow?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Is it a fair reading of the July 11, 1961, instructions which you approved, that you indicated that Oswald could be given back his passport?

Mr. SEELEY. No, sir; I don't think so. I call your attention to paragraph 5 of the despatch; "It is noted that the Embassy intends to seek the Department's prior advice before granting Mr. Oswald documentation as a United States citizen upon any application he may submit."

Mr. COLEMAN. So, therefore, as of this time it was still open as far as the Department was concerned in Washington whether Oswald had renounced his citizenship and was entitled to a passport?

Mr. SEELEY. Yes, sir. I don't think that the adjudicative proceeding had been completed.

Mr. COLEMAN. When was the adjudicative process completed so far as you

were concerned, that the Passport Office in Washington determined that in its opinion, that Mr. Oswald was still a citizen?

Mr. SEELEY. I would say that the operations memorandum of August 18, 1961, from the Department of State to the American Embassy in Moscow which refers to the Embassy Despatch No. 29, the passport renewal application and the questionnaire.

Mr. COLEMAN. You would say that as of that date the Passport Office determined that Oswald was still a citizen?

Mr. SEELEY. I would say at that date that we concurred in the conclusion of the Embassy that he had not expatriated—that we had no information or evidence that he had expatriated himself.

Mr. COLEMAN. Did you have anything to do with this decision?

Mr. SEELEY. Not the citizenship decision; no, sir. I had nothing to do with that.

Mr. COLEMAN. You weren't consulted prior to the time the decision was made?

Mr. SEELEY. No, sir.

Mr. COLEMAN. Did you approve the operations memorandum of August 18?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. 1961; before it was sent forward?

Mr. SEELEY. Yes, sir; I did. My initials are at the bottom there.

Mr. COLEMAN. If you had disapproved it, at least there would have been further discussion?

Mr. SEELEY. Yes, sir; there would have been.

Mr. COLEMAN. So, to that extent, you did have something to do with the decision?

Mr. SEELEY. Well, to that extent, there was no consultation. This was sent up for clearance, and insofar as the citizenship angle was concerned, I agreed with what they had done.

Mr. COLEMAN. Did you call for and look at the file prior to the time you initialed the operations memorandum of August 18, 1961?

Mr. SEELEY. I would presume that I had the whole file. Mr. Ehrlich has suggested that I mention that I was not in the citizenship area at the time that I put my concurrence on this operations memorandum, and I was looking at it only from the aspect of my own area.

Mr. COLEMAN. What was your area?

Mr. SEELEY. I was in the Security Branch. I was Chief of the Security Branch of the Legal Division.

Mr. COLEMAN. What did you have to do with the decision?

Mr. SEELEY. In this particular case if you had objected, I am sure that there would have been further discussion on this particular case.

Mr. COLEMAN. Could we mark as Seeley Exhibit No. 3—instead of "S" I think we had better call these Seeley exhibits, the operations memorandum dated August 18, 1961, from the Department of State to the American Embassy.

Mr. SEELEY. Fine, sir.

(The document referred to was marked Seeley Exhibit No. 3 for identification.)

Mr. COLEMAN. That is the document that you referred to as X-27, is that correct?

Mr. SEELEY. X-27, that is correct.

Mr. COLEMAN. If you had felt that there was evidence in the file that Oswald had renounced his citizenship, I take it you would not have approved this memorandum, is that correct?

Mr. SEELEY. No, sir; I would not have.

Mr. COLEMAN. You would not have approved it?

Mr. SEELEY. No, sir; I would not have approved it.

Mr. COLEMAN. There would have been further discussions?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. So, therefore, as far as you were concerned in reviewing the file and what you knew and looking over it, what Miss Waterman had said and what Mr. Snyder had said, that your decision was that you saw no reason why you would disagree with the decision?

Mr. SEELEY. I was in complete agreement with the decision.

Mr. COLEMAN. After you concurred in the operations memorandum of August

18, 1961, what was the next occasion on which you had anything to do with the Oswald file?

Mr. SEELEY. So far as I can determine—

Mr. COLEMAN. The Commission Exhibit No. 979 is the same as I have marked as Seeley Exhibit No. 3.

Mr. SEELEY. So far as I can determine by examination of the file, the next contact I had with the file concerns a slip that is part of State X-19, consisting of a DS-10 reference slip dated 12-29-61.

Mr. COLEMAN. That is attached to a letter from L. A. Mack, to the Director of the Passport Office of the State Department, is that correct?

Mr. SEELEY. Mr. Coleman, on that particular item, I don't think that that was what it was attached to. I think it was probably attached to X-20.

Mr. COLEMAN. What is that?

Mr. SEELEY. That is a memorandum from Miss Knight to Mr. Boswell.

Mr. COLEMAN. Will you read that memorandum into the record? It is short.

Mr. SEELEY. Yes; the subject is: "Lee Harvey Oswald." It is classified "Confidential."

It states: "We refer to the Office Memorandum of July 27, 1961, from SY, which stated that 'renounced United States citizenship.' Mr. Oswald attempted to renounce United States citizenship but did not in fact renounce United States citizenship. Our determination on the basis of the information and evidence presently of record is that Mr. Oswald did not expatriate himself, and remains a citizen of the United States."

Mr. COLEMAN. You say that your reference slip of 12-29-61 was attached to that memorandum?

Mr. SEELEY. I would presume it was.

Mr. COLEMAN. Would you look at the letter, the Mack letter from the Immigration and Naturalization Service to the Director of Passports?

Mr. SEELEY. I am looking at it.

Mr. COLEMAN. Did you see that letter or did you have anything to do with that letter?

Mr. SEELEY. So far as I know, I had nothing to do with that letter. I have seen the letter.

Mr. COLEMAN. By the time you did, the reference slip of 12-29-61—which I would like the reporter to indicate was marked Seeley Exhibit No. 4—what was your job in the State Department?

(The document referred to was marked Seeley Exhibit No. 4 for identification.)

Mr. SEELEY. At the time that I—I was still Chief of the Security Branch of the Legal Division.

Mr. COLEMAN. What does PT-L mean?

Mr. SEELEY. PT-L, Passport-Legal, PT-LS, Passport-Legal Security.

To give you an idea about it, the Legal Division is divided into two branches, and we have a short designation for it, PT-LS and PT-LAD.

Mr. COLEMAN. I see.

Mr. SEELEY. I will tell you further if you wish, about this particular item. This was—

Mr. COLEMAN. What is this particular item? You are now talking about the letter?

Mr. SEELEY. The letter; yes.

Mr. COLEMAN. It is the Mack letter?

Mr. SEELEY. State Department File X-19. It was addressed to our Liaison Branch, and I see at the bottom it was reviewed by Mr. Reichman, of the Immigration and Naturalization Service. And I would presume that I did not, that this was not in the file at the time that this DS-10, that it was probably in Liaison, and the file was called for. It was reviewed. The file was then reviewed by Mr. Reichman who answered for his own service.

(Discussion off the record.)

Mr. COLEMAN. Now, sir; what was the next occasion on which you had anything to do with the Oswald file?

Mr. SEELEY. The next occasion concerns Item X-11.

Mr. COLEMAN. We have marked as Seeley Deposition Exhibit No. 5 a memorandum from Robert Owen, to Michael Cieplinski, dated March 23, 1962.

(The document referred to was marked Seeley Exhibit No. 5 for identification.)

Mr. COLEMAN. I ask you, sir; whether that is the document you refer to.

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Did you draft Seeley Exhibit No. 5?

Mr. SEELEY. No, sir.

Mr. COLEMAN. You reviewed it?

Mr. SEELEY. Yes, sir; on March 28, 1962.

Mr. COLEMAN. Did you have anything to do with Seeley Exhibit No. 5 other than the fact that you just read it?

Mr. SEELEY. No, sir.

Mr. COLEMAN. Why would you be reading it?

Mr. SEELEY. The item was referred to, a copy of this item was referred to Miss Knight. It was, in turn, referred to the Legal Division, and then in turn referred to the Security Branch of the Legal Division.

Mr. COLEMAN. Did you take any action with respect to it?

Mr. SEELEY. No, sir; I did not, other than to note that I had read it and initialed it.

Mr. COLEMAN. Did the fact that he had originally stated that he had information as a radar operator in the Marine Corps which he would make available to the Soviet Union—did that in any way raise in your mind a security problem?

Mr. SEELEY. Yes, sir; I thought that this certainly raised a doubt. He had originally, I think, way back had made some similar type statement. Here he made the statement, "Oswald stated he had never in fact been subjected to any questioning or briefing by the Soviet authorities concerning his life or experiences prior to entering the Soviet Union, and never provided such information to any Soviet organ." I thought that certainly there were two statements by him.

Mr. COLEMAN. I note on the copy you have there is a red check right beside the line which I read. Did you place that red check on there?

Mr. SEELEY. I don't think so, sir. It looks like—I think I had a regular pencil, and I think I would have done it with a pencil.

Mr. COLEMAN. Merely because a person who had attempted to defect now says when he is trying to get back into the country, "I really didn't tell the Soviets anything," that wouldn't completely satisfy you that maybe he hadn't, would it?

Mr. SEELEY. No, sir; but I had no information that he had in fact done so. He had just made a statement that he would. I think that was his original statement.

Mr. COLEMAN. But you didn't do anything other than read Seeley Exhibit No. 5?

Mr. SEELEY. That is right, sir.

Mr. COLEMAN. When was the next occasion you had anything to do with the file?

Mr. SEELEY. The next concerns Item X-7, which is a memorandum from Robert D. Johnson to William O. Boswell, dated May 4, 1962.

Mr. COLEMAN. We have marked that as Seeley Exhibit No. 6, and identified as a memorandum from Robert D. Johnson to William O. Boswell, dated May 4, 1962. (The document referred to was marked Seeley Exhibit No. 6 for identification.)

Mr. COLEMAN. Did you draft this memorandum?

Mr. SEELEY. No, sir; I did not.

Mr. COLEMAN. What did you have to do with it? You just read it?

Mr. SEELEY. No, sir; I signed it in Mr. Johnson's stead, to send it on its way to Mr. Boswell.

Mr. COLEMAN. In effect, you said that based upon the evidence and information of record, that Oswald had not expatriated himself under the pertinent laws of the United States?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Did you review the file before you wrote that memorandum?

Mr. SEELEY. I didn't write the memorandum. Before I signed it?

Mr. COLEMAN. Yes.

Mr. SEELEY. I don't have any recollection of it. I presume the file was with

the memorandum. That is in the normal course of business, that would be the way it was handled.

Mr. COLEMAN. But you don't have any independent recollection of whether you checked through the file to see whether—

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

Mr. COLEMAN. Could you tell me who wrote the memorandum from looking at the initials?

Mr. SEELEY. I think it was a Mrs. Abboud.

Mr. COLEMAN. Did you discuss it with her before?

Mr. SEELEY. No, sir; I did not. This came from the citizenship area. She is in the citizenship area.

Mr. COLEMAN. If they prepare a memorandum for your signature, just merely because somebody in the citizenship area drafts it doesn't mean that you sign it, does it?

Mr. SEELEY. No, sir; it does not. I would imagine, although I don't have any recollection, that I did look into the file.

Mr. COLEMAN. Is it fair to say that you would not just initial it merely because somebody else had drafted it?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. And normally you would look through the file?

Mr. SEELEY. Yes, sir; in the normal course of business I would look at the file—see what my own conclusion was.

Mr. COLEMAN. After you drafted or after you initialed the memorandum which has been marked as Seeley Exhibit No. 6, what was the next occasion you had to look at the Oswald file?

Mr. SEELEY. The next occasion concerned the two items that are identified as X-5.

Mr. COLEMAN. Could we mark as Seeley Exhibit No. 7 a photostatic copy of an article which appeared in the Washington Post on Saturday, June 9, 1962, and also attached is a reference slip.

(The document referred to was marked Seeley Exhibit No. 7 for identification.)

Mr. COLEMAN. Are they the two items that you refer to?

Mr. SEELEY. Yes, sir; they are.

Mr. COLEMAN. Now, I take it you just read this and put it in the file.

Mr. SEELEY. I would presume that I cut this article out. I see that it is my printing on the side there where it says, "Oswald, Lee Harvey" on the right-hand side.

Mr. COLEMAN. That is your printing?

Mr. SEELEY. Yes, sir; and I would presume that I saw the article in the newspaper, cut it out and brought it to be filed with this case.

Mr. COLEMAN. Sir, I show you a sheet which has the word "Refusal" Commission Exhibit No. 962, and ask you whether that hand printing that appears there is your printing, too?

Mr. SEELEY. No, sir; that is not. I have looked at that. It doesn't look like mine.

Mr. COLEMAN. Now, after you put this newspaper article in the file, did you have anything else to do with the file?

Mr. SEELEY. Yes; I sent this item, this is CS, these items to our Special Services, Miss Waters.

Mr. COLEMAN. Do you know what she did?

Mr. SEELEY. No; I don't. I have no recollection. I see that it was as requested. It may have been a telephone request.

Mr. COLEMAN. Did you have anything else to do with the file?

Mr. SEELEY. Yes, sir; I did.

Mr. COLEMAN. What was that?

Mr. SEELEY. That was on October 22, 1963.

Mr. COLEMAN. What occasioned your looking at the file on October 22, 1963?

Mr. SEELEY. I am looking right now at State Department Exhibit X-3.

Mr. COLEMAN. And what occasioned your looking at the file on October 22, 1963?

Mr. SEELEY. It was the transmittal from INR of the Department transmitting a secret—well, I know what it is, a CIA document, telegram, to the Passport Office.

Mr. COLEMAN. Can you recall what the CIA telegram said?

Mr. SEELEY. The telegram said in effect that Lee Oswald had appeared or had contacted, I believe was the word, the Soviet Embassy in Mexico City in October 1963.

Mr. COLEMAN. Now, did the telegram also indicate that Oswald was the person who in 1959 had attempted to defect?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Now, when you got the telegram on your desk, did you also get the file with it?

Mr. SEELEY. Yes, sir; the passport file.

Mr. COLEMAN. That came to you at the same time, or did you get the telegram and then send for the file?

Mr. SEELEY. I had the whole thing. I am morally certain on this, that I had the whole file. I can tell by the reconstruction on this. Mr. Ritchie and myself have discussed this. We are both sure how this went about.

Do you want me to give this reconstruction?

Mr. COLEMAN. You can, if you wish to; yes.

Mr. SEELEY. I notice that there was a little note. "Mr. Anderson pull previous." "Previous" means to pull the file, whatever file there is. This was on October 17. The file was pulled according to our records in our office on October 17 or 18, I forget the exact date. It was within a day or so thereafter this. And I presume that this was first reviewed by Mr. Ritchie and then reviewed by myself.

Mr. COLEMAN. When you pulled the file which is the State Department file X—

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Did you send for the security file?

Mr. SEELEY. No, sir; I did not.

Mr. COLEMAN. Why wouldn't you send for the security file if you get a telegram from a security agency saying that the gentleman who was down at the Russian Embassy in Mexico City is the same guy who in 1959 attempted to defect?

Mr. SEELEY. I looked at this report strictly from a passport office point of view. The significance which, of course, might have great intelligence significance, had little or no significance insofar as any action that we would take in the Passport Office is concerned.

Mr. COLEMAN. Why would that be, sir?

Mr. SEELEY. Well, we have to have some basis under our regulations to take any action.

Mr. COLEMAN. I mean why, if you get information which you can immediately realize may have intelligence significance, why wouldn't you look at it from a point of view of intelligence?

Mr. SEELEY. Well, I am working for the Passport Office. Certainly, if I saw something that I could do something about, I would take whatever action I thought was necessary.

Mr. COLEMAN. Why didn't you, for example, write a letter to the FBI saying that this fellow is down in Mexico City, are you interested, or do you want to see the file?

Mr. SEELEY. Well, I would say the probability is that a copy of this was apparently furnished to the Federal Bureau of Investigation.

Mr. COLEMAN. And you noted that, I take it, at the time of reviewing the file?

Mr. SEELEY. I have no independent recollection that I did.

Mr. COLEMAN. But the fair assumption is that you did?

Mr. SEELEY. I would assume that.

Mr. COLEMAN. I take it that is also the reason why you didn't notify the CIA, because the telegram had come from the CIA?

Mr. SEELEY. Yes; from the CIA.

Mr. COLEMAN. When you looked at the file, did you know or were you aware after looking at the file that Oswald in June 1963 had been issued a passport?

Mr. SEELEY. I presume I was. The passport is the next item there, and I am sure that I looked at it and saw that he did have a passport.

Mr. COLEMAN. Did you after you looked at it say to yourself "can we revoke this passport?"

Mr. SEELEY. I am sure that is why I looked at it. I am sure of that, Mr. Coleman, that I looked at it with that view in mind, if there was any action to be taken of that sort.

Mr. COLEMAN. Did you know that he had defected or attempted to defect in 1959?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Did you know that when he attempted to defect that he had indicated that he was going to pass some radar information to the Russians if they gave him citizenship?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Did you know that the Soviet desk had indicated in 1961 or 1962 that it would be to the interests of the United States to get him out of Russia and back to the United States?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Did you note in his passport application for his 1963 passport that he indicated that one of the countries that he intended to travel to was Russia?

Mr. SEELEY. I don't have an independent recollection of that. I presume I did note that.

Mr. COLEMAN. And you are saying with all that information that you would look at that file, I take it you did it on October 22?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Read it and just put it back and did nothing about it?

Mr. SEELEY. I did nothing about it other than to note the fact that I had read the telegram.

Mr. COLEMAN. All I am saying, just asking for your best recollection——

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. I realize you did nothing, but wouldn't that cause you to at least do something, to talk to somebody and say, "Can we do something about this?"

Mr. SEELEY. Mr. Ritchie and I undoubtedly talked about this, or at least we both saw it. I was well aware of the file. But there was no particular passport significance to the fact that a man shows up down at the Soviet Embassy in Mexico City. He was married to a Soviet citizen. I think there is an indication somewhere she was supposed to report or something. I don't know what the score was on that.

Mr. COLEMAN. But the problem is, sir, that——

Mr. SEELEY. But even if she was to report, I don't get the significance of an individual appearing at a Soviet Embassy, either here or anywhere else in the world, by itself meaning anything insofar as passports is concerned.

Mr. COLEMAN. Sir, the problem is, if there is a problem, that on June 24, 1963, when Mr. Oswald applied for his passport, the State Department issued it routinely because under the lookout system there was nothing on Oswald, so, therefore, it went out the next day.

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. And we think, from what we know, that as of June 24 or 25 no one looked at the file, so, therefore, there is no reason why the passport wouldn't go out.

Mr. SEELEY. I would presume from looking at this file, that that is absolutely correct.

Mr. COLEMAN. But our problem is that if on June 24 or June 25 someone had looked at the file, would you have issued the passport based upon what was

in the file as of June 24 or 25, or would you have at least talked to people to see whether some action should be taken?

Mr. SEELEY. If I had seen this application on June 24 or 25, before it had been issued, I think I probably would have discussed it. But that would have been the end of it. We have no basis upon which to deny him or hold up his passport. There would have been a discussion.

Mr. COLEMAN. Are you saying, then, it is your opinion that after reviewing the file that if the request for a passport had come in, and you had looked at the file before the passport was issued, there was no regulation or legal basis on which you could refuse him a passport?

Mr. SEELEY. That is correct. That is absolutely correct.

Mr. COLEMAN. And, therefore, I take it then, that the only additional information you got in the October CIA telegram was that he was in Mexico City, and he had visited the Russian Embassy in Mexico City.

Mr. SEELEY. That is correct.

Mr. COLEMAN. And it is your position that he had the right to go back to Russia if he wanted to go anyway; is that correct?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. And so, therefore, there is nothing that you could have done about it?

Mr. SEELEY. No, sir.

Mr. COLEMAN. Did you make any memorandum or any memoranda when you looked at the file in October 1963?

Mr. SEELEY. Aside from this notation which is in my handwriting, which says "Noted CHS 10-22-63" that is the extent of the documentation that I gave to them.

Mr. COLEMAN. But you do say you had some discussions with the other gentlemen that looked at the file?

Mr. SEELEY. I don't have a recollection. I don't know whether Mr. Ritchie does. I don't believe he does, either, but the fact that we both had it, he may have passed it to me. You have to get this in context. We have hundreds of these cases. This is one case out of hundreds.

I am surprised that I have got any recollection, but I do have some, as I mentioned before in my testimony here, that I did have some recollection of it.

Mr. COLEMAN. No one called you and said, "Well, look, let him have the passport, don't do anything about it," I take it?

Mr. SEELEY. Oh, no, sir. At the time the passport was issued, it was issued.

Mr. COLEMAN. But I mean when you got the telegram, nobody called you and said, "Look, just skip it. Let him have the passport."

Mr. SEELEY. No, sir.

Mr. COLEMAN. "Don't do anything about it"?

Mr. SEELEY. No, sir.

Mr. COLEMAN. All the action you took, you took independently?

Mr. SEELEY. Yes, sir; as my own independent action.

Mr. COLEMAN. I take it if faced with the situation again, knowing only what you knew on October 22, 1963, you would take the same action today?

Mr. SEELEY. Yes, sir; that is correct. There is one additional item, and that is under our new regulations we do put a card in on a defector or a person—I think I can give you the definition here.

"Defectors, expatriates and repatriates whose activities or background demand further inquiry prior to issuance of passport facilities."

I presume that under this criteria, in fact I know under this criteria that Oswald would have a card placed against him today.

Mr. COLEMAN. Is it your opinion as assistant legal counsel to the Passport Office that you still in the final analysis couldn't deny him the passport?

Mr. SEELEY. That is definite.

Mr. COLEMAN. And you would have to give it to him?

Mr. SEELEY. Yes, sir.

Mr. COLEMAN. Has there been any other case of a defector where you have actually issued him another passport?

Mr. SEELEY. We have issued passports to defectors, at least one that I know of, and I think we have furnished a report on that.

Mr. COLEMAN. You say there is a case of another defector?

Mr. SEELEY. Yes, sir; in connection with the answer to this question, we did a research job on a list of defectors which had been furnished to the Department of State by the Department of Defense, and our search disclosed that only one of these individuals, a Paul David Wilson, had applied for passport facilities since his return to the United States, and he was issued a passport.

Mr. COLEMAN. To go where, sir?

Mr. SEELEY. To visit Mexico, Colombia, South America, and was uncertain of others.

Mr. COLEMAN. Was that done routinely or was that done after looking at his file?

Mr. SEELEY. My recollection of this, that this was a routine issuance of a passport to a person on whom we had no information.

Mr. COLEMAN. In other words, this was another case where because you didn't have a lookout card—

Mr. SEELEY. Yes.

Mr. COLEMAN. Nobody ever looked at the file?

Mr. SEELEY. Yes, sir; well, there was no file. We have no file on this man other than his name. The Passport Office has no file on this man, Paul David Wilson.

Mr. COLEMAN. But there has been no case where you had a file, you knew he had defected, and then he applied for another passport and before you issued the second passport you had to make a decision as to whether you could refuse to issue him a passport?

Mr. SEELEY. None to my knowledge.

Mr. COLEMAN. I have no further questions, unless you have something else you would want to say.

Mr. SEELEY. I have nothing further, Mr. Coleman. I will be glad to help all I can. That is all I can say.

Mr. COLEMAN. Thank you for coming over.

AFFIDAVIT OF LOUIS FELDSOTT

The following affidavit was executed by Louis Feldsott on July 23, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF NEW YORK,
County of Rockland, ss:

I, Louis Feldsott, being duly sworn say:

1. I am the President of Crescent Firearms, Inc., 2 West 37th Street, New York 18, New York.

2. On November 22, 1963, the F.B.I. contacted me and asked if Crescent Firearms, Inc., had any records concerning the sale of an Italian made 6.5 m/m rifle with the serial number C 2766.

3. I was able to find a record of the sale of this rifle which indicated that the weapon had been sold to Kleins' Sporting Goods, Inc., Chicago, Illinois on June 18, 1962. I conveyed this information to the F.B.I. during the evening of November 22, 1963.

4. Further records involving the purchase, sale, and transportation of the weapon have been turned over to the F.B.I.

Signed the 23d day of July 1964.

(S) Louis Feldsott,
LOUIS FELDSOTT.

AFFIDAVIT OF J. PHILIP LUX

The following affidavit was executed by J. Philip Lux on July 22, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

I, J. Philip Lux, being duly sworn say:

1. I am now Store Manager at the H. L. Green Company, 1623 Main Street, Dallas, Texas. I was not employed by the H. L. Green Company in 1963.

2. H. L. Green Company records show that in 1963, the Company had in stock and sold Italian 6.5 mm rifles that were surpluses from World War II.

3. The records also reflect the fact that the H. L. Green Company received its supply of Italian 6.5 mm rifles from the Crescent Firearms Company, New York City.

4. A review of the records has failed to reflect any record of a 6.5 mm rifle with Serial No. C2766.

5. As far as I know, the H. L. Green Company is the only company in Dallas handling any quantity of these Italian 6.5 mm rifles.

Signed the 22d day of July 1964.

(S) J. Philip Lux.
J. PHILIP LUX.

AFFIDAVIT OF HOWARD LESLIE BRENNAN

The following affidavit was executed by Howard Leslie Brennan on May 7, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

I, Howard Leslie Brennan, being first duly sworn, do upon oath depose and state:

On or about March 24, 1964, I testified in Washington, D.C., before the President's Commission on the Assassination of President Kennedy. In that connection I testified as to the reasons why I declined on November 22, 1963, to give positive identification of Lee Harvey Oswald as the man I saw firing a rifle from the southeast corner of the sixth floor of the Texas School Book Depository Building on November 22, 1963.

Included in these reasons at pages 3629 and 3630 of Volume 28 of the transcript of the Commission proceedings are the following reasons:

"And then I felt that my family could be in danger, and I, myself, might be in danger. And since they already had the man for murder, that he wasn't going to be set free to escape and get out of the country immediately, and I could very easily sooner than the FBI or the Secret Service wanted me, my testimony in, I could very easily get in touch with them, if they didn't get in touch with me, and to see that the man didn't get loose."

". . . "Because I had already more or less give a detailed description of the man, and I talked to the Secret Service and gave them my statement, and they had convinced me that it would be strictly confidential and all that. But still I felt like if I was the only eye witness, that anything could happen to me or my family."

I have also been advised that on page 3595 of Volume 28 of the transcript of the Commission proceedings, the following appears:

"Mr. BELIN. What do you mean by security reasons for your family, and yourself?

"Mr. BRENNAN. I believe at that time, and I still believe it was a Communist activity, and I felt like there had been more than one eye witness, and if it got

to be a known fact that I was an eye witness, my family or I, either one, might not be safe."

I hereby state that this is a court reporter's error and that in truth and in fact my answer to the question was:

"Mr. BRENNAN: I believe at that time, and I still believe it was a Communist activity, and I felt like there *hadn't* been more than one eye witness, and if it got to be a known fact that I was an eye witness, my family or I, either one, might not be safe."

Signed the 7th day of May 1964.

(S) Howard Leslie Brennan,
HOWARD LESLIE BRENNAN.

AFFIDAVIT OF ALBERT C. YEARGAN, JR.

The following affidavit was executed by Albert C. Yeargan, Jr., on July 21, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

I, Albert C. Yeargan, Jr., 1922 Mayflower Drive, Dallas, Texas, being duly sworn say:

1. I was the Sporting Goods Department Manager at the H. L. Green Company, 1623 Main Street, Dallas, Texas, from the Summer of 1963 until March 13, 1964. I am now employed by Smitty's Sporting Goods, 111 West Jefferson Avenue, Dallas, Texas.

2. When I worked for the H. L. Green Company, it had in stock and was offering for sale, a large number of Italian 6.5 mm rifles that were surpluses from World War II.

3. On November 22, 1963, FBI Agents, Secret Service Agents, and I examined all sales records and receipt records concerning Italian 6.5 mm rifles.

4. The records showed that the H. L. Green Company obtained its supply of these Italian 6.5 mm rifles from the Crescent Firearms Company in New York City.

5. A review of all of the records failed to reflect any record of sale of a 6.5 mm rifle with the Serial Number C2766.

6. As far as I know, the H. L. Green Company was at that time the only Company in Dallas that handled any quantity of these Italian 6.5 mm rifles.

Signed the 21st day of July 1964.

(S) Albert C. Yeargan, Jr.,
ALBERT C. YEARGAN, JR.

AFFIDAVIT OF LOUIS WEINSTOCK

The following affidavit was executed by Louis Weinstock on May 20, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF NEW YORK,
County of New York, ss:

Louis Weinstock, being duly sworn, says:

1. On or about December 19, 1962, I was General Manager of "The Worker," the address of which is 23 West 26 Street, New York 11, New York. On or about December 19, 1962, I wrote the attached letter on the letterhead of "The Worker" addressed to Lee Harvey Oswald, Post Office Box 2915, Dallas, Texas, and sent or caused such letter to be sent to Mr. Oswald. I have initialed that letter immediately below the initials "WJL" appearing thereon for the purpose of identifying it as Weinstock Exhibit No. 1.

2. The letter refers to certain "blow ups" which were apparently sent to "The Worker" by Mr. Oswald. I described those "blow ups" in my letter as "poster like blow ups" and indicated that they would be "most useful at news-stands and other public places to call the attention of newspaper readers that 'The Worker' is available."

3. While my recollection is not entirely clear concerning the nature of the "blow ups" which Oswald had apparently sent to "The Worker," it appears from the description of such "blow ups" in my letter that they must have consisted of the item which has been marked as Exhibit 5A in the deposition of Mr. Arnold S. Johnson, which Exhibit, as indicated in Mr. Johnson's testimony, was obtained from the files of "The Worker" and turned over to the Federal Bureau of Investigation by Mr. Johnson's counsel.

4. Aside from the attached letter of December 19, 1962, I know of no other correspondence which I may have written to Lee Harvey Oswald and I do not recall receiving anything from him other than the material described in this affidavit.

Signed the 20th day of May 1964.

(S) Louis Weinstock,
LOUIS WEINSTOCK.

AFFIDAVIT OF VINCENT T. LEE

The following affidavit was executed by Vincent T. Lee on May 20, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF NEW YORK,
County of New York, ss:

Vincent T. Lee, being duly sworn says:

1. My name is Vincent T. Lee. I reside at 37½ St. Mark's Place, New York, New York. I was formerly the National Director for the Fair Play for Cuba Committee. I make this affidavit to supplement the testimony which I gave to the above Commission on April 17, 1964.

2. I have examined the attached membership card of the Fair Play for Cuba Committee and state that it is an authentic membership card of that organization and that it bears my signature.*

3. I sent that card or caused it to be sent to Lee Harvey Oswald on or about May 29, 1963.

4. I have initialed the attached card under the initials WJL which appear on the card for the purposes of identification of that card in the record of the proceedings of the above Commission.

Signed the 20th day of May 1964.

(S) Vincent T. Lee,
VINCENT T. LEE.

AFFIDAVIT OF FARRELL DOBBS

The following affidavit was executed by Farrell Dobbs on June 4, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF NEW YORK,
County of New York, ss:

I, Farrell Dobbs, being duly sworn, depose and say:

1. I have read the twenty-six page transcript of the examination of me in a proceeding of the Commission to Report upon the Assassination of President

*The FPCC membership card referred to in the above affidavit is Commission Exhibit No. 828.

John F. Kennedy, held at New York, N.Y., on April 17, 1964, and find it accurate with the exception of the corrections noted and initialled by me on pages 1, 6, & 7.

2. I have read the original of a letter dated November 5, 1962, to Mr. Lee H. Oswald from Farrell Dobbs, and have initialled it so that it may be substituted as R. Watts Exhibit 11 for the typewritten copy shown me on April 17, 1964.* I have no doubt that it is a letter I wrote, and the signature is mine.

3. I have initialled the original of a letter dated December 9, 1962, to Mr. Lee H. Oswald, signed "Bob Chester," so that it may be substituted as R. Watts Exhibit 12 for the typewritten copy shown me on April 17, 1964.

4. As requested on pages 19-20, I have made a further search of our files for the letter and reproductions from Lee H. Oswald referred to in the Bob Chester letter but have found no record of them. Further, I have discussed this matter with Mr. Chester and he advises me that he has had a vague recollection that the reproductions were of headlines from the *Militant* but has no further recollection of any correspondence with Lee H. Oswald.

5. As requested on page 21, I have made a further search for a copy of R. Watts Exhibit 13 and for the letter and clipping referred to in it as from Lee H. Oswald but have been unable to find any such material in our files.

6. As requested in J. Lee Rankin's letter to Mr. Rowland Watts dated May 20, 1964, I have made inquiry of the Young Socialist Alliance and am advised that its files have been searched and that its representatives have found no record that Lee H. Oswald's name was ever referred to it, nor does it have any record of ever having had anything in its files from, to, or concerning Lee H. Oswald.

7. In pursuance of the information supplied in Mr. Rankin's letter to Mr. Watts dated May 20, 1964, I have made inquiry of *The Militant* and have had its files further searched. There is no photograph of Lee Harvey Oswald, with or without a rifle, in its files (other than a clipping from the daily press after he was taken into custody). I am confident no photograph of him was ever received prior to President Kennedy's assassination.

8. To the best of my knowledge and belief, I have submitted to you all of the material in the files of the Socialist Workers Party, *The Militant*, and Pioneer Publishers, concerning Lee Harvey Oswald, and I have no further material or information concerning him.

Signed the 4th day of June 1964.

(S) Farrell Dobbs,
FARRELL DOBBS.

AFFIDAVIT OF VIRGINIA GRAY

The following affidavit was executed by Virginia Gray on May 28, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF NORTH CAROLINA.

County of Durham, ss:

Virginia Gray, being duly sworn says:

1. My name is Virginia Gray. I am the Assistant Curator of Manuscripts of the Duke University Library, Durham, North Carolina, (the Library) and the person most familiar with the records of the Socialist Party of America which are now in the possession of the Library.

2. The records of the Library reflect that it purchased the original official records of the Socialist Party of America covering the period from 1900 to 1938 from Leon Kramer, a New York dealer in Leftist literature. Since the time of that original purchase the Library has become the unofficial repository for files of the Socialist Party of America and periodically acquires the inactive records of that organization.

*Since all of the Rowland Watts Exhibits have been redesignated as Farrell Dobbs Exhibits, R. Watts Exhibits Nos. 11, 12, and 13 referred to in the above affidavit have been marked Farrell Dobbs Exhibits Nos. 11, 12, and 13, respectively.

3. On or about January 2, 1959 the Library acquired certain records of the Socialist Party of America from Mr. Stephen Siteman, Executive Secretary of that Party, 112 East 19th Street, New York, New York.

4. A letter dated October 3, 1956 addressed "Dear Sirs" from Lee Oswald and an advertisement coupon of "The Socialist Call", photostatic copies of which are attached to this affidavit, were found in those materials while they were being processed by the Library.*

5. The Library has received additional materials from the Socialist Party of America and is presently processing such materials. As of the date of this affidavit, however, the only materials relating to Lee Harvey Oswald which have been found amongst the records of the Socialist Party of America presently in the possession of the Library are those of which photostatic copies are attached.

Signed the 28th day of May 1964.

(S) Virginia Gray,
(Mrs.) VIRGINIA GRAY.

AFFIDAVIT OF DR. ALBERT F. STAPLES

The following affidavit was executed by Dr. Albert F. Staples on May 26, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

Dr. Albert F. Staples, being duly sworn says:

1. My name is Albert F. Staples. I reside at 6056 Ellsworth Street, Dallas, Texas. I am a dentist at the Baylor University College of Dentistry and am familiar with the records in possession of the College relating to Mrs. Lee Harvey Oswald.

2. I have caused a search of the files of the Baylor University College of Dentistry which reveals a file on Mrs. Lee Harvey Oswald. The foregoing file is now in the possession of the deponent. To the best of my knowledge this file contains the only papers relating to Mrs. Lee Harvey Oswald in the possession or control of the Baylor University College of Dentistry. Accordingly under my supervision photostatic copies** have been made of this entire file, such copies being attached to this affidavit.

3. On information and belief the attached photostatic copies are of the entire file and comprise all the papers relating to Mrs. Lee Harvey Oswald in the possession and control of the Baylor University Dental Clinic.

Signed the 26th day of May 1964.

(S) Dr. Albert F. Staples,
Dr. ALBERT F. STAPLES.

AFFIDAVIT OF KATHERINE MALLORY

The following affidavit was executed by Katherine Mallory on July 20, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF NEW YORK,
County of Broome, ss:

I, Katherine Mallory, 412 East Main Street, Endicott, New York, being duly sworn say:

*The photostatic copies referred to in the above affidavit have been marked Gray Exhibit No. 1.

**The photostatic copies referred to in the above affidavit have been marked Staples Exhibit No. 1.

1. In 1961 I was a sophomore at the University of Michigan. In March of 1961, I was a member of the University of Michigan band which toured Russia and the Near East.

2. We arrived in Minsk, U.S.S.R. from Moscow on March 10, 1961. While in Minsk, the band gave some concerts at the Minsk Polytechnic Institute. We stayed in a hotel in Minsk. We left Minsk on March 14 and proceeded to Kiev, U.S.S.R.

3. There was an evening in Minsk when members of the band were divided into small groups, each of which was assigned a Russian interpreter, for the purpose of going on a tour of the facilities of the Minsk Polytechnic Institute.

4. Near the conclusion of this tour, at about 10:00 p.m., when the band members were boarding a bus, I became surrounded by Russian students who were asking me questions. Although one student was interpreting I was having difficulty communicating with them.

5. At this point, an American approached and offered to act as an interpreter. I accepted the offer. While I never really had a chance to talk with him, he mentioned that he was an ex-Marine from Texas. Sometimes he spoke with a Texas accent and at other times he spoke with an English accent. Somehow I got the impression that he was working in Russia and that he never intended to return to the United States.

6. This American appeared well dressed. I think he wore a camel hair coat and possibly a tie. He did not indicate if he had been at the concert.

7. After just a few minutes of further questions from the Russian students, with the American interpreting, I boarded the bus. I never again saw nor heard from this individual. I noted in my diary something about the incident, and I wrote that this American seemed to be a crackpot. I did not meet any other Americans in Minsk.

8. I have seen pictures of Lee Harvey Oswald in the newspaper, and the individual I saw in Minsk very much resembles Oswald as pictured. I recall that the person I saw seemed to have more hair and was heavier than Lee Harvey Oswald as pictured in the newspapers.

9. Except possibly for this one occasion in Minsk, I never saw nor communicated with Lee Harvey Oswald.

Signed the 20th day of July 1964.

(S) Katherine Mallory,
KATHERINE MALLORY.

AFFIDAVIT OF KATHERINE MALLORY

The following affidavit was executed by Katherine Mallory on July 20, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF NEW YORK,
County of Broome, ss:

I, Katherine Mallory, 412 East Main Street, Endicott, New York, being duly sworn say:

Following my telephone interview on July 10, 1964 with Mr. Richard Mosk, I rechecked my diary of the University of Michigan Symphony Band Tour and letters which I sent to my parents. Therefore, I append the following minor corrections of statements in the interest of being as accurate as I can.

Statements 3, 4, and 5. I made no mention of the tour of the Institute and therefore cannot verify the details of the arrangement, i.e., small groups. However, I recall that the tour preceded the talent show. The following is a statement from my diary; "Tonight the students at the Bilo (sic) Russian (White Russian) Polytechnic Institute put on a talent show for us. . . (description of performance). . . Afterward Jerry Anderson and I missed getting out with our crowd and we were mobbed by the students. I met a boy from Texas (now a Russian citizen) who translated questions and answers for me." In a letter to my parents dated March 17, 1961, "The first night we

were there, the students of the Polytechnic Institute gave us a reception and put on a very nice talent show. Afterwards, we all were mobbed by the students. I met a young man probably about 26 who is from Texas but after the war he became a citizen of Minsk. It was rather weird meeting an ex-American but he did come in handy as an interpreter for me and the other students I was talking to."

Statement 7. While I am sure that in conversations about this incident I applied term "crackpot" I did not note it in my diary.

All other statements prepared on the basis of the telephone interview are true.
Signed the 20th day of July 1964.

(S) Katherine Mallory,
KATHERINE MALLORY.

AFFIDAVIT OF MRS. MONICA KRAMER

The following affidavit was executed by Mrs. Monica Kramer on July 17, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF CALIFORNIA,
County of Santa Barbara, ss:

I, Mrs. Monica Kramer, Janin Way, Sunny Acres, Solvang, California, being duly sworn say:

1. In 1961, Miss Rita Naman and I took a trip to Europe which included a visit to the Soviet Union. Miss. Naman had purchased a Singer automobile in Great Britain and we drove through Europe and the Soviet Union.

2. When we were in Moscow staying at the National Hotel, we met Mrs. Marie Hyde, who, to the best of my knowledge, presently resides in Port Angeles, Washington. Mrs. Hyde was desirous of driving with us to Warsaw. Such an arrangement was made.

3. My travel notes indicate that we arrived in Minsk, U.S.S.R., on August 10. After arriving at our hotel, we were asked to take a guided tour of Minsk. We subsequently found out that after we left the hotel, our bags had been searched. Our Intourist Guide's name was Svetlana.

4. We visited the Central Square where we stopped to take some photographs. Kramer Exhibit 1, also labelled Commission No. 859d, is a photograph taken by Miss Naman in Minsk on August 10, 1961. As I recall, it was taken between 5:00 p.m. and 6:00 p.m. The building in the background is the Palace of Culture, and the statue is one of Joseph Stalin. The automobile in the center of the picture is the one that was then owned by Miss Naman. The woman at the far left is the Intourist Guide. She appears to be speaking with me, the woman standing next to her. There are three men to the right of the automobile and a small boy in front of it, all of whom I did not know.

5. On every occasion that we stopped while on the trip through Russia, people would gather around the automobile and look at it. As a result, we became accustomed to this and therefore paid little or no attention to these people.

6. I cannot recall these three men. I never spoke with them. It now appears to me that the man in the middle, wearing dark trousers and a dark, short-sleeved plaid shirt, resembles Lee Harvey Oswald, whose picture I have seen in the newspapers.

7. I recall that Miss Naman spoke with somebody in Minsk who spoke English. They talked about records. I do not recall if this person was Lee Harvey Oswald.

8. We left Minsk on August 11, 1961.

9. Except for possibly on August 10, 1961, I never met nor communicated with Lee Harvey Oswald.

Signed the 17th day of July 1964.

(S) Mrs. Monica Kramer,
MRS. MONICA KRAMER.

AFFIDAVIT OF RITA NAMAN

The following affidavit was executed by Rita Naman on July 17, 1964.

PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF CALIFORNIA,
County of Santa Barbara, ss:

I, Rita Naman, Janin Way, Sunny Acres, Solvang, California, being duly sworn say:

1. I am in the real estate business in Santa Ynez, California, and I live with Mrs. Monica Kramer.

2. In 1961, Mrs. Kramer and I took a trip to Europe. I purchased an automobile in England, and we drove it through Europe and the Soviet Union.

3. While in Moscow we stayed at the National Hotel. There we met Mrs. Marie Hyde, who, as far as I know, currently resides in Port Angeles, Washington. We arranged to drive her to Warsaw, Poland.

4. All three of us left Moscow and travelled to Minsk, U. S. S. R. We arrived there on August 10, 1961. After going to our hotel, I was called by the Intourist Office and asked to go there. The official at the Intourist Office wanted to know why I was in Russia. He appeared hostile. I suspect that they were interested in me because in Moscow, I had given a person who claimed to be a student a Newsweek Magazine along with my business card. The official then insisted that Mrs. Kramer, Mrs. Hyde, and I go on a tour of Minsk. When we returned to our room after the tour, we found that our luggage had been searched.

5. Our Intourist guide's name was Svetlana. We visited the Central Square where we stopped to take some photographs. Kramer Exhibit 1, also labelled Commission No. 859 d, is a photograph taken by me at this time. As I recall, it was taken about 8 or 8:30 p.m. The building in the background is the Palace of Culture, and the statue is one of Joseph Stalin. The automobile in the center of the picture was owned by me. The woman at the far left is the Intourist Guide. She appears to be speaking with a woman standing next to her, who is Mrs. Kramer. There are three men to the right of the automobile and a small boy in front of it, all of whom I did not know.

6. Kramer Exhibit No. 2, also labelled Commission No. 859e, is a photograph taken by me at the same place and at about the same time; however, I took this photograph with Mrs. Hyde's camera. In this photograph Mrs. Hyde is at the far left with the Intourist Guide and Mrs. Kramer. Only two men are pictured to the right of the car.

7. I do not remember speaking to any of the men pictured in Kramer Exhibit 1 and in Kramer Exhibit 2. I was so disturbed by the earlier interview with the Intourist Guide official, that I cannot remember much of what happened thereafter.

8. I do recall that after this photograph was taken, I went to a nearby record store. When I left the store, a man spoke to me in an American accent and asked me about my car. He asked how many miles to the gallon it travelled. I do not recall if this man was the same one pictured in Kramer Exhibit 1 and in Kramer Exhibit 2.

9. The man appearing in these photographs, wearing dark trousers and a dark, short-sleeved, check shirt, resembles Lee Harvey Oswald, whose picture I have seen in the newspapers.

10. Except for possibly on August 10, 1961, I never met nor communicated with Lee Harvey Oswald.

11. We left Minsk on August 11, 1961.

Signed the 17th day of July 1964.

(S) Rita Naman,
RITA NAMAN.

AFFIDAVIT OF JOHN BRYAN McFARLAND AND MERYL McFARLAND

The following affidavit was executed by John Bryan McFarland and Meryl McFarland on May 28, 1964.

PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

GREAT BRITAIN AND NORTHERN IRELAND,
County of Lancaster, City of Liverpool,
Consulate of the United States of America, ss:

Before me Wilfred V. Duke, Consul of the United States of America, duly commissioned and qualified, personally came John Bryan McFarland and Meryl McFarland, of 7a Riversdale Road, Liverpool, 19, England, who being duly sworn, depose and say that:

Q. When and where did you board the bus for Mexico City?

A. We boarded the Continental Trailways bus at Jackson, Mississippi, and traveled via connecting buses to Mexico City where we arrived September 27, 1963.

Q. When and where did you first see the man later identified as Lee Harvey Oswald?

A. We changed buses at Houston, Texas, at 2:00 a.m. September 26th and it was probably about 6:00 a.m. after it became light that we first saw him.

Q. What reason did Oswald give for traveling to Mexico?

A. He stated that he was en route to Cuba and that he could not travel there from the United States as it was against the law.

Q. Did you see Oswald speaking to any other persons?

A. Yes. We observed him conversing occasionally with two young Australian women who boarded the bus on the evening of September 26th at Monterrey, Mexico. He also conversed occasionally with an elderly man who sat in the seat next to him for a time.

Q. When did it first occur to you that Lee Harvey Oswald was the man you had met on the bus?

A. When we saw his pictures in the newspapers.

Q. How many suitcases was Oswald carrying when he boarded the bus at Houston, Texas, or any other time?

A. We did not see him carrying any suitcases at any time.

Q. Did Oswald check any luggage with the bus company so it would have been carried underneath the bus in the baggage compartment?

A. We never actually saw him check any luggage in with the bus company, but in the bus station at Mexico City the last we saw of him was waiting at the luggage check-out place obviously to collect some luggage.

Q. What kind of luggage was he carrying?

A. We did not notice but presume he must have been carrying some hand luggage.

Q. Did he check any suitcases or other packages at a place en route to Mexico City or otherwise dispose of them?

A. We never actually saw him check any luggage in with the bus company, but in the bus station at Mexico City the last we saw of him was waiting at the luggage check-out place obviously to collect some luggage.

Q. What kind of clothing was he wearing?

A. As far as we recollect, ordinary slacks and, a more definite recollection, a sort of zipper jerkin.

Q. Did he mention any names or places either in the United States or Mexico, in any connection whatever?

A. Only New Orleans, whence he said he had come. In the course of conversation, we worked out that he must have left New Orleans at about the same time we had left Jackson, Mississippi, i.e. 2:00 p.m. on Wednesday, September 25th, 1963.

Q. Did he show you any documents, such as passport or Fair Play for Cuba Committee Card, or letters, newspaper clippings or other similar material? If so, describe them as fully as possible.

A. We saw no document, but he said he was the secretary of the New Orleans branch of the Fair Play for Cuba Organization, and that he was on his way to Cuba to see Castro if he could. We saw him at the next table to ourselves in the Customs Shed at Laredo, but did not notice his passport or tourist card.

Signed the 28th day of May 1964.

(S) J. B. McFarland,
JOHN BRYAN MCFARLAND.

(S) Meryl McFarland,
MERYL MCFARLAND.

TESTIMONY OF PAMELA MUMFORD

The testimony of Pamela Mumford was taken at 12:30 p.m., on May 19, 1964, at 611 Wilshire Boulevard, Los Angeles, Calif., by Mr. Joseph A. Ball, assistant counsel of the President's Commission. Miss Mumford was accompanied by her attorney, Mr. C. C. Dillavou.

Pamela Mumford, called as a witness herein, having been first duly sworn, was examined and testified as follows:

Mr. BALL. You received a letter, didn't you, from Mr. Rankin, as counsel for the Commission, advising you that we would request you to give your deposition?

Miss MUMFORD. Yes; that's right.

Mr. BALL. And you also received a copy of the joint resolution of the Congress, didn't you, authorizing the Commission to proceed to investigate the facts concerning the assassination of President Kennedy?

Miss MUMFORD. Yes.

Mr. BALL. And you willingly give your deposition today, do you not?

Miss MUMFORD. I do.

Mr. BALL. To tell us all the facts that you might know to assist us in this investigation?

Miss MUMFORD. Right.

Mr. BALL. Your name is Pamela Mumford?

Miss MUMFORD. Right.

Mr. BALL. Where do you live?

Miss MUMFORD. 153 North New Hampshire Avenue, Los Angeles 4.

Mr. BALL. What is your occupation?

Miss MUMFORD. Secretary.

Mr. BALL. A legal secretary?

Miss MUMFORD. Legal secretary.

Mr. BALL. And you work for the firm of Dillavou & Cox, do you?

Miss MUMFORD. Right.

Mr. BALL. That is in a building at 6th and Grand, Los Angeles, Calif.?

Miss MUMFORD. Right.

Mr. BALL. Now, because of the fact that you will not appear before the Commission, and the members of the Commission will have to read this deposition, they would like to know something about you: Where you were born, your education. So, just go ahead and tell me all you can about yourself.

Miss MUMFORD. Well, I was born in the Fiji Islands in 1941, and my father was transferred to Australia in 1951. I was brought up and went to school in Australia until 1961.

And then I traveled to England, where I worked for a period of a year. I went to Europe and then I obtained a working visa to come to the United States.

I worked in New York for 8 months and then my friend and I traveled through the United States and Mexico on our way to Los Angeles where we intended to remain.

Mr. BALL. Now, what was your friend's name?

Miss MUMFORD. Patricia Winston.

Mr. BALL. And she left Australia with you, did she?

Miss MUMFORD. She left with me, yes. We had been traveling together for 2 years. And she also made the journey through the States and through Mexico with me. That takes us up to Los Angeles.

Mr. BALL. When did you arrive in Los Angeles?

Miss MUMFORD. In the first week of November 1963.

Mr. BALL. Is Patricia Winston a legal secretary also?

Miss MUMFORD. No; Patricia is an occupational therapist, who was also born in the Fiji Islands and raised in Australia. Our families were friends.

And she was unable to obtain work in California owing to certain California laws. She had to sit for some exam to enable her to work here.

So, finally, she returned home to Australia in January, mid-January. And she is there now.

Mr. BALL. As of 1964?

Miss MUMFORD. Yes.

Mr. BALL. How old is Patricia Winston?

Miss MUMFORD. She is 23.

Mr. BALL. You took a trip into Mexico last fall, didn't you?

Miss MUMFORD. Yes.

Mr. BALL. And did you travel from New York to Mexico?

Miss MUMFORD. Well, we traveled by bus on a scheme which allowed us to travel on Trailways buses for a period of 3 months for a certain amount. We just got on and off at various places we wanted to see: For instance, Washington, D.C.; Miami, where we stayed a week; then we went across to New Orleans, down through Texas to Laredo, and from Laredo we crossed the border also by bus and went to Monterrey.

We spent one day in Monterrey and left by bus at 7:30 p.m. at Monterrey, and it was on that bus that we met Lee Harvey Oswald.

Mr. BALL. Where did you buy your ticket to Mexico?

Miss MUMFORD. Well, the ticket we had on this deal enabled us only to travel in the States, not in Mexico.

So, we bought the ticket on the bus at Laredo and that enabled us to stop off in Monterrey. But the ticket was from Laredo to Mexico City.

Mr. BALL. And from what company did you buy the ticket?

Miss MUMFORD. As far as I can remember, it was a bus company called Transporter del Norte.

Mr. BALL. And did you buy the bus ticket in Laredo at the Trailways bus depot?

Miss MUMFORD. Yes.

Mr. BALL. What date did you buy the bus ticket?

Miss MUMFORD. It must have been September 25.

Mr. BALL. And you left Laredo at what time?

Miss MUMFORD. Early September the 26th.

Mr. BALL. Didn't you leave the bus depot at Laredo on September 25th, about 10 o'clock in the morning, or was it September 26?

Miss MUMFORD. September 26. Now, hold on. We had one day in Monterrey and one night in Monterrey. We left Monterrey, I know, on the night of September 26 at 7:30 p.m.

Mr. BALL. And you had come down to Monterrey from Laredo the day before, hadn't you?

Miss MUMFORD. The day before, yes.

Mr. BALL. Now, on the way from Laredo to Monterrey you didn't see Oswald?

Miss MUMFORD. No.

Mr. BALL. You saw him on a bus that left Monterrey?

Miss MUMFORD. That left Monterrey. But he had traveled from Laredo on that same bus.

Mr. BALL. How do you know that?

Miss MUMFORD. He told us.

Mr. BALL. Now, you got on the bus at Monterrey on the evening of September 26 at 7:30 p.m., you just told me?

Miss MUMFORD. Yes.

Mr. BALL. And what was the company that operated that bus, do you know?

Miss MUMFORD. That was also Transporter del Norte.

Mr. BALL. And were there the same accommodations for all travelers?

Miss MUMFORD. Yes; there were. There were four seats in the front that were occupied by English-speaking people. But, having got on so late in the journey,

we were taken down to the back to sit with the Mexicans. And we were the only English-speaking people at the back of the bus.

Mr. BALL. All others were Mexican-speaking?

Miss MUMFORD. Yes.

Mr. BALL. Now, who were the English-speaking people that you mentioned? Will you describe them?

Miss MUMFORD. There was a young English couple who were traveling down to the Yucatan to study the Indians and their way of life.

There was an elderly English gentleman in his mid- or late-sixties, I should imagine. He told us during the journey that he had lived on and off in Mexico for 25 years.

Then there was the young Texan, Lee Harvey Oswald, and Patricia and myself.

Mr. BALL. Now, when you first boarded the bus did you speak to the English-speaking people?

Miss MUMFORD. We got on and Oswald heard Patricia and I talking. And we had two heavy overnight bags, and he told us later that he had turned to his companion, who was the middle-aged English gentleman, and said, "I wonder how you say 'How can I help you' in Spanish", which gave us the opinion later that he couldn't speak the language; couldn't speak Spanish.

He took us for two Spanish girls, I guess, and was going to help us with our luggage.

Mr. BALL. Did he help you with your luggage?

Miss MUMFORD. No.

Mr. BALL. You went on to the back of the bus?

Miss MUMFORD. Yes.

Mr. BALL. You didn't say anything to the four English-speaking people when you first got on the bus?

Miss MUMFORD. No.

Mr. BALL. And they didn't speak to you?

Miss MUMFORD. No.

Mr. BALL. When did you first speak to any of these four?

Miss MUMFORD. Oswald was the first one we spoke to. He left his seat and came down to the back of the bus to speak to us.

Mr. BALL. That was after the bus had left Monterrey?

Miss MUMFORD. Yes.

Mr. BALL. And while it was en route?

Miss MUMFORD. Yes.

Mr. BALL. What did he say to you?

Miss MUMFORD. Well, he said that he had heard us speaking English and wondered where we came from.

He then told us the story of how he had thought we were Mexican and was going to help us if he could speak the language.

Mr. BALL. What did he say? Can you tell me his language as close as you can?

Miss MUMFORD. No, I can't really put it into his words; not at that stage. He then proceeded to tell us about himself.

Mr. BALL. What did he say?

Miss MUMFORD. I will have to refer to notes. Oh, yes; the first thing he told us was that he was from Fort Worth, in Texas. And he wanted to know where we had been, and we told him we were Australians.

He wanted to know the places we had visited. We told him.

And he mentioned that he had been in Japan while he was in the Marines, and that was the closest he had got to Australia and that he would very much like to go to Australia.

He then told us that he had been to Russia and asked whether we had ever been to Russia. We said no, and we told him of a friend of ours, a fellow Australian, who had been to Moscow, and her experiences there.

And we asked him what he was doing in Russia and did he have trouble getting in. He said that he was studying there. He had an apartment in Moscow and was studying. We didn't ask him what he was studying.

At this stage he showed us his passport that had a Russian stamp on it; some sort of a Russian stamp. And he didn't mention his Russian wife at all. But we noticed he had a gold wedding ring on his left hand.

We made about three stops or four stops every 2 or 3 hours, and he didn't speak to us during these stops. We got speaking to the other British people.

Mr. BALL. Did he speak to you again after that time that he first came back?

Miss MUMFORD. Yes; oh, about 2 hours before we arrived in Mexico City he asked us whether we had accommodations arranged there. And we said no, we had a vague idea from a book called "Mexico on Five Dollars a Day" where we were going to stay.

And he suggested that on previous trips to Mexico City he had stayed at a place called the Hotel Cuba, and he recommended it for clean and cheap living.

And he then made a crack that he wasn't suggesting the Hotel Cuba because he was going to be there; he just suggested it to help us.

And we decided that we wouldn't take him up on his suggestion; that we would go our own way.

Then we arrived in the Mexico City bus station and he didn't speak to us, attempt to speak to us at all. He was one of the first off the bus and the last I remember seeing him he was standing across the end of the room.

Mr. BALL. At the bus station?

Miss MUMFORD. At the bus station. And we left by taxi.

Mr. BALL. Then you had two conversations with him?

Miss MUMFORD. Yes.

Mr. BALL. Or more?

Miss MUMFORD. No; two. During the trip I engaged the middle-aged English gentleman in conversation, asking him about the weather, and what it was like usually. And he said, "The young man traveling beside me has traveled to Mexico also. Why don't you talk to him?" And that was all.

Mr. BALL. Where were you when you talked to the English gentleman; the elderly man?

Miss MUMFORD. Just standing outside at one of the rest stops, standing outside waiting to board the bus.

Mr. BALL. Did you talk to any one of these four people as the bus was en route, except Oswald; the four English-speaking people?

Miss MUMFORD. Not on the bus. We did speak to the young English couple for a while, told them where we had lived in London, and they had told us very vaguely, I remember, that they were also traveling through the United States, but their main aim wasn't to go to the tourist resorts in America but to go down to Mexico.

Mr. BALL. Did you get their names? Did they tell you their names?

Miss MUMFORD. No.

Mr. BALL. You didn't ask them their name?

Miss MUMFORD. No.

Mr. BALL. When did you talk to this elderly English gentleman who was sitting beside Oswald when you first got on the bus?

Miss MUMFORD. The only time we talked to him was at one of the rest stops outside the bus. And I just happened to ask him about the weather, and that was the only conversation.

Mr. BALL. Did he say anything else to you on the trip except that there was a young man sitting next to him that had been in Mexico before?

Miss MUMFORD. No.

Mr. BALL. That's all he said?

Miss MUMFORD. Yes.

Mr. BALL. About how many people were on this bus?

Miss MUMFORD. There must have been about 14 rows on both sides, with two people on each. About 50, 55. It was crowded.

Mr. BALL. I have a note here of a statement you made to an agent for the Federal Bureau of Investigation on the 18th of December in which it was reported that you estimated about 39 passengers.

Do you recall that? Did you ever say that?

Miss MUMFORD. Well, these were conflicting reports, naturally. The FBI questioned Patricia at our apartment and he then questioned me here and, naturally, two people get different ideas on a bus load.

But, it was well crowded. There were a lot of children on the bus. I should imagine there would be—they were long, great big, long, heavy buses.

Mr. BALL. Were there any vacant seats when you got on?

Miss MUMFORD. Quite a few people boarded in Monterrey. And we were a bit frightened that we wouldn't get a seat together. But I think we were one of the few people who got on first.

Mr. BALL. What part of the bus did you sit in?

Miss MUMFORD. In the middle of the bus, more towards the back than the front.

Mr. BALL. Did the English man ever come back while you were being seated and speak in Spanish to any of the Mexican people?

Miss MUMFORD. No.

Mr. BALL. You don't recall that the English man ever came back and asked the Mexican people to make room for you to sit down?

Miss MUMFORD. No.

Mr. BALL. At the bus stops, you say, you did not talk to Oswald?

Miss MUMFORD. No. He was the first off the bus and the last back on. He had a meal at every bus stop.

Mr. BALL. Oh, he did?

Miss MUMFORD. Yes.

Mr. BALL. He ate at every bus stop?

Miss MUMFORD. Yes. I never saw him ordering. I took it that he didn't speak the language, but he always managed to order himself a large meal, because he never seemed to get it over to them what he wanted.

Mr. BALL. What gave you the impression that he did not speak the language?

Miss MUMFORD. Well, simply that on arriving on the bus he told us—when we had boarded the bus he had told us that he had turned to the English gentleman and asked "I wonder how you say 'Can I help you' in Spanish."

Mr. BALL. You told him when he came back to talk to you that you had had a friend travel in Russia?

Miss MUMFORD. Yes.

Mr. BALL. And you say you had mentioned her experiences. What did you tell him about that?

Miss MUMFORD. Well, we said that she had come back and told us that Moscow was a beautiful city and she had gathered the impression that they were being taken on a tour and shown only what they wanted to be shown.

She, being a school teacher, asked a lot of questions of their female guide, and the questions just were evaded or not answered.

And she said she got the impression that she was told to say certain things and nothing else.

Mr. BALL. Did Oswald make any remark to that?

Miss MUMFORD. No; the only remark he made on his life in Moscow was that he had had a lot of trouble getting out. That's all he said.

Mr. BALL. Did he make any statement at all concerning his life in the Soviet Union; whether he had enjoyed the stay there or not?

Miss MUMFORD. No; he gave me the impression that he was the average, normal American citizen who had gone over there and had wanted to get out and couldn't get out for some red tape reasons.

Mr. BALL. Did he say anything or make any mention of politics?

Miss MUMFORD. No; never.

Mr. BALL. Did he mention anything about communism, socialism, or anything of that sort?

Miss MUMFORD. No; he never said anything about his political views or even mention politics at all.

Mr. BALL. You did see his passport, though?

Miss MUMFORD. Yes.

Mr. BALL. How did he happen to show you this passport?

Miss MUMFORD. Well, I think it was rather to prove that he had been in Russia. I think he was trying to find places that we hadn't been that he had, and he just—in fact, he left us at the seat to go up and take his passport from his traveling bag and bring it down to show us.

Mr. BALL. Had he told you his name before that?

Miss MUMFORD. He never mentioned his name once.

Mr. BALL. He never did?

Miss MUMFORD. He never introduced himself; no.

Mr. BALL. How did you know his name?

Miss MUMFORD. We didn't.

Mr. BALL. Did you notice the name on the passport?

Miss MUMFORD. Well, I didn't; no. Pat says it rang a bell when the rest of the business came up, and we recognized him on television. And she said, when the name came through on the television, it did ring a bell with her, but she said even then she couldn't picture that name on the passport.

Mr. BALL. You did see the name on the passport, did you?

Miss MUMFORD. Well, yes, he must have shown it to us. I can't really remember.

Mr. BALL. But you didn't remember the name?

Miss MUMFORD. No.

Mr. BALL. You made no note of it?

Miss MUMFORD. No.

Mr. BALL. Did the elderly Englishman ever make a statement to you as to whether or not the young man sitting next to him on the bus, that is, Oswald, had been to Mexico City before, or been to Mexico before?

Miss MUMFORD. Yes; Oswald must have told him he had been there numerous times, because this Englishman did refer us, or did refer me to Oswald and say "He has been there before. Why don't you ask him?"

Mr. BALL. Did he say he had been to Mexico City or Mexico before?

Miss MUMFORD. I think we were speaking about Mexico generally, because we had contemplated a trip down to Acapulco, and I was interested in the difference in temperatures.

Mr. BALL. Was that at a bus stop?

Miss MUMFORD. Yes, outside the bus; a rest stop.

Mr. BALL. Now, you gained some impression, didn't you, from talking to the Englishman, that he had not known Oswald before?

Miss MUMFORD. Only by his reference to Oswald as "the young man sitting next to me." They were talking quite a lot, the four of them.

In the first two seats were the young English couple, and directly behind them were Oswald, sitting on the aisle, and the Englishman, sitting near the window. And we could hear them talking a lot, and laughing, when we were sitting in the back, wondering what was going on.

Mr. BALL. Did you gain the impression from anything else said by the Englishman that he was not traveling in the company of Oswald?

Miss MUMFORD. No.

Mr. BALL. Nothing except that he referred to him as the young man—

Miss MUMFORD. Yes; but they never spoke to each other on rest stops. Oswald just went his way completely.

Mr. BALL. When you arrived at Mexico City did the Englishman get off the bus with Oswald, or at the same time when Oswald did?

Miss MUMFORD. I don't remember. I remember Oswald was standing completely alone in the bus station.

Mr. BALL. What did the Englishman do?

Miss MUMFORD. I don't remember what he did at all. We got off the bus and I don't remember seeing him leave the bus even.

Mr. BALL. Now, did you have any conversation with the English couple to indicate that they had never before seen Oswald?

Miss MUMFORD. No; I don't think they made any reference to him at all.

Mr. BALL. The Federal Bureau of Investigation agent that you talked to on the 12th of December stated this: That in talking with the Englishman, the elderly Englishman, he said, and I will quote what he put down, "I gather the young man sitting with me has been to Mexico City before."

Do you remember words like that used by the Englishman?

Miss MUMFORD. That may have been his words. I really don't remember. That was just the general impression I got of what he said to me.

Mr. BALL. Now, also at that time, the agent reported that it was your opinion that "Oswald was traveling alone, and that he had had no previous contact with any of the English-speaking people on the bus prior to that time." Did you tell him that?

Miss MUMFORD. Yes ; and that is still my opinion.

Mr. BALL. Did you have breakfast on that morning before you got into one of your stops? Did you have a breakfast?

Miss MUMFORD. Yes.

Mr. BALL. Where? Did you notice the name of the place?

Miss MUMFORD. No ; I don't know the name of the place. It was about 6 a.m. in the morning and we arrived in Mexico City at about 10, so it would have been about 4 hours before we arrived in the city.

Mr. BALL. Did you eat with Oswald at that time ; eat breakfast with him?

Miss MUMFORD. No.

Mr. BALL. Did he eat breakfast with anyone?

Miss MUMFORD. I don't remember at that particular stage. Earlier in the night, twice, I knew he ate alone.

Mr. BALL. In the statement which the agent reported, the agent reported his conversation with you, and he says that, "Oswald always ate alone except for breakfast on the morning of September 27, 1963, when he ate with the English couple." Do you remember whether Oswald ate breakfast with the English couple?

Miss MUMFORD. I don't ; no. Pat may have remembered that. I don't remember seeing him at all in that particular restaurant.

Mr. BALL. Did you give this young man a nickname?

Miss MUMFORD. "Texas."

Mr. BALL. Did you call him "Texas" to his face?

Miss MUMFORD. No.

Mr. BALL. You just called him "Texas" when you——

Miss MUMFORD. No ; we wrote home from Mexico City describing the awful bus trip, with crying kids, et cetera, and happened to mention that there was a young Texan and we called him "Texas."

Mr. BALL. But you didn't call him "Texas" to his face?

Miss MUMFORD. No, No.

Mr. BALL. How was this boy from Texas dressed?

Miss MUMFORD. He was dressed casually. I don't remember what color trousers he had on. He had on a dark sweater, I know that. It was a wool sweater, a sort of a charcoal gray color.

When we saw him on television, being arrested or being taken down to the Dallas County jail, Patricia was the first to recognize that that was the same sweater. We were reluctant to believe this, of course, at first ; that we knew this man. But she said the thinning hair on the top, the thinning, curly, wiry hair, plus the sweater that she recognized right away, and I recognized afterwards, made us almost certain that this was the same man.

Mr. BALL. Did he have a shirt on?

Miss MUMFORD. I don't remember. In discussing this with Patricia she said that she felt he had some sort of a checked shirt on, just underneath.

Mr. BALL. He didn't have a tie on?

Miss MUMFORD. No.

Mr. BALL. Open?

Miss MUMFORD. Open sport shirt ; yes.

Mr. BALL. And did he have on a jersey ; pale-green jersey that you noticed?

Miss MUMFORD. No ; not pale green.

Mr. BALL. Now, you said he had some luggage. Did you see the luggage?

Miss MUMFORD. Yes.

Mr. BALL. How much luggage did he have?

Miss MUMFORD. Just one medium sized—I can't remember whether it was an overnight bag or one of these pouch affairs, you know.

Mr. BALL. Was it a zipper bag?

Miss MUMFORD. Well, I thought it was a zipper bag. I am not really certain on that point.

Mr. BALL. What color was it?

Miss MUMFORD. I don't know.

Mr. BALL. Did he have the bag with him in the seat, or near the seat where he was sitting?

Miss MUMFORD. Up on the railing, above him.

Mr. BALL. And when he left the bus in Mexico City did he carry the luggage with him?

Miss MUMFORD. I can't say for sure.

Mr. BALL. When you last saw him standing in the bus depot did he have a piece of luggage in his hand?

Miss MUMFORD. I can't remember that either.

Mr. BALL. Did Oswald tell you where he had boarded the bus?

Miss MUMFORD. No; I don't think he did.

Mr. BALL. What was the name of the bus depot in Mexico City where you last saw Oswald?

Miss MUMFORD. I am not sure of that. I know the name of the bus, or I am fairly certain of the name of the bus. But I am not sure of the bus station.

Mr. BALL. Were there a lot of bus stations?

Miss MUMFORD. Well, that is a point I am not sure of. We took a bus down to Acapulco from Mexico City and I have the feeling that was the busline we took to Acapulco. I know there are about three different buslines situated in different places in Mexico City, and I am not sure just what was the name of the depot we came into.

Mr. BALL. Now, again, on the luggage, did he have one or more pieces of luggage?

Miss MUMFORD. I think it was one.

Mr. BALL. Just one?

Miss MUMFORD. Yes.

Mr. BALL. And that was a zipper type?

Miss MUMFORD. Yes.

Mr. BALL. Are you able to tell me what color it was?

Miss MUMFORD. No.

Mr. BALL. You saw Oswald on television after the President had been shot, didn't you?

Miss MUMFORD. Yes.

Mr. BALL. Now, tell me where you were when you saw the television and who was with you and what you said.

Miss MUMFORD. On the Friday night of the 22d, Pat and I left by bus for Las Vegas for the weekend. Patricia was not working at that time. I am not sure whether she had seen television shots—I think we had both seen television shots before we left for the bus station. I am not familiar with whether we realized at that stage that it was him or not.

I remember in Las Vegas we had a television in our motel room and it was then that we were both very sure that it was the same man.

Mr. BALL. You saw him on television, did you?

Miss MUMFORD. Yes.

Mr. BALL. And you thought you recognized him then?

Miss MUMFORD. Yes.

Mr. BALL. As the man you had met on the bus?

Miss MUMFORD. Yes.

Mr. BALL. The man you have referred to as "Texas"?

Miss MUMFORD. Yes; well, we knew we had seen him somewhere before, and we were sort of going over our travels in our mind, and it hit us that it was on that bus, particularly when they said he was from Fort Worth, or from Texas.

Mr. BALL. Now, can you give me a description of the Englishman; what he looked like? You told me his approximate age.

Miss MUMFORD. He was short. Yes; about 5'8". Quite bald, plump; fat. He was also dressed casually.

Mr. BALL. Did he have a tie on?

Miss MUMFORD. I don't remember. He seemed to me not to be well dressed. He was scruffy. He spoke well. He spoke with a cultured English accent more than a Cockney or a suburbia accent.

Mr. BALL. Did he tell you whether or not he had lived in Mexico before?

Miss MUMFORD. Yes; Not—he didn't specify Mexico City. He said that he had lived on and off in Mexico for 25 years.

Mr. BALL. Did he tell you his name?

Miss MUMFORD. No.

Mr. BALL. Well, you were shown pictures of a man later on by the Federal Bureau of Investigation agent, were you not?

Miss MUMFORD. Yes.

Mr. BALL. And they showed you pictures of Oswald, didn't they; Lee Harvey Oswald?

Miss MUMFORD. No.

Mr. BALL. You didn't ever see a picture of Oswald?

Miss MUMFORD. No.

Mr. BALL. But they showed you pictures of a man, did they not?

Miss MUMFORD. Yes; they showed us two pictures the first time, one picture I was fairly certain was the same gentleman. The other picture, whom they said was the same man, I couldn't give that description—I couldn't say definitely that it was him or even the same man.

The second time the FBI official showed me a photo was some weeks or months later, and I could make a definite—what is the word I want?

Mr. BALL. Identification?

Miss MUMFORD. Identification of that picture.

Mr. BALL. What did you tell the agent?

Miss MUMFORD. Well, that third picture, on the second time he had showed it to me, was, I was certain, the same man.

Mr. BALL. You mean the elderly Englishman?

Miss MUMFORD. The elderly Englishman.

Mr. BALL. That you had seen on the bus?

Miss MUMFORD. Yes.

Mr. BALL. Did you ever see this Englishman again?

Miss MUMFORD. No.

Mr. BALL. Except this night, or this ride on the bus?

Miss MUMFORD. Yes; that was the only time.

Mr. BALL. Did they tell you that the Englishman's name was John Howard Bowen?

Miss MUMFORD. No; I don't recall ever being told his name.

Mr. BALL. Or that he might have had the name Albert Osborne?

Miss MUMFORD. No.

Mr. BALL. You don't remember either of those?

Miss MUMFORD. No.

Mr. BALL. Was your friend with you when the agent showed you the pictures?

Miss MUMFORD. The first set of pictures, she was still in this country and she was also shown them. The second set of pictures was shown to me after she had left.

Mr. BALL. When the first set of pictures was shown to your friend Patricia Winston, what did she say?

Miss MUMFORD. If I remember correctly, she felt the same way as I did; that one of the photos was a good likeness, and the other one she couldn't make an identification.

Mr. BALL. Do you have anything else that you would care to say; any impressions that you obtained from this ride on the bus that you think might be of assistance to us?

Miss MUMFORD. No.

Mr. BALL. You have told us about all you know about that trip, have you, now?

Miss MUMFORD. Yes.

Mr. BALL. This will be written up and submitted to you for your signature, I hope this week.

Mr. DILLAVOU. You mentioned to me, Pam, something about the frugality of this boy in his travels. I don't know if you want that——

Mr. BALL. Yes; we would like that.

Miss MUMFORD. Oh, yes; he did say that the Hotel Cuba was a very cheap place to stay, and I think either Patricia or myself made the comment, "Well, that suits us fine because that is the way we do it, too."

That is the only thing I can remember that he said that referred to his way of travel.

Mr. BALL. Did he say anything about how much money he had, or how much he could spend or would spend?

Miss MUMFORD. No.

Mr. BALL. That's all.

TESTIMONY OF DIAL DUWAYNE RYDER

The testimony of Dial Duwayne Ryder was taken at 5:25 p.m., on March 25, 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. Would you please rise, I will swear you as a witness.

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. RYDER. Yes, sir.

Mr. LIEBELER. Please be seated. My name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy. Staff members have been authorized to take testimony of witnesses by the Commission pursuant to authority granted to it by Executive Order No. 11130 dated November 29, 1963, and joint resolution of Congress No. 137. The Commission has adopted rules of procedure in conformance with the Executive order and the joint resolution. I understand that Mr. Rankin, the general counsel to the Commission, wrote you a letter last week and told you that I would contact you to take your testimony this week. He sent with that letter, I understand, a copy of that Executive order and joint resolution together with a copy of the rules of procedure adopted by the Commission for the taking of testimony of witnesses. You received that letter?

Mr. RYDER. Yes, sir.

Mr. LIEBELER. And copies of the papers I referred to?

Mr. RYDER. Yes, sir.

Mr. LIEBELER. Today we want to examine you briefly concerning the possibility that you did some work on a rifle for a man by the name of Oswald who may in fact have been Lee Harvey Oswald. Before we get into that, we would like to have you state your full name for the court reporter.

Mr. RYDER. Dial Duwayne [spelling] R-y-d-e-r.

Mr. LIEBELER. What is your address?

Mr. RYDER. 2028 Harvard.

Mr. LIEBELER. What city?

Mr. RYDER. Irving, Tex.

Mr. LIEBELER. Where are you employed, Mr. Ryder?

Mr. RYDER. Irving Sports Shop.

Mr. LIEBELER. Where is that?

Mr. RYDER. 221 East Irving Boulevard, Irving, Tex.

Mr. LIEBELER. What kind of place is the Irving Sports Shop?

Mr. RYDER. Well, it's a retail sporting goods store.

Mr. LIEBELER. What do you do in your work there?

Mr. RYDER. Actually, my capacity is, I guess you could refer to it as service manager. I do all the service work, gun work, outboard motor work, rig boats. I guess you say general flunkie or service man you refer to it as.

Mr. LIEBELER. How old are you?

Mr. RYDER. Twenty-five.

Mr. LIEBELER. Were you born here in Texas?

Mr. RYDER. No, sir; I was born in Claremont, Ill.

Mr. LIEBELER. When did you move to Texas?

Mr. RYDER. 1945.

Mr. LIEBELER. 1945?

Mr. RYDER. Yes, sir.

Mr. LIEBELER. Where did you go to school?

Mr. RYDER. Irving High School; actually, I went all the way through the Irving public school system.

Mr. LIEBELER. And you graduated from the Irving Public High School?

Mr. RYDER. Yes.

Mr. LIEBELER. When did you graduate from high school?

Mr. RYDER. 1957.

Mr. LIEBELER. How long have you been working for the Irving Sports Shop?

Mr. RYDER. Five years be close enough; it's a little less than 5, but 5 covers it.

Mr. LIEBELER. Are you married?

Mr. RYDER. Yes, sir.

Mr. LIEBELER. Do you have children?

Mr. RYDER. No, sir.

Mr. LIEBELER. How long have you been married?

Mr. RYDER. Five years.

Mr. LIEBELER. Have you been in the military service?

Mr. RYDER. Yes, sir.

Mr. LIEBELER. What branch were you in?

Mr. RYDER. Went in the National Guard, 49th Armored Division which I am still an active member.

Mr. LIEBELER. Of the National Guard?

Mr. RYDER. Yes.

Mr. LIEBELER. Did you serve on active duty with the U.S. Army?

Mr. RYDER. Yes.

Mr. LIEBELER. For 2 years?

Mr. RYDER. No; actually it was, let's see, I guess you say it was 15 months, 16, something like that. In other words, while I was on 6 months' training, they activated the 49th Armored Division and I was called in to stay 9 extra months on active duty.

Mr. LIEBELER. Where were you stationed while on active duty?

Mr. RYDER. Fort Leonard Wood, Fort Knox for advanced individual training, and Fort Polk, La., with the 49th.

Mr. LIEBELER. What kind of training did you receive?

Mr. RYDER. Armored tank training.

Mr. LIEBELER. You served as a tanker at Fort Polk?

Mr. RYDER. Yes, sir.

Mr. LIEBELER. What is your rank in the National Guard?

Mr. RYDER. Now?

Mr. LIEBELER. Yes.

Mr. RYDER. Sergeant.

Mr. LIEBELER. What was it at the time you went into active duty?

Mr. RYDER. It was June 11 in 1960 when I reported to Fort Leonard Wood.

Mr. LIEBELER. June what? What was your rank when you went on active duty?

Mr. RYDER. I was just an E-2.

Mr. LIEBELER. E-2?

Mr. RYDER. Yes; or private—beginner—actually, I had 3 months actually, National Guard work which waives your time for E-2, three months' period. Of course, there isn't much difference in pay rate.

Mr. LIEBELER. It appears that there was a newspaper story that appeared in the Dallas Times Herald on November 28, 1963, and apparently a version of that story was carried in the New York Times on November 29, 1963, which mentions you. Do you recall being interviewed by a reporter from a Dallas newspaper?

Mr. RYDER. After the story was out; yes—before, no.

Mr. LIEBELER. What do you mean by that?

Mr. RYDER. Well, the deal is the story came out on Thanksgiving and early that morning the telephone rang—I would say roughly 7:30 or 8, something like that—and I answered the phone and a guy introduced himself and I told him I didn't have any comment and hung up.

Mr. LIEBELER. This was a newspaperman?

Mr. RYDER. To tell you the truth, I didn't pay that much attention. I was half asleep because it was a day off. I was going to get some of that extra dozing time, you know, and I just told him I didn't have any comment and hung the

phone up and took it off the hook and later on that day, CBS television came out and they were wanting a blownup deal on it to put on television when they found it was opposite which came out in the Times Herald.

Mr. LIEBELER. In other words, you were not interviewed as far as you can remember by a newspaper reporter prior to the time the story came out in the Times Herald?

Mr. RYDER. Not as far as I know. I was interviewed by the FBI and Dallas Police Department and I believe a couple Secret Service men came out.

Mr. LIEBELER. Which one of those interviewed you first?

Mr. RYDER. The FBI was the first one out.

Mr. LIEBELER. Do you remember what the date was when the FBI first interviewed you?

Mr. RYDER. It was on Monday, the day of the funeral of President Kennedy.

Mr. LIEBELER. That would have been November 25. Friday was the 22d, Saturday would be the 23d, Sunday the 24th, Monday the 25th. Do you remember the name of the FBI man?

Mr. RYDER. Mr. Horton.

Mr. LIEBELER. Horton [spelling] E-m-o-r-y E. H-o-r-t-o-n?

Mr. RYDER. I didn't get his first name. His last name stuck with me—well, I don't know why; it just stayed there.

Mr. LIEBELER. What did Mr. Horton say to you and what did you say to him, to the best of your recollection?

Mr. RYDER. Of course, we were closed on that Monday.

Mr. LIEBELER. The Irving Sports Shop was closed?

Mr. RYDER. Right, and he came to the house, so, at that time he showed me pictures of Lee Harvey Oswald and pictures of the gun and asked me about it. I said "Well, the face and the body features of Oswald there was real common in this country." I mean, you know, in this area in Texas and that to say that I had him in the shop, actually, this was after a period of time that we boiled it down to. Oh, I told him I had a ticket with the name Oswald, no date, no address, just for drilling and tapping and boresighting—no address, or name; he didn't say he'd like to see the ticket and was looking at the pictures, then I seen the gun. Of course, from the picture I told him as far as I could remember I told him I hadn't mounted that scope, you know.

Mr. LIEBELER. You based that statement that you had not mounted the scope on your recollection that you had not worked on that particular kind of rifle, is that correct?

Mr. RYDER. Right, on this Italian rifle—I never worked on them. I seen them but as far as doing any physical work, I haven't done none even to this date, I haven't worked on any of them.

Mr. LIEBELER. You are absolutely sure about that?

Mr. RYDER. I am positive on that, very positive. So, we went up to the Irving Sports Shop and I opened it up and got the ticket and showed him. It was just a little repair ticket actually what it amounted to.

Mr. LIEBELER. Did it have a number on it?

Mr. RYDER. Yes, sir; I don't remember the number.

Mr. LIEBELER. Did you give the tag to Mr. Horton?

Mr. RYDER. No; he told us to hold on to it, keep it and they would probably get it later on and they did. It seems to me like it was 2 or 3 weeks ago they came and got it now.

Mr. LIEBELER. Just 2 or 3 weeks ago?

Mr. RYDER. Yes.

Mr. LIEBELER. Who came and got it?

Mr. RYDER. I don't know; the boss, Mr. Greener, gave it to him. It was on Saturday, I believe it was.

Mr. LIEBELER. Did that tag indicate the nature of the work that was to be done?

Mr. RYDER. Well, actually, all it had on it was drill and tapping; it said drill and tap and a price of \$4.50, I believe it was and boresight, of course, no charge on that, so by us charging \$1.50 a hole—that's what we normally charge for drillin' and tappin'—would on this particular thing, would have been three holes drill and tap, where in the picture of the gun there was only two screws

holding the mount of the scope on which is, more or less, made it positive we hadn't mounted it on the gun, so Mr. Horton, so he took it for granted that I hadn't done the work on it and I am sure I haven't because——

Mr. LIEBELER. What kind of gun was it?

Mr. RYDER. It was a 6.5 Italian.

Mr. LIEBELER. Do you know the make?

Mr. RYDER. Like I say, I have seen several of them but as far as who made the gun, I don't know; probably some Italian gun manufacturer but as far as who it was, I don't know. I can't read Italian.

Mr. LIEBELER. Could you tell from looking at the ticket when this work was done? First of all, the tag was not dated?

Mr. RYDER. The tag was not dated.

Mr. LIEBELER. Could you make any estimate of the time by looking at this ticket as to when the work was done?

Mr. RYDER. Well, it was done sometime between the 1st and 15th of November.

Mr. LIEBELER. How could you tell that?

Mr. RYDER. Because the work was done while the Greeners or the Woody Francis Greeners, the owners of the sport shop were on vacation.

Mr. LIEBELER. How do you know?

Mr. RYDER. They were gone that 2 weeks.

Mr. LIEBELER. How do you know it was done while they were gone?

Mr. RYDER. Actually, I can't really say too definitely sure but I am quite sure it was because he doesn't remember seeing the gun in the shop while he was there. In other words, before they left, and of course, it was gone when they came back.

Mr. LIEBELER. When you say "the gun," what do you mean?

Mr. RYDER. The one I worked on—in other words, he keeps a pretty good watch on my work to make sure I'm getting it out on time and he will check fairly close every day, every other day, and check to make sure I'm getting the work out, that old work isn't laying there to be done. He's pretty sharp on remembering names and he would have remembered that quite surely if——

Mr. LIEBELER. Do you have much work of this type?

Mr. RYDER. Yes, sir; at that time.

Mr. LIEBELER. You did have quite a lot of work at this time mounting telescopic sights?

Mr. RYDER. Yes; when they left, that's 2 weeks prior to the opening of the deer season here and I guess that 2 weeks I mounted 35, 40, maybe 50 scopes in that week as well as run the business while they was gone which is quite a headache in itself. That's just prior to hunting season, you see. Just like I told everybody all along, I couldn't say specifically if it was by seeing pictures if it was him or another Oswald. In other words, I don't put that close relation to a man's face to a particular item of work.

Mr. LIEBELER. When did the deer season open—the 14th or 15th of November?

Mr. RYDER. The 15th, I believe it was this year.

Mr. LIEBELER. And you say you mounted perhaps as many as 50 scopes in the 2 weeks preceding that day?

Mr. RYDER. Very possibly.

Mr. LIEBELER. Let's go back to the last 2 weeks in October. Did you have a similar number of scopes to mount during that time?

Mr. RYDER. Not quite that many. Lot of these guys like to get their scopes mounted just before they leave. For instance, buying these license plates and getting your car inspected works the same way. They wait until the last minute before they really get ready to go.

Mr. LIEBELER. Do you have any recollection of about how many scopes you might have mounted during the last 2 weeks in October?

Mr. RYDER. No, sir; I sure wouldn't say specific to remember, sure wouldn't be sure about the number.

Mr. LIEBELER. It would not have been as many as you did the first 2 weeks in November but would it have been more than 10?

Mr. RYDER. Oh, yeah; I'm quite sure. I say roughly 25 scopes. Of course, a lot of these people that buy their scopes wholesale or buy a cheap scope that we don't handle, we handle the better priced and better scopes and they buy

these things and mounts and everything somewhere else and have us mount them.

Mr. LIEBELER. The thing I am working toward here is trying to fix the date on which this ticket with the name Oswald on it—when the work was done.

Mr. RYDER. Yes.

Mr. LIEBELER. If you mounted, say, 25 scopes or approximately that many during the last 2 weeks of October, isn't it possible that the Oswald scope could have been mounted during that period of time and your boss would not have remembered the name Oswald as being connected with one of those rifles?

Mr. RYDER. Could have, but like I say, he's pretty sharp. He's pretty smart; I mean in keeping up with the business, you know what I mean. In other words, the flow of the work that I had; in other words, he keeps a close watch on it.

Mr. LIEBELER. Now you stated that the repair tag had a number on it. Are these repair tags taken off a book with tags with consecutive numbers on them?

Mr. RYDER. No, sir.

Mr. LIEBELER. Where do these numbers come from?

Mr. RYDER. We buy repair tags, of course, they have a main base of the tag, just a tag you can tear off and you can tear off—say I have number 41626 of the other piece; in other words, have the right tag on the gun. As far as sequence, we don't use any. We have a box and we reach over, get a tag, put a man's name on it. The same tag is used on reels, rods, outboard motors, boats.

Mr. LIEBELER. So there is no possible way in which you could fix the date by observing the sequence of the number on the tag?

Mr. RYDER. No.

Mr. LIEBELER. Could you limit it to a period of 2 weeks?

Mr. RYDER. Like I say, it would be from the 1st to around the 14th or 15th of November while the Greeners was away.

Mr. LIEBELER. You said before you were quite sure you never worked on a—

Mr. RYDER. The Italian gun.

Mr. LIEBELER. The Italian rifle. Do you have any recollection of the kind of rifle that this Oswald tag referred to?

Mr. RYDER. No, sir; I don't. That's another place where we did—in other words, I did so many and I was so rushed that I didn't pay a whole lot of attention to what tag was to have such and such a scope put on. That is where actually our fall-down went on the thing.

Mr. LIEBELER. There is no indication on the tag as to what kind of rifle it would be?

Mr. RYDER. No, sir.

Mr. LIEBELER. Are you helped at all by the fact that the tag indicates that three holes were drilled? Do you ordinarily drill three holes on all rifles?

Mr. RYDER. We boiled it down to this: That there are two type bases used that have three. The Redfield base and the Buehler base and then, actually, these could go on any gun that you want. In other words, if a man bought a Redfield or Buehler base they can be adapted to any gun with three holes. Now any imported, we couldn't say definitely if it was imported because the Springfield O3A3 requires three holes; the British 303 requires three holes. These are guns they use and that's the only ones we could think of offhand that would require just three holes, so we boiled it down, it was either Buehler, Redfield base or with the Weaver base being on the Springfield O3A3.

Mr. LIEBELER. Or the 303 British rifle?

Mr. RYDER. Yes.

Mr. LIEBELER. You say you boiled this down in your conversation with Horton from the FBI?

Mr. RYDER. Actually, this was amongst ourselves, I and Mr. Greener. Actually, there was a lady from the Washington press, of course, I don't know, I forgotten which paper she worked with but she was with the Washington press and we discussed this with her quite thoroughly.

Mr. LIEBELER. Do you remember her name?

Mr. RYDER. I sure don't. She, in turn, called Klein's and found out the rifle that was used in the assassination had already been drilled and tapped. In

other words, he had bought the scope and rifle from Klein's and they were shipped together and all he had to do was attach it to this particular gun. In other words, the one he used in the assassination. Of course, they order by serial number.

Mr. LIEBELER. You also testified you did not mount any scope on an Italian rifle?

Mr. RYDER. Right.

Mr. LIEBELER. You say, that when you mount a scope you do not charge for the process of boresighting, is that correct?

Mr. RYDER. Actually, it's hard to say, really. At that time we were not charging if we drilled and tapped one, we didn't do it. Now we do charge extra, \$1.50 bore sighting.

Mr. LIEBELER. Do you recall if there was an extra \$1.50 for boresighting indicated on the ticket in question?

Mr. RYDER. I don't even remember.

Mr. LIEBELER. Do you remember discussing that point with Agent Horton?

Mr. RYDER. Yeah; we talked maybe we did charge \$1.50 for the boresighting. As a matter of fact, I did because \$6—or was it \$4.50—I don't even remember that now.

Mr. LIEBELER. You don't now remember whether the ticket was for \$4.50 or \$6?

Mr. RYDER. That's right, right now, I don't. It seems like to me it was for \$4.50 for drill, tapping, and bore sighting. I believe it was for \$4.50. In other words, I didn't charge for bore sighting.

Mr. LIEBELER. What do you do when you bore sight a rifle?

Mr. RYDER. Well, I use a sight-a-line. That's actually three different things but what it is, it's an optic deal made by this manufacturing company that has a little cross hair in it just like a scope. It lays like such instead of like such [illustrating]. By taking a little sprig that fits different caliber rifles, fits in the rifle, you look through the scope and line the four cross hairs together to the center point of the cross hairs. It doesn't zero a gun by any means. It just gets you—oh, better where you can tell where you're hitting.

Mr. LIEBELER. So, you can't really zero a gun any by just boresighting it?

Mr. RYDER. No; actually, it lines your bore and your sight at one point or close to one point where you can get your point from there without wasting ammunition. If I were to anchor a barrel or piece of pipe in a vise and pick out a spot over there on that building [indicating] somewhere; say, draw a circle and I line this with that and align the sight, I have a scope or open sight either one, over to that point, I go to shoot at it offhand and there's a different way I hold that gun. This breaks it down to a fine deal where you understand the difference between boresighting and zero. If you been in the army, you know the difference. In other words, this method I was just describing say, to the building, is the way we use the bore sight.

Mr. LIEBELER. But now you have a little machine that does that?

Mr. RYDER. Yes; we have this little optical instrument we use now which makes it simple and faster.

Mr. LIEBELER. Have you ever worked with any rifles that came from Klein's in Chicago or mail-order rifles that came with scopes mounted on it?

Mr. RYDER. You can't tell unless a man tells you. In other words, to look at one you can't tell any difference in workmanship.

Mr. LIEBELER. As far as how the scope was mounted, you mean?

Mr. RYDER. Right.

Mr. LIEBELER. Do you have any way of knowing whether these scopes are boresighted when mounted by a mail-order house or not?

Mr. RYDER. Most likely they are. Now, I don't know how they operate, if they do boresight any there or not. I do know for a fact if you boresight or zero a boresight on a Redfield base or any base except Bausch and Lomb, other than those, other than the Bausch and Lomb, if you take the scope off and put it back on you have to rezero. In other words, if they did boresight it and take it back off and ship it, it's going to be entirely different when the man receives the gun. It might be close enough for a man to shoot one in but won't be near as close.

Mr. LIEBELER. You think that a rifle would have to be zeroed in any event

after it had been shipped from a mail-order house before it could be used to shoot accurately?

Mr. RYDER. Yes; take for example, I have a Model 70 Winchester .30-06 caliber with a K-4 Weaver scope; nearly every season prior to deer season I will shoot it in and I have found several times it has been off just by riding in the back of the car. Taking it in and out of a gun case, things like that will make them off. In other words, they are not built so rigid that a little something here and there can get bumped loose so it would be like I say, he would have to have it zeroed after he received it from the mail-order house, most definitely.

Mr. LIEBELER. If I were to tell you that this particular rifle had been carried to New Orleans and back in a station wagon and had laid in a garage in Irving for 2 months prior to the assassination and had been moved around in the garage, would that lead you to believe it might be out of sight at that time?

Mr. RYDER. Yes; it could be very possible.

Mr. LIEBELER. Do you think it would be probable or do you have any experience to make a judgment like that?

Mr. RYDER. Like I say, of course, I take proper good care of the gun I got and I have to readjust it quite often when I shoot it in. Of course, then again, too, later on, from one season to the next I might change from the way I held my gun which is another thing to make a lot of difference in the way I shoot but one to be carried that far, unless it was really taken care of can very, very easily be knocked out of alinement or out of adjustment. Another thing, too, on just looking at this picture—

Mr. LIEBELER. The picture of the rifle?

Mr. RYDER. The picture of the rifle that Mr. Horton had; this was a real cheap, common, real flimsy looking—of course, I couldn't tell by just looking at the picture say the type of material it was made of, but to me it looked rather cheap. It would be very easily knocked out of adjustment.

Mr. LIEBELER. You have never been shown the actual rifle itself, is that correct?

Mr. RYDER. No, sir; I haven't. I would like to see which mount it is, see whose make it is, but I haven't seen it yet.

Mr. LIEBELER. Do you remember being interviewed by an agent of the Secret Service?

Mr. RYDER. They came out and talked to Mr. Greener rather than myself. Well, I talked with them, too; we had a triangular, circular conversation—Mr. Greener, myself, and the agent.

Mr. LIEBELER. Do you remember the agent's name?

Mr. RYDER. No, sir.

Mr. LIEBELER. Would it refresh your recollection if I said his name was Elmer W. Moore?

Mr. RYDER. Doesn't ring a bell.

Mr. LIEBELER. Do you remember telling the Secret Service agent that you were certain after viewing photographs of Oswald that you had never done any work for him; in fact had never seen him?

Mr. RYDER. Not actually in that tone; like I say, like I told all of them that interviewed me, even the reporter, that his features are very common, I say, for the working class in the Dallas and Fort Worth area and he could have been in the shop, sport shop, I might ought to say, and be easily mistaken for another person or another person similar to his features could have been in, but I couldn't say specific if he had been in the shop or not, I mean, that's something I won't draw a conclusion on because like I say his features, face and all is common with the working class here and he could easily be mistaken one way or the other either for him or for another person.

Mr. LIEBELER. Now, as far as outside of the shop is concerned, you see, I'm troubled to some extent because I have before me a report of the agent from the Secret Service and a report from the agent of the FBI. One report says you are quite sure you have seen and talked to Oswald and the other one says you are quite sure you have not seen him. I am puzzled by those statements.

Mr. RYDER. Like I continue to say all the way through on their investigation, both that Secret Service man and from the FBI that he could have been in the shop; I could have talked to him but to say I had definitely, I couldn't say I have really talked to him.

Mr. LIEBELER. Could you say you definitely have ever seen him outside of the shop anyplace?

Mr. RYDER. No, sir; I don't believe I have. I mean I couldn't say specific because back again to the common features, so on and so forth, but, actually, we have drawn a conclusion, of course, that is, I and the boys and people concerned at the sport shop there that it was either this Oswald with another gun or another Oswald with another gun. We know definitely that it was another gun. We know that for sure.

Mr. LIEBELER. And you have already carefully considered the possibility of identifying that other gun but you are not able to do it?

Mr. RYDER. Right; Mr. Greener called all the other Oswalds listed in the Dallas and Irving directories.

Mr. LIEBELER. He did that?

Mr. RYDER. Right, with no avail; in other words, nothing turned up.

Mr. LIEBELER. Whose handwriting does the name Oswald appear to be written in?

Mr. RYDER. It's mine.

Mr. LIEBELER. It is your own handwriting?

Mr. RYDER. It is my own handwriting; the whole thing was written up by me.

Mr. LIEBELER. When did you first discover this tag?

Mr. RYDER. Well, it's kind of funny, actually, how I found the tag. My workbench generally is cluttered up, you know how tools get scattered around and I was—I had been to the Evinrude Service School—

Mr. LIEBELER. Here in Dallas?

Mr. RYDER. Yeah, at the Marriott over here and we were talking about it that evening and, of course, by the time I got back from the service clinic was just about time to close and we left and that Saturday afternoon I started cleaning off the workbench and I found the ticket of which I didn't say anything to anybody else there and when Mr. Horton came out on Monday, well, then I told him we had a tag. I didn't want to keep anything back but after he showed me the picture and everything I apparently drew my conclusions of not working on that particular gun anyway.

Mr. LIEBELER. How did Horton know to come out to the sports shop?

Mr. RYDER. Actually, I don't know. He evidently was checking all of the—

Mr. LIEBELER. Gunshops?

Mr. RYDER. Gunshops and hit us on Monday, well, let's see, it was, oh, it was about 10:30 or 11 that morning whenever he first came out.

Mr. LIEBELER. You are not familiar with this particular kind of rifle, are you? You have not worked on any similar rifles?

Mr. RYDER. Well, there's quite a few similar but this particular one is a real oddity. It's an odd job and I have never worked on any. I have seen several.

Mr. LIEBELER. Have you ever broken one down?

Mr. RYDER. No, sir; never have. As a matter of fact, the only thing I can remember doing is just pulling the bolt back on it and closing it back up. That, to me, is common; I always make sure there's no shells or anything before I look at one. That's the first thing if you hand me a pistol, I kick the cylinder out or spin it through to make sure it's unloaded but this gun is real odd, I mean it's a crude-built gun.

Mr. LIEBELER. When a gun is broken down, by that, I am sure you understand that I mean you remove the action and the barrel from the stock. The rifle then is, generally speaking, in two shorter pieces.

Mr. RYDER. Right.

Mr. LIEBELER. The two pieces you have are shorter than the gun is when put together?

Mr. RYDER. Right.

Mr. LIEBELER. That is generally true because the stock of the rifle doesn't ordinarily extend to the end of the barrel?

Mr. RYDER. Right; now on some military rifles they do extend all the way to the end of the barrel or close to the end, put it that way.

Mr. LIEBELER. Did you note in connection with the picture that you observed of this rifle they found in the Texas School Book Depository Building, did you

note whether or not on that rifle the stock went very close to the end of the barrel or didn't come out so far?

Mr. RYDER. As far as I remember it had been cut off, or, in other words, it didn't go to the end of the barrel, as far as I remember, I don't. I am quite sure it didn't. It went a little over half way in the picture that I saw.

Mr. LIEBELER. You mentioned that sometimes in the military rifles the stock goes quite far along the barrel?

Mr. RYDER. Right.

Mr. LIEBELER. Is that not a common type of construction in a domestic rifle or nonmilitary rifle?

Mr. RYDER. Right; or nonmilitary or what we call a sporter rifle your stock goes half way to the end of the barrel leaving the end of the barrel to wiggle as it may. A military rifle, M-1, Garand, O3A3, 303, they all are of wood and completely encased around the barrel. In other words, you had a piece run all the way on the bottom of it; piece that filled in on the top side. Lot of people use military rifles or use sporter rifles that some cut the stock off at a slight angle, say, a little above half way of the barrel. Others go ahead and spend and buy the sporter-type stock they can fit their gun to, but as far as I remember, this stock on the picture didn't go all the way to the end of the barrel.

Mr. LIEBELER. Unless you can think of anything else that you want to add at this point I just tell you for the record that my present inclination is to close the deposition at this point. I may wish to question you again and possibly bring the rifle down here so you can look at it. Unless you can think of anything else you want to add at this time that you think might be helpful, we will terminate. Can you think of anything else?

Mr. RYDER. No; I can't think of anything right now.

Mr. LIEBELER. I want to ask one or two more questions. You mentioned you were interviewed by the Dallas police force about this. Do you remember the name of the man or men who talked to you on the Dallas police force?

Mr. RYDER. No, sir; I don't. Actually, I say Dallas Police Department, it was the sheriff's department rather than the Dallas Police Department, really. Of course, I connect the two together but they're two separate organizations; I know that.

Mr. LIEBELER. In view of my former statement, I would like to thank you at this time. If we decide to continue with this, we will advise you in the future.

TESTIMONY OF DIAL DUWAYNE RYDER RESUMED

The testimony of Dial Duwayne Ryder was taken at 12:45 p.m., on April 1, 1964, at the Irving Sports Shop, 221 East Irving Boulevard, Irving, Tex., by Mr. Wesley J. Liebelier, assistant counsel of the President's Commission.

Mr. LIEBELER. This is the continued deposition of Dial Duwayne Ryder. The witness having been previously sworn, we will continue with the examination.

First of all, Mr. Ryder, I want to show you a picture that has been marked Exhibit No. 1, on Mr. Greener's deposition. I ask you if that is a picture of the repair tag that you found here in the shop?

Mr. RYDER. Yes; that is the one right there.

Mr. LIEBELER. It has the name Oswald on it and the words drill and tap \$4.50; bore sight, \$1.50; total \$6.

Mr. RYDER. That is the one we was thinking about the other day. Did it have the \$6 tag or the \$4.50 tag, because we sometimes charge for the boresight and sometimes don't, depending on the type work we do or what we actually do on the thing.

Mr. LIEBELER. Do you remember the exact details under which you found the tag in the shop?

Mr. RYDER. Well, we talked about this thing on Saturday morning and like I said before, like you saw the workbench up there today, that it is cluttered up,

and on Saturday evening I was cleaning it off and found the tag laying back on the workbench.

Mr. LIEBELER. The Saturday following the assassination?

Mr. RYDER. Yes.

Mr. LIEBELER. You found the tag there yourself?

Mr. RYDER. Yes.

Mr. LIEBELER. Had the FBI been out here prior to that time?

Mr. RYDER. No.

Mr. LIEBELER. They had not?

Mr. RYDER. No, sir.

Mr. LIEBELER. When did the FBI first come out?

Mr. RYDER. On Monday.

Mr. LIEBELER. On Monday?

Mr. RYDER. Yes; that was on Monday, of the funeral of the late President.

Mr. LIEBELER. That would have been November 25, 1963, when the FBI came out on Monday and you gave them the tag or showed them this tag; is that right?

Mr. RYDER. He told us to hold onto it, and then they later came by and got the tag.

Mr. LIEBELER. Did you ever talk to the newspaper reporter about this?

Mr. RYDER. There were several out here after the FBI had been out, and we told them the same thing that we told the FBI.

Mr. LIEBELER. But you didn't talk to any newspaper reporter before the FBI came out here?

Mr. RYDER. No.

Mr. LIEBELER. You are quite sure about that?

Mr. RYDER. I am positive about that.

Mr. LIEBELER. It was your impression at the time the FBI came that they were making a routine check of all guns?

Mr. RYDER. That is my opinion. That is the idea I had.

Mr. LIEBELER. You don't know of any special reason why they came to this particular gun shop?

Mr. RYDER. No; he didn't give any specific reason. He was just checking us out. Like I say, probably just routine like he checked all others.

Mr. LIEBELER. Now I show you two pictures that have been marked Exhibits Nos. 3 and 4 on Mr. Greener's deposition. They are pictures of a rifle, and I ask you if you have ever seen a rifle like that or ever worked on one here in your shop?

Mr. RYDER. I have seen them but never have worked on one of them.

Mr. LIEBELER. Had you seen them before the assassination?

Mr. RYDER. This is what I was talking about the other day. This is not as plain a picture as Mr. Horton had. Evidently that is a reprint, but there are two screws, one here and one here, where on the tag I have charged for three holes.

Mr. LIEBELER. You are indicating the screws on Exhibit No. 3, that hold the scope mount to the rifle; is that correct?

Mr. RYDER. Mr. Horton, the FBI man, on the rifle he had it was real plain and you could see these two screws, and this was a hole, but there wasn't any screws. There was just two screws in the mount.

Mr. LIEBELER. The mount had three holes but only two screws?

Mr. RYDER. That is apparently in the picture you have here, and this is what I was referring to as a cheap mount. This looked to me like even in this picture it was real thin gage metal. I can show you something like that, that we use on a .22 scope, and that is all we use.

Mr. LIEBELER. But in your opinion it is too light a mount?

Mr. RYDER. Yes; it is too easy to get jarred off on a high-powered rifle.

Mr. LIEBELER. That would throw the accuracy of the rifle off, wouldn't it?

Mr. RYDER. Yes.

Mr. LIEBELER. That is all I have, Mr. Ryder. I just wanted you to look at the pictures, and I thank you very much.

Mr. RYDER. I don't know which one it was, but it looked—it looks like a copy

of the one the FBI man had, except it's been copied over and over. This is not as plain as the one he had.

Mr. LIEBELER. Let me ask you if the FBI or anybody that ever talked to you ever showed you any pictures of a man and asked you if you could identify that man as Oswald?

Mr. RYDER. He showed me a picture of Oswald, but like I told him, I couldn't say definitely if I knew him or not.

Mr. LIEBELER. Let me show you some other pictures that we have. The first five pictures have previously been marked Commission Exhibits Nos. 451 and 453 through 456, and I will ask you if you can recognize the man or men described in these pictures. Have you ever seen them anywhere, as far as you can recall? And second, if you have ever seen him in the shop?

Mr. RYDER. No; they don't look like—too familiar to me.

Mr. LIEBELER. Do they appear to be pictures of the same man to you, or a different man?

Mr. RYDER. They look actually to me like they are different men. These two look real close.

Mr. LIEBELER. Referring to Commission Exhibits Nos. 456 and 451?

Mr. RYDER. Yes; they look real similar in their hairline. Actually, I guess this looks about the same, too.

Mr. LIEBELER. Referring to Commission Exhibit No. 455. But the other two pictures look a little different?

Mr. RYDER. Yes.

Mr. LIEBELER. The other two being Commission Exhibits Nos. 453 and 454? Now I show you a picture that has been marked previously as Pizzo Exhibit No. 453-A. I ask you to look at all the individuals in that picture and tell me if you recognize any of them.

There are two individuals that have been marked by a green mark, but don't confine your attention to them.

Mr. RYDER. This one I know is Oswald, as the pictures in the paper, but as far as seeing the guy personally, I don't think I ever have. I could have, but being in business here, it would be hard to say. Any of the others, I don't believe I have seen any of the others, but this one, like I say, just by picture—

Mr. LIEBELER. You are referring to the man that has been marked with an "X"?

Mr. RYDER. Right.

Mr. LIEBELER. Or with two lines as opposed to one straight line on Pizzo Exhibit No. 453-A. I now will show you Pizzo Exhibit No. 453-B, and ask you if you recognize anybody in that picture? There is a man marked with a green mark in the left-hand corner of the picture.

Mr. RYDER. This would be the only one. Like I say, seeing him on television and in the paper, that is as far as I could go.

Mr. LIEBELER. The man marked with the green line, is that right?

Mr. RYDER. Yes.

Mr. LIEBELER. Here is another picture which has been marked Pizzo Exhibit No. 453-C. Do you recognize him?

Mr. RYDER. This is the same picture that the FBI had of Oswald, the same picture.

Mr. LIEBELER. You don't remember seeing this man in the shop?

Mr. RYDER. Like I say, as many people as we have in here, it would be hard to distinguish one from another unless they come in quite frequently and you begin to know them. Then you would know what he looks like and kind of put a name with a face. There are several people that come in here that have been coming in for several years, but I can't make this old ticker work up there as to their names.

Mr. LIEBELER. So you aren't able to say whether this man was in the shop?

Mr. RYDER. He may have or may not have been. I couldn't say for sure.

Mr. LIEBELER. All right, thank you, Mr. Ryder. We appreciate your cooperation. The Commission wants to thank you very much for the cooperation that you have given us.

Mr. RYDER. Yes.

TESTIMONY OF DIAL DUWAYNE RYDER RESUMED

The testimony of Dial Duwayne Ryder was taken at 7:40 p.m., on July 23, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Street's, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. Will you stand and raise your right hand, please.

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. RYDER. Yes.

Mr. LIEBELER. I believe this is the third time that we have met and I have advised you previously of the nature of the Commission's work and you are familiar with the kind of problems that we have?

Mr. RYDER. Yes.

Mr. LIEBELER. And you are aware of your rights to have an attorney if you want to—we have already discussed that previously, as I recall, and you know who I am, and, of course, you are Dial Ryder and you work at the Irving Sports Shop, and we have had previous testimony concerning the possibility that Lee Harvey Oswald may have had some work done on his rifle in your sports shop.

When I talked to you previously, I asked you if I recall correctly about any conversations that you might have had with a newspaper reporter from The Dallas Times Herald; do you recall me asking you about that?

Mr. RYDER. Yes; I do.

Mr. LIEBELER. And my recollection is that you told me that you had not talked to any newspaper reporters from The Dallas Times Herald in connection with the story that appeared in that newspaper on November 28, 1963?

Mr. RYDER. Yes.

Mr. LIEBELER. And specifically you had said that you had not talked to a newspaper reporter on the morning of November 28, 1963, although you did say that on that morning, sometime around about 7:30 a newspaper reporter did call you from The Dallas Times Herald and told you that he wanted to talk to you about this whole situation and you refused to talk to him?

Mr. RYDER. That's right.

Mr. LIEBELER. And you hung up the telephone and as I recall, you testified that you then took the receiver off the hook, making it impossible for any other calls to come into your telephone; is that correct?

Mr. RYDER. That's right.

Mr. LIEBELER. And you were interviewed by the FBI again on May 18, 1964, and you told them that same story; is that correct?

Mr. RYDER. That's right.

Mr. LIEBELER. Is that in fact correct?

Mr. RYDER. That's right. It sure is.

Mr. LIEBELER. I want to advise you of the fact that we have located the newspaper reporter who supposedly talked to you that morning and his name is Hunter Schmidt, Jr., and that he has testified that he came to work at The Dallas Times Herald that morning and had a lead on this story that he had gotten from an anonymous telephone call that some woman made to the FBI and one was made to a television station here in Dallas telling them that Oswald had had some work done in your sports shop and I think I previously asked you about this and you said you didn't have anything to do with those anonymous telephone calls; is that right?

Mr. RYDER. That's right.

Mr. LIEBELER. Schmidt says that he started looking for your name which he got from somewhere, apparently in connection with the Dallas Police Department and tracked you down at your home and called you between 7:30 and 8 o'clock on the morning of November 28, 1963, and that apparently your wife answered the telephone as you were still asleep and you came to the telephone and you appeared to be sleepy and that he talked to you for an extended period of time, and that you gave him the information that subsequently appeared in the newspaper article on November 28, 1963, in The Dallas Times Herald.

Mr. Schmidt was advised when he testified that you had denied giving him

this story, although you had admitted that some reporter had called you on the telephone that morning. Is the name Hunter Schmidt familiar to you at all?

Mr. RYDER. No; it's not.

Mr. LIEBELER. Do you remember whether or not that was the particular newspaper reporter that called you that morning?

Mr. RYDER. I couldn't say definitely for sure—like I said—I told them I had no comment on it and hung the thing up.

Mr. LIEBELER. In addition to the fact that Mr. Schmidt has so testified, I have been advised that one of Mr. Schmidt's associates was sitting right there in the office at the time Schmidt called you and heard the entire conversation between Schmidt and yourself and he said that Schmidt did talk to you for an extended period of time, or to a person by the name of Dial Ryder, who gave him this information about the gun work being done at the Irving Sports Shop and he said he heard the whole conversation.

Mr. Schmidt has, during the course of his testimony, volunteered to take a polygraph examination on this whole question as to whether or not he talked to you that morning and as to whether or not you gave him the information about the gun ticket and about the three holes that were drilled in the rifle and all the other information that appeared in that newspaper story. I am not here to say myself who is telling the truth, because I don't know, but it is perfectly obvious that one of you is not telling the truth, either Mr. Schmidt or you. I don't know what reasons you would have for not telling the truth, and I don't know what reasons Mr. Schmidt would have for not telling the truth, but I wonder if on reflection and in view of the statements that I have just made to you, if you can ponder this whole question and perhaps refresh your recollection. I don't know whether you talked to this newspaper reporter or not, but in view of the fact that we have this other testimony, I wonder if it would in some way refresh your recollection that in fact you did talk to this man?

Mr. RYDER. No; like I said, the only people I talked to were Mr. Horton with the FBI and then the Dallas Police Department or the sheriff's department—is the only ones I talked to about this, until, like I told you—the CBS reporters came out and we made the television deal after radios and everything got the thing and then we thought we had it straightened out with them, but as far as that morning, I didn't talk to anybody over the phone about it except I said I had no comment and hung up the receiver and then took the receiver back off of the hook and went on about my business of sleeping on this Sunday morning.

Mr. LIEBELER. Do you know a woman by the name of Edith Whitworth?

Mr. RYDER. Let's see—there was a lady from the Washington Press.

Mr. LIEBELER. No; this is a woman who used to run a furniture shop in Irving, which is down on Irving Boulevard.

Mr. RYDER. No; I don't know her.

Mr. LIEBELER. Do you know whether Mr. Greener knows her?

Mr. RYDER. Now, he might—I don't know.

Mr. LIEBELER. Do you know any woman by the name of Mrs. Gertrude Hunter who also lives in Irving and is a friend of Mrs. Whitworth's?

Mr. RYDER. No, sir; I don't know them.

Mr. LIEBELER. Are you aware of the fact that just down Irving Boulevard from the Irving Sports Shop, a block and a half or so west, there used to be another gunshop where a man carried guns?

Mr. RYDER. Well, there was a little place down there where he handled guns—I don't know whether—if he was able to work on them or not, but it was about two blocks down the street or a block and a half or something like that.

Mr. LIEBELER. Toward the west?

Mr. RYDER. Yes.

Mr. LIEBELER. And do you know that there used to be a used furniture shop that was there?

Mr. RYDER. Yes; it's still there.

Mr. LIEBELER. But you didn't know the people that ran it?

Mr. RYDER. No; I didn't.

Mr. LIEBELER. Now, Mr. Schmidt is sitting out here in the front office and I'm going to ask him to come in and have you two gentlemen discuss this problem, see if there is some way we can resolve this story on this telephone conversation.

(At this point Mr. Hunter Schmidt, Jr., entered the room.)

Mr. LIEBELER. I have brought Mr. Hunter Schmidt, Jr., into the room and Mr. Schmidt has previously been sworn as a witness and testified yesterday on this question. I introduce you to Mr. Dial Ryder.

Mr. SCHMIDT. Mr. Ryder, how do you do?

Mr. LIEBELER. As I have indicated to Mr. Ryder, Mr. Schmidt testified yesterday that on the morning of November 28, 1963, you came to work in your office at the Dallas Times Herald and received information of some sort that possibly Lee Oswald had had some work done on a rifle, on his rifle or a rifle, in some sports shops or gunshop in the outlying areas of Dallas. Would you tell us briefly what happened after that, Mr. Schmidt?

Mr. SCHMIDT. After I got the tip, I traced it down and thought it was Garland first and I looked it up in the phonebook—the city directory—and the usual sources that we go through—I looked through and this Ryder was the only one that I could find, or apparently he was the one that said what I was looking for.

Mr. LIEBELER. Where did you get Ryder's name in the first place; do you know?

Mr. SCHMIDT. Well, it was from a tip around the police station. Now, I don't remember. I have been trying to remember where—who specifically it came from, but it was one of the many we were getting at that time. As I said before, we had several different leads on different stories and that they were coming in pretty thick, so I don't really remember where I got the Ryder name, but it came from around the police station, one of our boys covering this angle of the assassination, called in from down there that a Ryder was supposed to have mounted a scope on a rifle for a customer named Oswald, so I started checking from there, and like I said yesterday, I thought at first it was Garland and I had to do it by a process of elimination.

Mr. LIEBELER. And you went through the city directory and you finally found it in the phone book?

Mr. SCHMIDT. I believe I used the phonebooks and I found this Ryder and I called him up.

Mr. LIEBELER. About what time in the morning?

Mr. SCHMIDT. Oh, 7:30 or 8—something like that. I come in at 7 o'clock and it may be a little after 8, but I estimate it was between 7:30 or 8, but it was early, and I called the Ryder and there was a woman answered the phone.

Then, apparently the Ryder I talked to, and I guess it's this same Dial Ryder, I'm not sure, but the Ryder I talked to apparently had to get out of bed, there was a little interval, and come to the phone, and the person I talked to sounded sleepy. He gave me the information I got and it was very matter of fact and I believe you used the term "cordial" yesterday. I guess—that would be it—he was not antagonistic, but he was very—just very conversational in the question and answer session and explanation, and he said he had a ticket with the name Oswald on it and that it could have been the Oswald. He said he didn't remember for sure what the face looked like with the Oswald ticket, but he understands—he said he understood that this Oswald had a very common face for this area and I asked about buying ammunition or how many times he came in. I think he was sort of vague on that—he wasn't sure how many times he had been in, and besides talking about the sighting the rifle and the boring of the holes, that was in essence what it was, what we had in the paper. I believe I explained to you about the boresighting bit.

Mr. LIEBELER. There was some conversation between you about that?

Mr. SCHMIDT. He mentioned the boresighting and I don't think I understood it fully and that might have been a little incorrect in the paper, but that was the only thing that this technicality bit about the boresighting.

Mr. LIEBELER. Now, Mr. Ryder, you have been sitting here watching Mr. Schmidt and listening to his voice; does his voice seem at all familiar to you?

Mr. RYDER. Sure doesn't—not to me at all.

Mr. LIEBELER. Would you tell us what your recollection is of what happened on that morning?

Mr. RYDER. Well, like I have said before, and it is in my testimony—the FBI has the same thing—the phone rang. It was roughly 7:30, I would say it was closer to 7:30 than it was 8, and the reporter asked me had I mounted the scope

on the Oswald gun and I told him I had no comment and I hung up, I mean, I took the receiver off the hook and that's all I done and all I said here.

Mr. LIEBELER. Now, Mr. Schmidt, after listening to Mr. Ryder's voice, can you identify it as the voice you say you spoke to on the telephone that day, or are you unable to do it?

Mr. SCHMIDT. No; I couldn't honestly identify him by voice now. It was 6 or 7 months ago and I only talked to Ryder once.

Mr. LIEBELER. Mr. Ryder, do you know of any other Ryders out there in the area who would have any knowledge of this gun ticket at the Irving Sports Shop?

Mr. RYDER. Not that I know of—not that I know of.

Mr. LIEBELER. Now, as I indicated to you, Mr. Schmidt has volunteered and requested a polygraph examination to try to clear this matter up, and I wonder if you have any suggestion that you think of as to how it might be done?

Mr. RYDER. Well, I'll take the thing if you want me to take it.

Mr. LIEBELER. Well, I don't want to ask you to do it, but if you want to request it and assist the Commission in clearing this matter up, I think we could make arrangements to have a polygraph examination administered to both of you.

Mr. RYDER. Well, I'm not one to volunteer for anything.

Mr. SCHMIDT. I am perfectly willing to, because I stand beside that story. I don't know this man personally, if this is the Ryder of the gun shop, the Irving Sports Shop, and the same one that identified himself that morning—that was the information I got from him and I don't have any reason to lie about it, you know, I get the same amount of pay, I don't get any extra money for that story and I didn't even get a byline for the story. I knew that it would be just part of a story. So, I feel like I am a professional with my business and I just don't like to be doubted.

Mr. LIEBELER. Do you remember whether or not there was anybody else in your office at the time you heard this conversation that you had with Ryder?

Mr. SCHMIDT. There were several men around there but I'm not sure whether they recall this conversation or not or whether they were even paying any attention. There are a couple of men that sit right to my left and a couple to my right.

Mr. LIEBELER. Well, the Commission has followed the practice of due regard for the civil rights of the people who have been involved in this thing and it is not requesting anybody to take a polygraph examination, and it is not prepared to make an exception in this case for you, Mr. Ryder. If you want to volunteer to do so, the Commission will take it under advisement and decide what it wants to do, but it is not going to request you to do so, and I cannot even put myself in the position of even asking you to or urging you to or suggesting that you do so. That's entirely up to you.

Mr. RYDER. Well, like I said, I will take the thing if it boils down to that. Like I say, and I have contended all along, that I did not talk to anybody on Thanksgiving Day, that morning. I didn't talk to anybody. That was my day off.

Mr. LIEBELER. Did you have any conversations with any other newspaper reporters—that afternoon, but of course, that day—which you said you wanted to enjoy as your day off, but you did go over to the shop that afternoon and meet the television people, did you not?

Mr. RYDER. Right, that's after the story broke over the radio.

Mr. LIEBELER. And in the newspaper?

Mr. RYDER. Yes; and in the newspaper, and then we got with the CBS boys and made the little film that they wanted.

Mr. LIEBELER. Do you remember talking to any newspaper reporters at any time the next day or the day after that about this whole story?

Mr. RYDER. Well, they were all over the place the next day—on Friday—Friday and Saturday.

Mr. LIEBELER. But you still take the position that you had nothing to do with the original story that came out and you never talked to the newspaper reporters prior to the time the story came out in The Dallas Times Herald?

Mr. RYDER. Right.

Mr. LIEBELER. Do you have any idea where they got the story?

Mr. RYDER. I still don't know—I kind of felt like where they got it was over the radio—originally—I don't know. The CBS boys said that they got it off of the Associated Press wires, is how they got it, or over the AP.

Mr. LIEBELER. Now, it is not the ordinary practice, of course, for the Commission to advise witnesses what kind of an investigation it has made in connection with this thing, at least, not until the report comes out, but I think you ought to know that as a result of the existence of this gun ticket and the story that you told the FBI and the Commission, the FBI has attempted to find every Oswald in the whole Dallas and Fort Worth area and the surrounding area and it has found many of them and it has questioned all of them, some of whom have moved out of Dallas and Fort Worth, as to whether or not they ever had any work done in that gunshop, and you should know that none of them ever did, and you should also know, and I think you probably do by now, that Lee Oswald could not have had any scope mounted on the rifle that he used to assassinate the President in your shop, and in fact, I don't think you claim you did mount that particular scope?

Mr. RYDER. That's right. We have claimed that it wasn't that one. On the Monday after, well, it was the Monday of the funeral of President Kennedy, that Mr. Horton came out and I thought at that time I had it cleared with him that I hadn't mounted the scope on the gun he used to assassinate the President.

Mr. LIEBELER. That you had not?

Mr. RYDER. That we had not.

Mr. LIEBELER. And you weren't able to remember Lee Harvey Oswald's face as being the face of the man who had previously been in that shop; isn't that right?

Mr. RYDER. That's right.

Mr. LIEBELER. And you couldn't associate any specific gun or any specific man with that particular work ticket; isn't that right?

Mr. RYDER. Right.

Mr. LIEBELER. Do you have any possible suggestions as to where that work ticket could have come from if it appears, and it certainly does appear that no other Oswald came in there and there is no evidence of any sort to indicate that Lee Harvey Oswald ever had any other rifle than the one he used to assassinate the President, and he never brought that one in the sports shop?

Mr. RYDER. All I know is that we had the ticket laying on the workbench back there and I had written it up and completed the work on it and the gun had been picked up. Now, as to whether it was Lee Oswald, I couldn't positively identify him or if there was another one out there right now I could not identify anybody if they said they did bring it in.

Mr. LIEBELER. And to the best of your recollection, you wrote that gun ticket sometime in the early part of November; is that right?

Mr. RYDER. Yes.

Mr. LIEBELER. And you are certain that you wrote it up before November 22?

Mr. RYDER. Right.

Mr. LIEBELER. But you are not able to associate that particular ticket with any particular gun in your own mind?

Mr. RYDER. That's right.

Mr. LIEBELER. I also recall that when I asked you questions about this before, you indicated that possibly we could fix the date on which this ticket had been written because you had written it with a pencil and you said you remembered you had gone to Dallas on that particular day, and that you used a pencil to get some materials from a wholesale shop. Of course, the FBI, as you now know, has gone and has found out every day that you ever went to Dallas to get gun materials and asked you if you could identify the time and the date by reviewing this list of materials that you got from the wholesale house in Dallas and you weren't able to associate it with any particular day you used a pencil.

Mr. RYDER. Right; he had 2 or 3 days there that he showed me some copies—actually, he gave me some dates that I came to town and signed and there were 2 or 3 days there in that period that I had signed with a pencil, and it could have been that some of those days I had a pencil laying handy and I just picked it up rather than taking my pen out of my shirt.

Mr. LIEBELER. Would you be surprised if the Commission concluded, after this

investigation that the FBI conducted and the questioning that we have done, that there was never any man in there by the name of Oswald with any gun at all?

Mr. RYDER. Yeah—like I said—all I've got is that ticket with his name on it and the work being done.

Mr. LIEBELER. Well, at this point I think we might as well conclude the deposition. The Commission will take under advisement Mr. Schmidt's request to have a polygraph examination administered to him, and I am advised by one of the U.S. attorneys here that one of the other reporters over at the newspaper does remember the conversation and we will take his deposition tomorrow. If you want to have a polygraph examination administered to you, after reflecting on this, or if you have anything further to say about the whole thing, contact Miss Stroud here at the U.S. attorneys' office, if you want to.

Mr. RYDER. Okay. Is that all?

Mr. LIEBELER. Yes; that's all. Thanks a lot, Mr. Ryder.

TESTIMONY OF HUNTER SCHMIDT, JR.

The testimony of Hunter Schmidt, Jr., was taken at 4:20 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. Would you rise and raise your right hand? 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. SCHMIDT. I do.

Mr. LIEBELER. Will you please sit down. My name is Wesley J. Liebeler. I am an attorney on the staff of the President's Commission investigating the assassination of President Kennedy. I have been authorized to take your testimony by the Commission pursuant to authority granted to it by Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress No. 137. Under the Commission's rules of procedure, you are entitled to have an attorney present should you wish to have one. And you are entitled to 3 days' notice of the hearing, should you wish to insist upon it. And you are entitled to all privileges in terms of not answering questions that you would have in any other proceeding. I assume that you are prepared to proceed at this point without an attorney, since you don't have one here?

Mr. SCHMIDT. I don't think that it would be necessary.

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

Mr. SCHMIDT. Hunter Schmidt, Jr.

Mr. LIEBELER. What is your address?

Mr. SCHMIDT. 1118 Osceola Trail, Carrollton, Tex.

Mr. LIEBELER. When were you born?

Mr. SCHMIDT. September 12, 1933.

Mr. LIEBELER. Give us your educational background.

Mr. SCHMIDT. Tyler High School, Tyler Junior College; I have a B.A. from Lamar Tech, and I am working on my masters at SMU.

Mr. LIEBELER. In what? In journalism?

Mr. SCHMIDT. No; in government. Two courses and a thesis away.

Mr. LIEBELER. I understand that you are presently employed by the Dallas Times Herald, is that correct?

Mr. SCHMIDT. That's right.

Mr. LIEBELER. And you work for them in the capacity of?

Mr. SCHMIDT. County editor.

Mr. LIEBELER. County editor. What do you do as county editor?

Mr. SCHMIDT. I cover, or well you might say my beat is everything in Dallas County outside of the city of Dallas, and parts of Eastern Tarrant County.

That is roughly some surrounding towns, and I take care of the general news coverage in that area.

Mr. LIEBELER. At the request of the President's Commission, the Federal Bureau of Investigation conducted certain investigations into the facts surrounding a story that appeared in the November 28, 1963, edition of the Dallas Times Herald.

Mr. SCHMIDT. Thanksgiving Day; that's right.

Mr. LIEBELER. The story related to the possibility that Lee Harvey Oswald had had a telescopic sight mounted on a rifle at a sports shop in Irving, Tex.

Mr. SCHMIDT. Yes, sir.

Mr. LIEBELER. It is my understanding from reviewing the FBI report, that you were the reporter that wrote that story?

Mr. SCHMIDT. I gathered facts for the story and gave the facts to the rewrite man who wrote the actual story, but they were from the facts that I gathered. We were checking out several, running down all clues and all possible reports at that time. Anything that might be a lead to the story, we checked out. We checked out many many things of that nature, and that was just one of the tips that I checked out.

Mr. LIEBELER. Where did you first get information that Oswald had had a scope mounted on his rifle at this Irving sport shop?

Mr. SCHMIDT. We heard of it, I think it was around the police station somewhere. I don't remember where that exact tip came from. We heard that a gunsight had been mounted by a man named Ryder, and they thought at first it was Garland.

Mr. LIEBELER. You mean Garland, Tex.?

Mr. SCHMIDT. Garland, Tex.; that's right. Since that was my beat, well, they gave me the tip to check it and I checked it in Garland and found out that there wasn't any Ryder listed in the city directory and so forth, so I did it by process of elimination and checked several towns, and I found, well, I came to rest on Irving, because I found the Ryder there listed as the sports shop man, and I just took it that that was the gunsmith.

Mr. LIEBELER. Do you recall whether Ryder, when you checked the city directory, that Ryder was listed as being associated with a gunshop, or did you just find the name Ryder and call him?

Mr. SCHMIDT. I don't remember exactly what I found in the city directory then. It was a process of elimination, and apparently that looked like the only one in Irving, so I checked that.

Mr. LIEBELER. Now, did there come a time when you called Mr. Ryder on the telephone?

Mr. SCHMIDT. Yes; this was Thanksgiving morning. In fact, that is the same morning I got the tip. After the process of elimination, I called Ryder and it was early that morning. I called out there, and a woman answered the phone, and he apparently had gotten out of bed, from the time it took. He sounded sleepy on the phone and so forth. So I talked to him then on the phone and asked him about the information I got for the story.

Mr. LIEBELER. How long did you talk to him on the phone about that?

Mr. SCHMIDT. Oh, I am just guessing. I would estimate 15 minutes or roughly thereabouts.

Mr. LIEBELER. What did he tell you?

Mr. SCHMIDT. He told me—I asked if he had a customer—now this is a tip we got, that this Ryder mounted a scope for a customer, and the customer's name on the ticket with the gun was Oswald. And he confirmed on the phone that morning. And the reason I took it as the truth was because I didn't think a fellow would get out of bed early and make up a story half asleep and fabricate a story that early in the morning, and get out of bed on a holiday. He told me that he had a ticket with the name Oswald on it, that it was a foreign-made rifle, that he did put the scope, bored the holes and sighted it in. I asked him if he bought any ammunition, and he said no; he didn't. I think he said he didn't remember him buying any ammunition. He then gave me the prices for the mounting of the scope, \$1.50. I think he said he bored three at \$1.50 a sight, and \$4.50 for the boresighting—I mean for the hole drilling. And \$1.50 for the sighting in of the rifle. And let's see, after he gave me the prices and every-

thing, I just took it as pretty authoritative, because I didn't know that much about rifles.

Mr. LIEBELER. Now, you say that Ryder told you that he believed that the rifle was a foreign make; is that right?

Mr. SCHMIDT. Yes; I asked him what kind it was. He said he didn't remember for sure, but he said he believed it was a foreign-made rifle.

Mr. LIEBELER. Did Ryder say anything about the fact that he was sleepy and had not slept well the night before?

Mr. SCHMIDT. No, I don't believe he mentioned that.

Mr. LIEBELER. You have no recollection of that? Did Ryder tell you what boresighting was, or did you know about that?

Mr. SCHMIDT. No; I might have gotten that mixed up in the story. Some of the people who know more about rifles than I do said that wasn't exactly correct. The boresighting was explained in the story, but I did the best I could with the information I had there.

Mr. LIEBELER. Did you have any conversation with Ryder about the significance of the term boresighting?

Mr. SCHMIDT. Not that I remember. This boresighting thing came up—there is a fellow down there that knows something about rifles, and I mentioned boresighting, and then there was a conversation with the rewrite man that took the facts I had and added to the story. The top of the story is the story I got from Ryder, and the other part of the story were some other tips that had been run down and other parts of the story we pieced together about the general investigation and so forth.

Mr. LIEBELER. What was Ryder's attitude when he talked to you on the phone that morning?

Mr. SCHMIDT. Well, it was just a man giving information, as far as I was concerned. He wasn't antagonistic or anything. It was just a matter of facts, I would say.

Mr. LIEBELER. Do you remember telling the FBI about this?

Mr. SCHMIDT. Yes.

Mr. LIEBELER. Petrocas from Oklahoma; an FBI agent?

Mr. SCHMIDT. I am not sure.

Mr. LIEBELER. Do you remember telling him that Ryder was cordial and invited you to get in touch with him again?

Mr. SCHMIDT. Yes; he did. I think he said get in touch with him again if I wanted to, I am not too sure, but it was that type conversation. He wasn't antagonistic. As a matter of fact, it was like you would get a story from anybody. Nothing apparently controversial about it.

Mr. LIEBELER. The FBI report that I have also indicates that the agent says that you told him that Ryder did explain to you in detail the significance of the term "boresighting." Do you recall telling the agent that?

Mr. SCHMIDT. I don't remember for sure. That was back, I guess, in May. I don't remember any detail about the boresighting, but I remember him mentioning boresighting.

Mr. LIEBELER. This FBI report indicates that on the evening of November 28, 1963, which was the same day that you had talked to Ryder, you saw a taped television interview?

Mr. SCHMIDT. A denial. He denied the story that he had given me that morning. But the thing that, immediately after I saw that, I called one of the fellows on the paper. I think it was Charlie Dameron or Ken Smart or one of my immediate superiors, and told him I thought the story had something behind it because they didn't mention the ticket, they didn't mention about the name Oswald on it, in the denial, and they didn't mention the cost of doing this.

Mr. LIEBELER. It did not?

Mr. SCHMIDT. It did not, as best I remember, mention the cost of doing that, and didn't mention the ticket. It just said he denied the report that he put the sight on the rifle.

Mr. LIEBELER. Now, according to this report that I have, and it says, "Schmidt advised that while at his address the evening of November 28, 1963, he observed a taped television interview on a 10 o'clock news of CBS television, in which Ryder denied furnishing any of the information to a Dallas Times Herald

reporter as set forth in the article which had appeared in the newspaper that day."

Mr. SCHMIDT. Right. About that 10 o'clock, I was guessing that that was the 10 o'clock news. I did see a television denial of that, and I am just guessing that it was the 10 o'clock news. It was CBS, because I know I remember it was. It had to be CBS because I believe, and I am not sure about that 10 o'clock, because the best I can remember, it was Walter Cronkite reading the denial, and if it was Walter Cronkite, it couldn't have been the 10 o'clock news, because I don't think he was on then. In any event, I did see the television denial of it, and I am pretty sure it was CBS.

Mr. LIEBELER. And Ryder actually appeared on the television taped program, at that time; did he?

Mr. SCHMIDT. I am trying to remember that. I just remember the denial clearly on television. I wouldn't swear to Ryder being on the television tape.

Mr. LIEBELER. Do you remember for sure that Ryder denied furnishing any information to a Dallas Times Herald reporter?

Mr. SCHMIDT. In that interview he denied having done, having mounted a scope on the rifle, and he denied the story in the Times Herald, is what he was doing in essence. And he said he just didn't do it, is what he said on that, or what the story on the television said.

Mr. LIEBELER. Do you remember whether or not he specifically denied having told that story to a Dallas Times Herald reporter?

Mr. SCHMIDT. No; I don't remember if he specifically said that in essence. I remember the denial being credited to Ryder. As best I can recall now, the denial being credited to Ryder.

He said he denied the story in the Times Herald, that he did thus and so, that he mounted the scope. Now I am trying to remember back from what I saw on that television, because now I understand he has denied to his boss later on.

His boss had talked to our people at the Herald. He denied to his boss later on, and his boss talked to us and said that he denied to him talking to anybody from the Times Herald.

Mr. LIEBELER. Did you ever talk to Greener (Ryder's boss) about this?

Mr. SCHMIDT. Yes, sir.

Mr. LIEBELER. Tell us about that.

Mr. SCHMIDT. On the phone.

Mr. LIEBELER. Tell us about that.

Mr. SCHMIDT. He called. He was very cordial. He called in and he said that—this is after he had talked to somebody else, as I understand it.

Either he called in, or I called him. We got together on the phone, and I told him that I talked to the man Thanksgiving morning and got those facts from him. And he said that the guy denied the story, and that was in essence what was said. I told him I didn't know why he denied it or anything, unless he figured that it might not go over very well with the public.

Mr. LIEBELER. Did Greener know about this work that had supposedly been done on Oswald's rifle, when you called him?

Mr. SCHMIDT. I don't remember discussing that, whether he knew about the work or not. But I remember pointing out the fact that in the denial that I heard on television, that the ticket and the cost and all that wasn't mentioned. And as I have said, I didn't know that much about rifles, and I told the man I couldn't make up that much about it.

Mr. LIEBELER. Do you remember Greener telling you that he was completely unaware of any of the information that was set forth in the article that appeared in the paper on November 28, 1963, until after he had been contacted by a CBS television reporter that afternoon, and that was the first time that he read it? That he, Greener, had learned any of the facts about this whole thing?

Mr. SCHMIDT. I believe he said something to that in essence.

Mr. LIEBELER. Did you ask Greener why Ryder had denied talking to you and giving you the information?

Mr. SCHMIDT. Did I ask Greener why Ryder denied it?

Mr. LIEBELER. Yes; as I understand, the sequence went something like this.

You talked to Ryder on Thanksgiving morning, and he gave you all the information and you wrote the story that came out in the paper.

Mr. SCHMIDT. Right.

Mr. LIEBELER. And that night you saw on television a program on which Ryder in general denied ever talking to you, or denied the story that was printed in the paper?

Mr. SCHMIDT. Right.

Mr. LIEBELER. And I understand shortly after that time you called Greener?

Mr. SCHMIDT. I believe it was the next day.

Mr. LIEBELER. You said to Greener, what is going on. Did you ask him why Ryder denied the story that he had previously given you? That is my question now.

Mr. SCHMIDT. I could have very well. I do remember talking to Greener and telling him that, I am sure, I got the story from Ryder that Thanksgiving morning, and I told him the reasons I thought that it was a factual story because, as I said before, about getting up early on a holiday, and the ticket with the name Oswald on it, and the cost and everything.

Mr. LIEBELER. Now did Greener ever tell you that Ryder had told him, Greener, that he had never talked to a reporter from the Dallas Times Herald?

Mr. SCHMIDT. I believe Greener said that Ryder said that he hadn't talked to anybody, as best I can remember. I think he did.

Mr. LIEBELER. Have you ever talked to Ryder at any other time except on the morning of Thanksgiving, November 28, 1963?

Mr. SCHMIDT. No, sir; I wouldn't know him if he walked in this room now.

Mr. LIEBELER. Have you had any other possible source of information for this story? Did you talk to anybody in the Dallas Police Department about it?

Mr. SCHMIDT. About the mounting; no, sir.

Mr. LIEBELER. How about the FBI?

Mr. SCHMIDT. No, sir; I got all those facts from Ryder.

Mr. LIEBELER. You got those facts from Ryder?

Mr. SCHMIDT. Yes, sir; nowhere else did I get any information. I thought that was getting it from the horse's mouth. If I thought there was anything phony about it, I would have told the city editor about it.

Mr. LIEBELER. Had you given consideration to the reason for Ryder denying having talked to you? He denied talking to you, he denied it to the television reporter, and furthermore, he has denied it to me under oath.

Mr. SCHMIDT. Well, he would have to deny it under oath, but like I say, I wouldn't have any reason to fabricate the story. I didn't get any extra compensation for it. I got paid the same thing if I hadn't gotten the story, if it had been a complete hoax.

Mr. LIEBELER. Well, I think you got the information for the story somewhere. I don't think there is any question about that. But isn't it a possibility that you might have gotten the information from some other place, a confidential source of information that you would rather not disclose? Wouldn't that be a sufficient reason to say you got the story from Ryder?

Mr. SCHMIDT. No, sir; I had no reason to fabricate anything about Mr. Ryder. I don't know the man. I have nothing against him. I just have a story, and I will stick by that story we had in the paper. But the only thing possible that I would be willing to retract any part would be some details of how you do the boresighting. But I don't know that much about rifles as to why he would deny it, except that he possibly could have thought that wouldn't go over too well with the public, "Here I mounted a sight on the gun that killed the President." Many people would think—he never told me that this was the gun that Lee Harvey Oswald used on the President. He said a customer with a ticket on it that said Oswald, and I believe I asked him what Oswald looked like, and I don't think he could put the face with the ticket, if I remember correctly.

I believe I asked him that, but I wouldn't have any reason to fabricate anything. And the man I was looking for was the man who mounted the scope. After I got that with these other bits of evidence behind it, or evidence in my mind, probably circumstantial, but to me it seemed like human nature.

Mr. LIEBELER. It was enough evidence to justify writing a newspaper article?

Mr. SCHMIDT. I think so, and we try to be factual. I think we have tried to be very factual and very honest on this thing.

At this time you see we were getting things that were hoaxes that was full of holes, and I wouldn't have any reason specifically to inflate this.

Mr. LIEBELER. Well, you are absolutely firm in your position that on the morning of Thanksgiving you did call Ryder and you did talk to him and did get from him the basic facts about the gun, ticket, and the boresighting and the drilling of the hole?

Mr. SCHMIDT. Absolutely. Like I say about the boresighting. I got the boresighting statement and details that I didn't know about. But I did get the cost. I got the ticket with the name Oswald on it, that he mentioned in the story, the statement about the ammunition. He didn't buy any ammunition that he could remember.

Mr. LIEBELER. Let me say this to you. We are faced with a situation where Ryder has denied under oath the statement that you have just affirmed under oath. It is perfectly clear that somebody is not telling us the truth.

Mr. SCHMIDT. Obviously.

Mr. LIEBELER. What I would like to do in order to try to determine who is telling the truth about this question is have you come in here tomorrow evening at about 7:30 or so when Mr. Ryder is going to be here again to testify before the Commission. After I discuss this with Mr. Ryder, by myself, for a while, I would like to bring you into the room and I would like to have you and Mr. Ryder see if you can't iron out this apparent inconsistency in the two stories.

Mr. SCHMIDT. It is perfectly fine with me.

Mr. LIEBELER. Then you are willing to do that?

Mr. SCHMIDT. Yes.

Mr. LIEBELER. At this point, we will suspend Mr. Schmidt's deposition until such time as we resume tomorrow in the presence of Mr. Ryder. And needless to say, of course, you will hold in complete confidence the request that I have made of you now until after we have our meeting with Mr. Ryder?

Mr. SCHMIDT. That will be fine with me.

Mr. LIEBELER. I would be very unhappy if I found it in the newspaper before Ryder gets here.

Mr. SCHMIDT. Is it free knowledge after that, though?

Mr. LIEBELER. That is something that is entirely up to you, I suppose. I don't know if the Commission would request you not to write a story about it. I would like to talk to Washington, and even if we request you not to write a story, that is all we can do.

Mr. SCHMIDT. Well, we have tried all the time to cooperate with people. If there is anything other than that you want me to do, if you have a polygraph test, I will be perfectly willing to submit to it.

Mr. LIEBELER. Have I mentioned a polygraph test?

Mr. SCHMIDT. No; but I would be perfectly willing to submit to that.

Mr. LIEBELER. That is something that we will take under advisement after we see what happens with regard to Mr. Ryder tomorrow.

Mr. SCHMIDT. Perfectly fine with me.

TESTIMONY OF CHARLES W. GREENER

The testimony of Charles W. Greener was taken at 12:15 p.m., on April 1, 1964, at the Irving Sports Shop, 221 East Irving Boulevard, Irving, Tex., by Mr. Wesley J. Liebel, assistant counsel of the President's Commission.

Mr. LIEBELER. I would like to swear you as a witness and she will take this all down. Would you raise your right hand. 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. GREENER. I do.

Mr. LIEBELER. I think that Mr. Sanders' office called you previously and told you that we would be out here?

Mr. GREENER. Yes.

Mr. LIEBELER. I have advised you that I am an attorney on the staff of the President's Commission. I want to ask you about some of the background concerning the possibility that Lee Oswald or some other Oswald had a rifle in the shop here and had some work done on it?

Would you state your name?

Mr. GREENER. Charles W. Greener.

Mr. LIEBELER. Are you the owner and operator of the Irving Sports Shop located at 221 East Irving Boulevard in Irving?

Mr. GREENER. Yes, sir.

Mr. LIEBELER. Is Dial D. Ryder one of your employees?

Mr. GREENER. Yes.

Mr. LIEBELER. How long have you known Ryder?

Mr. GREENER. Approximately 6 years.

Mr. LIEBELER. Has he been employed by you here at the shop practically all that time?

Mr. GREENER. Yes.

Mr. LIEBELER. We have a repair tag that has the number 18374 on it and the name Oswald, indicating some repairs were to be made to a rifle. We will mark this picture as Exhibit No. 1, on your deposition. I show you a picture of this tag and ask you if that is a tag of the type that you use here in this shop?

Mr. GREENER. Right.

Mr. LIEBELER. Have you ever seen that tag before?

Mr. GREENER. Yes.

Mr. LIEBELER. Do you remember the first time that you ever saw it?

Mr. GREENER. Approximately a week or less after the assassination was the first time I had seen it. That was on Thanksgiving Day, I guess, because they called me at home and I was eating and I met some of the news media to go through this Thanksgiving.

Mr. LIEBELER. Had there been anything in the newspaper about this tag, or about Oswald having any work done here before you saw the tag?

Mr. GREENER. Yes; it had come out in the news, and this was Walter Cronkite was to run a retraction on it, or at least clarify the thing.

Mr. LIEBELER. What kind of retraction?

Mr. GREENER. Well, they tried to clarify the thing to say that we had a tag showing a certain amount of work for an Oswald, but as far as relating to that particular gun or that particular man, we had no real knowledge of the thing.

Mr. LIEBELER. Had the FBI been out there at the shop before this thing came out in the newspaper?

Mr. GREENER. No; I don't think so. They came out after all the news stories.

Mr. LIEBELER. How did the newspaper get hold of this, do you know?

Mr. GREENER. I couldn't tell you that.

Mr. LIEBELER. You are pretty clear that it was in the press before the FBI ever talked to you?

Mr. GREENER. I am pretty sure it was.

Mr. LIEBELER. Did you know whether the FBI could have talked to Ryder or anybody else at the shop?

Mr. GREENER. That I don't know.

Mr. LIEBELER. You are the owner of the shop, are you not?

Mr. GREENER. Right.

Mr. LIEBELER. Were you here at the shop during the period after the assassination and prior to the time that the FBI came here for the first time?

Mr. GREENER. Yes.

Mr. LIEBELER. If the FBI had come here to talk to anybody about Oswald having been here, they would probably have talked to you, isn't that right?

Mr. GREENER. It is possible. Now I do know that one newsman came in and he wasn't going to consult me in any way, so I don't know whether it would have been the case with the FBI or not.

Mr. LIEBELER. When did the newsman come in?

Mr. GREENER. That was on a—I believe that was on a Monday—following Monday, as I remember it.

No; wait a minute. No; it wasn't a Monday. That holiday, it's got me mixed up. It must have been on a Friday after the Thanksgiving holiday.

Mr. LIEBELER. That was after the story had already been out in the newspaper, is that right?

Mr. GREENER. Yes.

Mr. LIEBELER. This reporter came in and wanted to talk to Ryder?

Mr. GREENER. Right. The paper stated the owner of the Irving Sports Shop, and he apparently figured that was the correct information.

Of course, all the newspapers, they didn't check out any stories; they just run to their office and sent it in, as you well know. No one checked out anything. Anything they could get hold of, they put in print, and some of the information they got a hold, I don't know where it came from.

Mr. LIEBELER. Do you have any reason to believe that any reporter talked to Ryder prior to the time the FBI came to your shop?

Mr. GREENER. One told me he did.

Mr. LIEBELER. Do you remember that reporter's name?

Mr. GREENER. No; he was with the Times Herald.

Mr. LIEBELER. Dallas Times Herald?

Mr. GREENER. I couldn't swear.

Mr. LIEBELER. He told you he talked to Ryder?

Mr. GREENER. Ryder told me he hadn't.

Mr. LIEBELER. Ryder told you the reporter had not talked to him?

Mr. GREENER. Had not talked to him.

Mr. LIEBELER. Did the reporter tell you when he had talked to Ryder?

Mr. GREENER. He told me that he talked to him earlier in the morning. I don't know when that was. I am inclined to believe, to the best of my knowledge, it was Thanksgiving Day. Now I could be wrong on that. My recollection is that this story first came out—I am thinking it came out on Thanksgiving Day.

Mr. LIEBELER. I have here a clipping from the New York Times of November 29, 1963, which appears to be one of the first times that this story was released in the New York papers at any rate, November 29, 1963.

Mr. GREENER. What was Thanksgiving Day?

Mr. LIEBELER. Thanksgiving Day was on a Thursday, was it not?

Mr. GREENER. Yes.

Mr. LIEBELER. That would have been November 28, so that the 29th would have been the day that it came out in the New York papers, and it very likely could have come out in the Dallas paper on Thanksgiving Day.

Mr. GREENER. I think it was Thanksgiving Day when it came out in the paper, because I hadn't heard anything of it, and I remember we were playing dominoes when the paper came, and we quit and read the paper, and then also they had come by to check on this story, and we came up to the shop and went through that for Walter Cronkite's program.

Mr. LIEBELER. The reporter had come out to check out the story?

Mr. GREENER. Yes.

Mr. LIEBELER. Let the record show that the newspaper clipping that I previously referred to is from the New York Times of November 29, 1963, and the story is entitled, "Gunsmith Attached Sight for Man Named Oswald," and it is a story written by Mr. John Herbers, and it has been marked as Exhibit No. 2, on Mr. Greener's deposition.

Now do you have a feeling or do you have the thought based on what this reporter from the Dallas News told you that the reporter had talked to Ryder prior to the time that the FBI ever came here to the shop?

Mr. GREENER. You are going to have to go through that again. I am not sure that I was following you all the way. I was thinking a little bit while you were talking.

Mr. LIEBELER. I am trying to find out at what time this story first broke, whether the FBI had been here at the shop to ask any questions before the story came out in the newspapers?

Mr. GREENER. As I recall, no. None of the law enforcing agencies had been by previous to that.

Mr. LIEBELER. Your impression is that he came here because they saw the story in the paper?

Mr. GREENER. That is my idea. Either that, or they were informed by the news reporters.

Mr. LIEBELER. Now did this reporter from the Dallas paper, whose name you don't remember, tell you that Ryder had called him?

Mr. GREENER. No; he told me that he called him, called Ryder.

Mr. LIEBELER. Did he tell you how he got the idea to call Ryder?

Mr. GREENER. No; he didn't.

Mr. LIEBELER. And you didn't ask him?

Mr. GREENER. No.

Mr. LIEBELER. Did you discuss this question with Ryder?

Mr. GREENER. Yes; I did. And he said he had not talked to a newspaper reporter about it.

Mr. LIEBELER. At all?

Mr. GREENER. Right.

Mr. LIEBELER. So you never had any opportunity or occasion to ask Ryder whether a reporter or, or whether Ryder contacted a reporter, because he simply denied talking to a reporter?

Mr. GREENER. No.

Mr. LIEBELER. Do you remember when you asked Ryder about this?

Mr. GREENER. Must have been on Friday, because I was a little bit aggravated at the whole setup. They got me out of bed a time or two at night, and I believe that I had called the Times Herald to talk to this reporter to see where he was supposed to have been getting his information. I'm sure that after I talked to them that day was when I questioned Ryder. So I feel pretty sure it was Friday or Saturday.

Mr. LIEBELER. The 29th or 30th of November?

Mr. GREENER. Yes.

Mr. LIEBELER. Did Ryder ever indicate to you that he had talked to a newspaper reporter about this?

Mr. GREENER. No; he did not.

Mr. LIEBELER. Do you have any recollection at all of the name of this reporter from the Dallas newspaper?

Mr. GREENER. No; I don't have the slightest idea about talking with reporters until this bunch that was going to run the program on Walter Cronkite's program had contacted me, and he called me.

Mr. LIEBELER. Do you remember his name?

Mr. GREENER. No; I don't remember any of the boys with the television program at all. They had called me and wanted to come down and take some pictures, and he called me, Ryder did.

Mr. LIEBELER. The television men had called Ryder?

Mr. GREENER. That was after the newspaper article had appeared in the newspapers.

Mr. LIEBELER. And Ryder called you and talked to you about it, whether these men could come down?

Mr. GREENER. Yes; and I came down and met with them.

Mr. LIEBELER. Do you remember what Ryder told them?

Mr. GREENER. To the best of my knowledge, he told them that we had the ticket, but he didn't remember the name, didn't remember the gun, or the person, because actually here is the thing about this tag here. We have tried to keep a little better record. We get busy, you know, and get a little lax, just like you and everybody else does, and if we got two or three waiting, why, at that time we were not going to dally about what the name is or date or address or telephone number or anything. We felt like we didn't have time.

Mr. LIEBELER. This was just before the deer season?

Mr. GREENER. Yes; I guess the deer season opened November 16 in Texas, and our workload was pretty heavy, and we were working short handed, too, which would be one reason for no more information on the tag or several other tags.

Mr. LIEBELER. Can you fix the date?

Mr. GREENER. No; no way in the world. In the first place, I wasn't here. I feel sure I wasn't here at the time this went on. I was gone from—I don't remember what day I left. I started hunting in South Dakota on November 2, and we came back somewhere between the 12th and 14th.

Mr. LIEBELER. What makes you feel that you weren't here at the time this tag was made up?

Mr. GREENER. Well, in checking around, I feel like possibly that I would have noticed it on the gunrack. I would—I don't know whether I would or not, because I do some of the repair work myself, and a lot of times I go through the guns on the rack to be repaired, and if it is something I can do, I take care of it. If he is busy, then I take care of it.

Mr. LIEBELER. Ryder, you mean?

Mr. GREENER. Yes.

Mr. LIEBELER. But you have no recollection of this tag?

Mr. GREENER. None whatsoever, until, I believe, it was the day on Thanksgiving when they came down here. Now, I believe—this has been a long time and we are going into phases of this I hadn't thought of in a long time—it seems to me that the FBI got ahold of him and they come down scouring through the place. That was very possible after the newspaper report broke. It could have been before, but it seems to me that that is when the tag appeared. I believe it was an FBI man who was out here checking.

Mr. LIEBELER. Well, now, if that is true, then the tag would have had to have been found and the FBI man would have had to have been here before the story broke in the newspaper?

Mr. GREENER. No; I said it could possibly be after the newspaper story appeared, but I believe when the tag was found lying on the desk somewhere, that the FBI man was here when it was found.

Mr. LIEBELER. That is the best recollection that you have?

Mr. GREENER. Yes; right now.

Mr. LIEBELER. Who found the tag; do you remember?

Mr. GREENER. No; I don't know. If I remember correctly, and I could be wrong, because like I said, you are going into things that hadn't entered my mind since November 22, along in there, and it seems to me that he had contacted Ryder and they had come down here.

Mr. LIEBELER. The FBI?

Mr. GREENER. Yes, and they found the tag on the workbench somewhere.

Mr. LIEBELER. Your impression now is that the FBI man was here when the tag was found?

Mr. GREENER. That is my impression; yes.

Mr. LIEBELER. As we discussed briefly off the record before we started, it appears that there are three possibilities concerning this tag. One, in view of the fact that Mr. Ryder is quite clear in his own mind that he never worked on an Italian rifle similar to the one that was found in the Texas School Book Depository, we can conclude either that the Oswald on the tag was Lee Oswald and he brought a different rifle in here, or it was a different Oswald who brought another rifle in here, or that the tag is not a genuine tag, and that there never was a man who came in here with any gun at all. Can you think of any other possibilities?

Mr. GREENER. That about covers the situation, it looks to me like.

Mr. LIEBELER. Do you have any opinion as to what the real situation is?

Mr. GREENER. Nothing more than I have confidence in the boy, or I wouldn't have him working for me.

Mr. LIEBELER. You don't think he would make this tag up to cause a lot of commotion?

Mr. GREENER. I don't think so. He doesn't seem like that type boy. I have lots of confidence in him or I wouldn't have him working for me and handling money. Especially times I am going off. He—if he wasn't the right kind of boy, and he pretty well proved he is by dependability and in all the relations that we have together, and I just don't figure that is possible. Now I say I don't figure that. Of course, there is always possibilities of everything, but I don't feel that way.

Mr. LIEBELER. You don't feel Ryder would do that?

Mr. GREENER. Not at all; no.

Mr. LIEBELER. When we look at this tag, it appears in the photograph that it is in two parts. There is a top part entitled "Repair Tag," on which writing appears, reading "Oswald, drill and tap, \$4.50. Boresight, \$1.50." Or a total of \$6. And it appears at the lower part of the tag; it is in the form of a claim check; isn't that correct?

Mr. GREENER. Yes.

Mr. LIEBELER. The tag number, as I have indicated, is 18374. Would I be correct in assuming that if this tag had been made up when a customer came in and left their rifle, that the part of the tag entitled "Claim Check" would ordinarily have been torn off and given to the customer?

Mr. GREENER. No; you are wrong in assuming that. Because I believe 19 out of 20 would not ask for a claim check. In the first place, 18 out of that 20 would lose the claim check before they got back, so if you are going to give them a claim check and stick to the thing, not letting them have the merchandise if they don't have the claim check—

Mr. LIEBELER. You are running into a lot of trouble from a business point of view?

Mr. GREENER. Yes; when they come back for the merchandise, I ask them what the name is, and if we have a gun to go by the name—

Mr. LIEBELER. Do you ordinarily tear off the claim check?

Mr. GREENER. No. If you look at the rack, you won't find one on the whole rack that has a claim check that has been torn off.

Mr. LIEBELER. There isn't any way you can tell from the number when the check was issued?

Mr. GREENER. No, because we got the tags dumped into a box, and we reach in and get a tag and tie it onto the merchandise and fill it out.

Mr. LIEBELER. I want to show you some pictures that have previously been marked in another part of these proceedings as Commission Exhibits Nos. 451, 453, 454, 455, and 456, and ask you if you recall ever seeing the person or persons depicted in these pictures?

Mr. GREENER. No; I don't believe I could identify him as ever having any dealings. Now there is a familiarity there, but I couldn't tie it with anything or anybody.

Mr. LIEBELER. You couldn't figure out in your mind why you think there is a familiarity to those pictures?

Mr. GREENER. No.

Mr. LIEBELER. Had you ever seen those pictures before?

Mr. GREENER. No.

Mr. LIEBELER. Has the FBI or Dallas Police Department ever shown you pictures and asked you to identify them?

Mr. GREENER. No; they haven't shown me pictures of anyone for identification.

Mr. LIEBELER. I want to show you another picture which is a photograph that has been marked Pizzo Exhibit No. 453-B, a photograph of an individual on a street, and one of them has been indicated by a green mark on the picture, and ask you to examine that picture and tell me if you have ever seen that man before?

Mr. GREENER. Not that I can recall now.

Mr. LIEBELER. I show you another photograph of a street scene which has been marked Pizzo Exhibit No. 453-A, and ask you if you recognize any of the people in that photograph? Two of them have been marked with a green marker, but don't confine your attention entirely to those two individuals. Tell me if you recognize any of the people in that picture?

Mr. GREENER. No.

Mr. LIEBELER. Particularly I call your attention to the man who was standing immediately to the left of the man who is marked with the "X," rather than the line, not immediately to the left of him, then, but the second man to the left. He is standing there with a tie and he has some papers in his hand. Does he look familiar to you at all?

Mr. GREENER. No.

Mr. LIEBELER. I show you another picture that has been marked Pizzo Exhibit No. 453-C, and ask you if you can recall ever having seen that man?

Mr. GREENER. I don't recall.

Mr. LIEBELER. Do you recognize that man in the picture?

Mr. GREENER. According to the other pictures in the paper, yes.

Mr. LIEBELER. Who does it look like to you?

Mr. GREENER. It looks like Oswald.

Mr. LIEBELER. But you don't ever remember having seen him?

Mr. GREENER.. No; my mental pictures are not hardly as good as it used to be. You take fooling with people day in and day out, without some reason to recognize them, the next time you see them—there is a reason for it, you don't make a mental picture of every person that comes in. If he was 6'6" and weighed 300 pounds, or gave you some trouble when he comes for his merchandise, then it is likely you would remember, but a guy just comes in and tells you what he wants done, and comes back, and gets his merchandise and doesn't give you any trouble, then you don't remember. Usually I never forget a face. Now, the first picture you showed me, there was something there, but I couldn't pin it to anything, though.

Mr. LIEBELER. I am marking two photographs of a rifle as Exhibits Nos. 3 and 4, on the deposition of Mr. Greener. I have initialed both photographs for the purpose of identification, and I would like to have you initial them, too, so we don't get confused as to which picture we are looking at.

Mr. GREENER. Both of them?

Mr. LIEBELER. Both of them, please. These are pictures of a rifle. I would like to have you examine it and tell me whether you have ever seen that rifle or one similar to it.

Mr. GREENER. No; I don't remember this rifle at all. The first Italian rifle that I remember seeing was in Worland, Wyo. A friend pulled his out, and that is the first Italian rifle that I ever recall having seen.

Mr. LIEBELER. Was that subsequent to the assassination?

Mr. GREENER. That was while we were on the trip.

Mr. LIEBELER. Do you remember ever having seen a rifle like this in the shop here?

Mr. GREENER. No; I sure don't.

Mr. LIEBELER. I have taken the first two exhibits and marked them Exhibits Nos. 1 and 2, on your deposition, and I have initialed both of them and I would like to have you initial them also for the purpose of identification.

Mr. GREENER. [Initials.]

Mr. LIEBELER. Have you made any attempt on your own part to try to figure out how this tag came to be in your shop?

Mr. GREENER. No; really I haven't inquired any at all on that. I inquired about the reporter deal, but I didn't inquire into anything at all about the tag, because I just assumed it was all open and above board and didn't go into it at all.

Mr. LIEBELER. Now we have talked previously about the three possibilities that could possibly explain this tag, and you have told us that you don't think that Ryder is the kind of guy who would write the tag up after the fact just to cause a commotion.

There are two other possibilities. One, was that Lee Oswald had a different rifle in here. And the other is that there is a different Oswald involved. Do you have any opinion as to which of those possibilities might be correct?

Mr. GREENER. No; it would just be a——

Mr. LIEBELER. Wild speculation?

Mr. GREENER. Very wild. Very wild speculation.

Mr. LIEBELER. Now, you told me before that you had been interviewed several times by the FBI and by the Dallas police force. Can you think of any questions that they asked you or things they discussed with you that we haven't covered here?

Mr. GREENER. No; I can't. It seems that we have gone into it far deeper than they ever did, the Dallas police or the FBI.

Mr. LIEBELER. Can you think of anything else that I should have asked you or that you can add that would help clear this situation up?

Mr. GREENER. No ; sure can't.

Mr. LIEBELER. I have no further questions at this point, Mr. Greener. If you can't think of anything else that you think is appropriate to add to the record, I think we will terminate the deposition at this point. I want to thank you very much for the time you have given and the cooperation you have shown. I know you have been talked to about this a lot of times. I appreciate the cooperation you have shown the Commission, and I thank you very much.

Mr. GREENER. We have tried to cooperate with them all the way through. When they continued to come back and ask the same questions and get me out of bed and all at 11 or 12 o'clock at night and get a tag they had looked at three or four times, I began to get a little bit aggravated.

Mr. Ryder and I have always been interested in helping them in any way we could with any information we could give. I don't feel that he is the type boy to do that. Of course, that again is people are involved.

Mr. LIEBELER. Well, you have known the boy a long time and you should be in a position to make that kind of judgment?

Mr. GREENER. That is what he is. He has been a mighty fine boy and he is just an extraordinary boy. There is not many like him, and I would trust him with anything that I have to be done, and it just never struck me as him being that kind of boy.

Mr. LIEBELER. Let me ask you a couple of other questions about rifles and sights. I know you do have a meeting at 12:30.

Mr. GREENER. No ; it was 12.

Mr. LIEBELER. I thought it was 12:30. I am sorry you are not going to make the meeting. You may have read in the newspapers that Oswald purchased this Italian rifle, or was supposed to have purchased it from a mail-order house in Chicago, with the telescopic sight mounted on the rifle at that time?

Mr. GREENER. Yes.

Mr. LIEBELER. In your opinion, based on your experience in this field, do you think that a rifle that had been purchased from a mail-order house that is shipped through the mails with a scope mounted on it would be in a condition to fire accurately at that point without any further sighting in of the rifle by firing it?

Mr. GREENER. The possibility of it being, especially with this frail mount is, I am sure that that mount, according to what little information I have, the possibility of it being real accurate would be pretty small, I think.

I think the gun would be—I think even a fellow that was going to go deer hunting would want to take the gun out and shoot it before he went hunting, and I think that holds very true with this case, regardless of whether we mounted the scope or who mounted it or it come mounted. I think the man would fire it before using it.

Mr. LIEBELER. You feel that because you don't think that a rifle would be able to be fired accurately unless it had been sighted?

Mr. GREENER. The possibility would be small that it would be real accurate ; and you talk to most any of the fellows that go hunting, regardless of how expensive a mount they may have on the gun, he is going to take it and fire it before he goes hunting. That holds true in 99 percent of the cases.

The only reason not to would be the fact the man was in a real big hurry, he picked it up late in the afternoon and he was going to Colorado and was getting there after the season and he was going to shoot and just take his chances. Otherwise, he would take the gun out and fire it, 99 out of 100, and fire it.

Mr. LIEBELER. Would that be true even if it had been boresighted?

Mr. GREENER. Yes ; because actually the boresighting with the tools that we use, the accuracy of the thing on the windage part of it is very accurate, but as far as distance, different guns will travel a flatter trajectory than other guns will, and there is no calibration on the sighting tools that tell us that you can sight the gun in on target, that it is on 60 or 140 or 270 or 308. There is no calibration for that.

Mr. LIEBELER. No calibration for the boresighting machine?

Mr. GREENER. No ; you have the crosshairs and you line the two of them up, and that is approximately 100 or 125 yards range, but different guns will vary as to the trajectory, and one might hit the target and one be a little high and

another a little low, so that is the reason the man takes his gun and shoots it in as far as the elevation is concerned. He can zero it in to what distance he wants to shoot it at.

Mr. LIEBELER. That would have to be done, as you have indicated, even if the rifle had been boresighted?

Mr. GREENER. That's right. It would be accurate as far as elevation. The windage part is usually right on target, but the elevation has to do with caliber.

As far as your 6.5 Italian gun is concerned, there is only two types. One is the hand load, and one is the military ammunition. Because there is none of the major ammunition manufacturers that builds a sporting load for that gun, so it either has to be a hand load or old Italian or military ammunition, and the hand load has to do with what size bullet and the power you get, and it would be more important on that gun to shoot it than it would any other caliber or of an American make that you get your larger manufacturers of ammunition loading for.

Mr. LIEBELER. Do you have any 6.5 ammunition in your shop?

Mr. GREENER. Not 6.5 Italian.

Mr. LIEBELER. Have you ever had?

Mr. GREENER. We have a 6.5 Swedish and 6.5 Jap, and I believe that is all of these 6.5's.

Mr. LIEBELER. Do you do reloading of casings?

Mr. GREENER. No.

Mr. LIEBELER. The fellow has to do that himself?

Mr. GREENER. We sell the components and the loading equipment but we don't do any loading. The only one that I have been able to find out so far that hand loads 6.5 Italian—I don't think this is a possibility, but Ray Acker with Bell Telephone is the only one I know that does any hand loading on 6.5 Italians.

Mr. LIEBELER. He works for Bell Telephone Co.?

Mr. GREENER. Yes.

Mr. LIEBELER. He does this as a part-time occupation?

Mr. GREENER. Hobby; yes.

Mr. LIEBELER. Have you talked to him about this case at all?

Mr. GREENER. No; I don't guess I have ever called him. How I came to know that he reloads, and I don't know to what extent that he reloads, but I called one of my suppliers as to the availability of 6.5 Italian, and he gave me his name, so that is the reason but I can't say, but as far as I know, he is the only one that loads 6.5. There may be others that buy their own dies and hand loading, more especially since there are more guns coming out, but that would be, oh, a year and a half ago when I was told that he hand loaded 6.5 Italians.

Mr. LIEBELER. Do you need a particular kind of equipment to reload shells?

Mr. GREENER. Very definitely.

Mr. LIEBELER. Does the equipment vary with the caliber of the shell?

Mr. GREENER. Very definitely. The presses usually will accept all the different calibers, and then you have to have your die sets.

Mr. LIEBELER. To pour it?

Mr. GREENER. You've got to have your shell holders, and your die holder that resizes the brass and inserts the bullet into it, the bullet seating and there is only one caliber that one set of dies will load. If you load a 6.5 die, you have to have 6.5 dies. If you load .30-06, you have to have .30-06, and you can't have any part of the two on the different calibers of ammunition.

Mr. LIEBELER. Well, thank you again, and we appreciate your cooperation.

TESTIMONY OF GERTRUDE HUNTER

The testimony of Gertrude Hunter, was taken at 5:50 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. Mrs. Hunter, would you stand please 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?

Mrs. HUNTER. I do.

Mr. LIEBELER. 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 Executive Order No. 11130, dated November 29, 1963, and joint resolution of Congress No. 137.

Pursuant to the rules governing the taking of testimony by the Commission, you are entitled to have an attorney here if you wish and you are entitled to 3-days' notice of the hearing. You are not required to answer at this time any questions that you think might be incriminating or involve some other privilege, of course. Most of the witnesses don't have an attorney and I see you don't have one here so I assume you want to proceed with the questioning without an attorney being present, is that correct?

Mrs. HUNTER. Yes.

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

Mrs. HUNTER. Gertrude Hunter.

Mr. LIEBELER. Where do you live, Mrs. Hunter?

Mrs. HUNTER. 141 South Hastings, Irving, Tex.

Mr. LIEBELER. How long have you lived in Irving?

Mrs. HUNTER. I think it was 2 years the 14th of July—right at—between the 8th and 14th—I don't know the exact dates, but it was 2 years.

Mr. LIEBELER. Are you married, Mrs. Hunter?

Mrs. HUNTER. Yes.

Mr. LIEBELER. Do you have any children?

Mrs. HUNTER. Four girls.

Mr. LIEBELER. How old are they?

Mrs. HUNTER. Twenty-five, twenty-one, nineteen, and sixteen.

Mr. LIEBELER. Where were you born?

Mrs. HUNTER. Jacksonville, Tex.

Mr. LIEBELER. And you have lived most of your life in Texas?

Mrs. HUNTER. Oh, yes; all my life.

Mr. LIEBELER. Do you know Mrs. Edith Whitworth?

Mrs. HUNTER. Yes.

Mr. LIEBELER. How long have you known her?

Mrs. HUNTER. Oh, ever since I came to Irving. We are football fans together.

Mr. LIEBELER. You came to Irving about 2 years ago?

Mrs. HUNTER. Yes; in July.

Mr. LIEBELER. It appears from information that has been provided to us by the FBI that you were in a store operated by Mrs. Whitworth sometime in 1963—that was formerly operated by Mrs. Whitworth—at which time people who you now believe to be Lee Harvey Oswald and his wife and children came into the store, is that correct?

Mrs. HUNTER. Yes.

Mr. LIEBELER. Would you tell us all the circumstances surrounding that event as best you can remember them?

Mrs. HUNTER. Well, it was after 2 o'clock and I had went down to talk to her—we were planning on a football trip and we were just sitting there in the store talking, discussing football games, and who was going with who and all, and this man drove up out in front of the store and he got out and he come in and he asked for a gunsmith.

Mr. LIEBELER. Did you see the car drive up?

Mrs. HUNTER. Yes.

Mr. LIEBELER. Did you see who was driving it?

Mrs. HUNTER. Yes.

Mr. LIEBELER. Was this man driving it?

Mrs. HUNTER. Yes.

Mr. LIEBELER. How many people were in the car?

Mrs. HUNTER. Just him and a woman and two children.

Mr. LIEBELER. Nobody else?

Mrs. HUNTER. No one else.

Mr. LIEBELER. You are quite sure about that?

Mrs. HUNTER. I'm positive, because I was sitting right there—I was sitting this way and the door was right here [indicating], and he drove cater-cornered up.

Mr. LIEBELER. And there are glass windows in the front of the store so that you could see right out into the street?

Mrs. HUNTER. It is a solid glass there and the door was standing open there.

Mr. LIEBELER. Do you know about what kind of car it was?

Mrs. HUNTER. Now, the reason I'm definite about the car—a friend of mine in Houston—I was looking for them up and they had a car just like this and I had left a note on my mailbox that I would be at this place—telling them if anyone come I would be at this place and when they drove up I thought that was them and it was a two-tone-blue Ford.

Mr. LIEBELER. What year?

Mrs. HUNTER. 1957 or 1958—I won't be positive about that, but I would rather say it was about a 1957, I think.

Mr. LIEBELER. From which direction did this car drive up?

Mrs. HUNTER. Well, now, where the car come from—I don't know whether it come up Jefferson or down Irving Boulevard, but I know that it did park into the front of the store where I was sitting, you know, I was talking and I wasn't paying any attention to which way the car came from. The only thing I seen is the driver, when he drove up, and I seen the color of the car, I started to get up because I thought it was my friends from Houston, and I looked and seen that it wasn't and he just got out and come in. She didn't get out at that time. He come in and asked for the gunsmith, and to the best of my knowledge, I'm not positive, but it seems to me like, because I was thinking that so many different times that they would come in—whether he had something in his hand or whether he didn't, but I know he went back to the car, and if he did, he put it in the car and when he come back in, she got out and followed him in, but he didn't help her out of the car, he didn't help her with the kids or nothing. She just followed him in.

Mr. LIEBELER. Is the furniture store that Mrs. Whitworth operated at that time at the intersection of Jefferson Street and Irving Boulevard, is that right?

Mrs. HUNTER. Yes; you come right in to Jefferson and Irving Boulevard. It used to be the bus station—the Continental Bus Station.

Mr. LIEBELER. And they had diagonal parking on that street? Is that the way you parked?

Mrs. HUNTER. Well, you see, it was where the buses used to park clean off the street to get out of the way of the traffic, you see, and you just come up with the nose right up and you would be out of the traffic.

Mr. LIEBELER. Out of the main street?

Mrs. HUNTER. Just like this here was the store [indicating], well, it was over this way and he just kind of cater-cornered up this way.

Mr. LIEBELER. So, he parked his car diagonally in front of the store and got out and came in?

Mrs. HUNTER. Yes.

Mr. LIEBELER. What happened after he went back out and they came back into the store?

Mrs. HUNTER. Well, he just come in and she was over when her desk was there and he asked her about some furniture or something and they walked and went back to the back and this woman, she followed them and this young baby and the new baby.

Mr. LIEBELER. This man asked Mrs. Whitworth about some furniture?

Mrs. HUNTER. Yes.

Mr. LIEBELER. And Mrs. Whitworth and this man walked toward the back of the store and the woman and the children followed them; is that right?

Mrs. HUNTER. Yes; but she wasn't—now, listen, she didn't pay any attention and this lady had had a new grandbaby.

Mr. LIEBELER. You mean Mrs. Whitworth?

Mrs. HUNTER. Mrs. Whitworth's daughter and she says, "Let me trade you a boy for this girl and we will both have a boy and girl." Well, they didn't offer

to show the baby or nothing and she didn't say anything. We thought it was very funny and we discussed it after she walked out—about her not being interested in showing her new baby, and, of course, I didn't say anything to them, only I did see the little girl and so forth—I didn't put my hands on her or nothing and I didn't pay any attention to what they were saying at the back. All I know is that they were looking at some furniture there, back there.

Mr. LIEBELER. Did this man Oswald say anything about how old the little baby was?

Mrs. HUNTER. He said something to her but he was back far enough that what he said to her—I don't know—it was about 2 weeks old or something like that.

Mr. LIEBELER. This is Mrs. Whitworth you are talking about now, or Oswald?

Mrs. HUNTER. Oswald; and she asked Oswald something about the babies and I don't remember just what he said to her, but it was something about the baby, you know, and he didn't seem too enthused about that either.

Mr. LIEBELER. But you didn't hear Oswald say anything to Mrs. Whitworth about how old the baby was?

Mrs. HUNTER. Well, I won't be positive—it's been so long—just what he answered her, but just not looking for nothing—I didn't say too much about it, but we just thought it was a coincidence about him not being interested in us seeing the new baby. I think he did tell her when it was born; I'm not positive.

Mr. LIEBELER. Can you fix for us the date on which this occurred?

Mrs. HUNTER. Oh, no; not right offhand. All I know is that it was before the football game—I believe the Richland Hills football game and it was on a Wednesday or a Thursday—I won't say positive which one.

Mr. LIEBELER. How can you say it was on a Wednesday or Thursday?

Mrs. HUNTER. Well, I never did go down to the store only on Wednesdays or Thursdays afternoons—only the days that we had charters, and I went down on Friday afternoon.

Mr. LIEBELER. On the days you had charters; what do you mean by that?

Mrs. HUNTER. Charter buses to go.

Mr. LIEBELER. To go to the football game?

Mrs. HUNTER. Yes.

Mr. LIEBELER. Did you have a charter bus to go to the football game at Richland Hills?

Mrs. HUNTER. No; we went in cars that night and that night I would always wait until my daughter calls at 2 o'clock. When she would call, then I would go down to the store and that's the reason I definitely know it was after 2 o'clock.

Mr. LIEBELER. Which daughter is this that you are talking about?

Mrs. HUNTER. Glenda.

Mr. LIEBELER. And what is her last name?

Mrs. HUNTER. Hunter.

Mr. LIEBELER. How old is she?

Mrs. HUNTER. She's 19.

Mr. LIEBELER. And does she live with you at home?

Mrs. HUNTER. Yes.

Mr. LIEBELER. How does it come that she calls you at 2 o'clock?

Mrs. HUNTER. Well, her lunch break—she gets her lunch break from 1 until 2 and she would always call me just a minute or two before she goes back to work—just a few seconds—every day before she goes to work.

Mr. LIEBELER. Does she work here in Dallas?

Mrs. HUNTER. At Commercial Title.

Mr. LIEBELER. She always calls you at about 2 o'clock; is that right?

Mrs. HUNTER. Between—she has to be back at her desk at 2. She will call me anywhere, you know, when it's handy—if she comes up in town to eat, it may be about 10 minutes until 2. If she takes her lunch and eats there, it may be 15 minutes to 2, but I would always wait—I would give her a chance to call me before I would leave and I never would leave before 2 o'clock.

Mr. LIEBELER. How late in the afternoon could it have been, you think, that these people did come?

Mrs. HUNTER. Well, I would say between 2:30 and 3:30, because I never did stay gone past 4 o'clock. My daughter comes in from school and she didn't

have any way to get in the house. I locked the house and she would get to the house before 4 and I would try to be back at the house before 4 and there was just one or two evenings that I didn't get to the house before she come in.

Mr. LIEBELER. You say you would always try to get back home by 4 o'clock?

Mrs. HUNTER. Yes; so I could unlock the door.

Mr. LIEBELER. Did you hear the conversation between Mrs. Whitworth and this man who came in about the gun?

Mrs. HUNTER. He just asked for the gunsmith and she told him the gunsmith had moved down the street and she went out in front and pointed down to where to go and told him where to go and showed him where it was at. I didn't go out the door. I was just sitting in a platform rocker and he thanked her and he just went back to the car.

Mr. LIEBELER. And after he went back to the car, then, they all came back again and went in the store?

Mrs. HUNTER. He came back in and then her and the children got out and followed him in.

Mr. LIEBELER. Do you know whether Mrs. Whitworth told him where the gunshop that used to be in the furniture store had moved or did she direct him to another gunshop?

Mrs. HUNTER. No; she told him that this man had gone and she thought he was down in those sport shops or some kind of a shop down the street, or that there was one down there.

Mr. LIEBELER. Are you familiar with where it is?

Mrs. HUNTER. She was over at the front and I was back here, but I heard the conversation, you know, what he was asking for and all that.

Mr. LIEBELER. Do you remember whether he had anything in his hands when he came in?

Mrs. HUNTER. It seems to me like—I'm not positive—that he had something and it come to me that it was wrapped in brown paper. Now, I'm not positive about that, but it was just something like you handle—he didn't have it up in his arms—he just had it in his hands.

Mr. LIEBELER. Do you have any idea how long the package was, or do you remember that clearly?

Mrs. HUNTER. No; I just remember there was something in his hands.

Mr. LIEBELER. Do you know where the Irving Sport Shop is located?

Mrs. HUNTER. No; I sure don't—I have never been there.

Mr. LIEBELER. Do you know Mr. Woodrow Greener?

Mrs. HUNTER. No.

Mr. LIEBELER. Do you know Dial Ryder?

Mrs. HUNTER. No; I don't know too many people, I guess, you would call me selfish, but I don't know too many people in Irving—period. There are just a very few that I know—just the grocery store where we trade and the man that runs the bus station and Mrs. Whitworth and one or two I met going to the football games—I have been there 2 years.

Mr. LIEBELER. Was there anybody else in the store during the time these people were there?

Mrs. HUNTER. No; just me and her.

Mr. LIEBELER. Did Mrs. Oswald say anything while she was in the store?

Mrs. HUNTER. I never did hear her open her mouth.

Mr. LIEBELER. How did the little girl, the 2-year-old, behave? Was she well behaved?

Mrs. HUNTER. Yes; she just went along holding her mother's dresstail. He didn't help her with either one of the babies and she was walking along. You know, she is kind of shy and it was in a strange place and she was kind of holding to her mother's coattail when they were up there where I was at—where the table went around and I don't know—I just—they was kind of dressed bummy or something—I don't know what you would call it. She was kind of clean. He looked pretty nice. I just thought—why was she dressed like that—you know how you will notice that.

Mr. LIEBELER. Did you hear the little girl say anything at all to her mother or her father?

Mrs. HUNTER. No; I didn't hear her say anything. Now, when they went down

the aisle, nearly to where Mrs. Whitworth and this man was, she looked down at her and said something, but I didn't understand what she said. She kind of whispered it to her. Now, I don't know what she said or—she said shhh—or something like that to her—I didn't understand, but she did look down.

Mr. LIEBELER. The mother did look down to the little girl?

Mrs. HUNTER. Yes.

Mr. LIEBELER. How long were these people in the store altogether—the family in the store altogether?

Mrs. HUNTER. Oh, I don't know—I would be scared to say about that, because, not expecting anything—they come and went so much in there—I didn't pay no attention to about how long they was in there.

Mr. LIEBELER. Were you along with them when they were looking at the furniture?

Mrs. HUNTER. No; I was sitting in the platform rocker.

Mr. LIEBELER. But the woman went back and looked at furniture with her husband?

Mrs. HUNTER. No; she didn't—that's what I say—she just walked along there and she didn't pay that furniture any mind.

Mr. LIEBELER. Did you have any feeling that there was any argument going on between them or hostility between them or anything like that?

Mrs. HUNTER. Well, now, I just think to myself—what is he looking at that for, she isn't interested. That's just the opinion that I got.

Mr. LIEBELER. You thought he seemed to be much more interested in the furniture than she did?

Mrs. HUNTER. Yes.

Mr. LIEBELER. Did it seem strange to you that these people were in the store there for the period of time that they were and there was not a single word exchanged between this man and woman?

Mrs. HUNTER. No; I didn't think nothing about that. I don't know—I don't pay too much attention to anything like that, because while they were back there, I got up and got out of my chair before they went back to the car and walked to the door, and was standing looking out the door up toward the bus that comes in for people to get off of, and I didn't pay them any more mind until they went out to get in the car.

Mr. LIEBELER. So, they went out and got in the car and what happened then?

Mrs. HUNTER. Well, when they got in the car—he said something to her, but I couldn't hear that because I was standing in the door and he turned like he was going to go back down that way and I said, "Don't go that way, it's a one-way street, you'll have to go through the red light and turn left." And he looked at me and he didn't say thank you or nothing and he just backed out and went on down and I watched him—he turned at the red light—turned down Main Street.

Mr. LIEBELER. He drove east down Irving Boulevard; is that right?

Mrs. HUNTER. He was going down toward Plymouth Park, I believe it was west—it's a one-way street and you have to go out and come down south.

Mr. LIEBELER. Which way does Irving Boulevard run—it runs east and west, doesn't it?

Mrs. HUNTER. Yes; I would say that it did.

Mr. LIEBELER. And it's a one-way street, and it's a one-way street running toward the west; is it not?

Mrs. HUNTER. Yes.

Mr. LIEBELER. So, that he got into the car—

Mrs. HUNTER. He got in the car and backed out here and he acted like he was going to turn this way and I said, "Uh-uh, don't go back that way, that's a one-way street and you will have to go down here to the red light and turn to the left," and he went down and turned down Main Street to the left.

Mr. LIEBELER. He went down the street against the traffic, going the wrong direction?

Mrs. HUNTER. No; he went down with the traffic, down toward Plymouth Park. I would say he drove west with the one-way traffic. He was going to go back opposite, and he went on down to the red light on Main Street and turned to the left. Now, where he went to from there, I don't know. I didn't pay him any

mind because I was standing there watching some women coming down the street.

Mr. LIEBELER. When you say he was going to go back there—you mean in the direction of Dallas, don't you?

Mrs. HUNTER. That's what I would figure, because he would have to turn, unless he thought he was going to turn and go back down Jefferson, if he come in Jefferson, but I don't know that he come in Jefferson. He couldn't have done that—he would have gotten a ticket for that.

Mr. LIEBELER. Now, let's see if we can establish it between ourselves here, first, for this discussion, which way Irving Boulevard runs. When you come toward Irving from Dallas, it runs—Irvig Boulevard runs in the direction away from Dallas, doesn't it, toward the west?

Mrs. HUNTER. Yes.

Mr. LIEBELER. Now, the man got in the car and he drove west in the direction of the traffic down Irving Boulevard?

Mrs. HUNTER. Yes.

Mr. LIEBELER. And turned at the red light on Main Street?

Mrs. HUNTER. He turned left.

Mr. LIEBELER. He turned left at the intersection of Main and Irving Boulevard?

Mrs. HUNTER. Yes.

Mr. LIEBELER. And that's the last you saw of the car?

Mrs. HUNTER. That's the last I seen of it.

Mr. LIEBELER. Did this man seem to have any difficulty driving the car as far as you could tell?

Mrs. HUNTER. No; not that I could tell.

Mr. LIEBELER. You have discussed this whole question, I am sure, with Mrs. Whitworth from time to time since it happened, haven't you?

Mrs. HUNTER. Well, not too much. When they come on television and we noticed who it was—I don't know—let me see if I can remember the first time I seen him on television—I wasn't watching it when the President got killed and I didn't know anything about it until way after it happened.

Mr. LIEBELER. When did you first get the idea that those people that had been in the store were the Oswalds?

Mrs. HUNTER. When I seen them on television, and I just says to whatever was sitting there, I said, "That man was down in the furniture store the other day."

Mr. LIEBELER. Who was it in the room?

Mrs. HUNTER. Well, it was just one of the kids I don't know—I forgot now which one of them it was, but we were sitting in the house and I said, "That man on television was down at the furniture store the other day," and it was after he got killed that they showed her, I believe, and I recognized her.

Mr. LIEBELER. Did you recognize these people as soon as you saw them and prior to the time you discussed it with Mrs. Whitworth?

Mrs. HUNTER. Well, now, I don't know just how soon—I couldn't be positive just how quick now—I done forgot—that I talked to her after that, but it was after I seen him on television that we discussed it a little bit and all, because after they fixed her up, she was pretty and we did discuss that—the difference she looks now and her down there in the store.

Mr. LIEBELER. You mean she does—you think she does look different now?

Mrs. HUNTER. Oh, yes; she's pretty now. She looked awful down there in that store.

Mr. LIEBELER. Do you think you would recognize her as the same person if you saw her again?

Mrs. HUNTER. I doubt it—very seriously.

Mr. LIEBELER. You don't think you would recognize her?

Mrs. HUNTER. No; I sure don't, not from the way she looked in that store that day and the way she looks now. Now, that's how much difference there was and I generally notice anyone by their eyes quicker than anything else.

Mr. LIEBELER. When did you notice that she looked different?

Mrs. HUNTER. Oh—it was——

Mr. LIEBELER. Is that when you saw her on television after the assassination?

Mrs. HUNTER. No; the first time I seen her, she looked just common, just like she did down there at the store that day, and I guess it was when they fixed her up—it must have been after the funeral and she was meeting with these people or something, because it was quite a discussion about how pretty she was and why she let herself go before, because we had discussed it that maybe he didn't want her to fix up or something.

Mr. LIEBELER. How long was it after the assassination that you noticed this difference between Marina Oswald as she appeared on television and in the paper?

Mrs. HUNTER. Well, now, you may think I'm funny, but I didn't pay no attention at all to that television—my television wasn't on when he got killed or the parade or nothing. I was sitting at the table and after it happened, I wouldn't watch the television—I didn't watch none of the burial procedures or anything—any of that.

Mr. LIEBELER. But at some point you noticed that Marina Oswald looked different than she had the day she was in the store?

Mrs. HUNTER. Yes.

Mr. LIEBELER. My question is, when did you first notice that?

Mrs. HUNTER. Well, it was undoubtedly quite a few days or several days after Oswald—after Jack Ruby killed Oswald.

Mr. LIEBELER. As much as a week after that?

Mrs. HUNTER. Well—it was just after that—I wouldn't say just definite what time it was, because, you don't notice anything like that. Naturally, it's going to pop in your mind when you do notice something like that, but just as soon as I seen her fixed up on TV, I just noticed it was quite a difference of how she looked then and before.

Mr. LIEBELER. You think it was within a week after the time Ruby shot Oswald, is that right?

Mrs. HUNTER. I wouldn't say—not now, it has been too long ago.

Mr. LIEBELER. But you now do have some doubt in your mind after having seen her as to whether you would even recognize her as the same person that was in the store, is that right?

Mrs. HUNTER. Well, with the way her features looked on television now and the way I seen her in the store—yes; because she dresses nice and she's real cute. She dresses cute and she was sloppy in the store that day.

Mr. LIEBELER. Her face hasn't changed any, has it, she has the same face.

Mrs. HUNTER. Oh, her hair makes a difference now. I might recognize her—I wouldn't say I wouldn't or I would, but I don't know—I've made the remark two or three times that she doesn't look like she did the day I seen her in the store.

Mr. LIEBELER. But you still don't have any doubt in your mind that it actually was she that was in the store the day you saw her?

Mrs. HUNTER. Well, I will say this, that the one I seen in the store and the first time I seen her on television the first time was the same woman—let's put it that way.

Mr. LIEBELER. Did you ever tell anybody that Oswald actually turned down Irving Boulevard and went against the traffic when he came out of the store and went against the traffic?

Mrs. HUNTER. Well, no; I didn't tell them that he went east. I told them he started to turn east and I told him he was going the wrong direction and he would have to turn back. Now, that woman from England that came here—

Mr. LIEBELER. Were you there that day she came?

Mrs. HUNTER. Yes; she come to my house that night.

Mr. LIEBELER. Do you remember what you told her about that?

Mrs. HUNTER. Well, just the same thing—about the same thing I have told you, because that's about all I know. I might have remembered a few different little points then that have slipped my mind now, but that's just like what I told you, I guess a few little ends and odds have slipped, but that's just about all I know, because I wasn't expecting that and I wasn't looking for nothing like that and I just didn't think too much about it.

Mr. LIEBELER. Did Mrs. Whitworth see these people get in the car and drive away, do you know?

Mrs. HUNTER. I don't know, because she was on that side where they come out and I was on this—at a door standing in the door.

Mr. LIEBELER. You were closer to the door than Mrs. Whitworth?

Mrs. HUNTER. No; I was closer to the car than she was. She was back down here where they generally went into the store.

Mr. LIEBELER. She was further away from the front door where the car was parked than you were?

Mrs. HUNTER. Now, I don't know whether she was in the door or not. I have never discussed it with her.

Mr. LIEBELER. And you have never told Mrs. Whitworth that this man got in the car and drove the wrong way down the street?

Mrs. HUNTER. The only thing that—I says, "He started to go back down Irving Boulevard." I did say that to her one day because it was a one-way street and he was going the wrong way then.

Mr. LIEBELER. Do you think if we have Mrs. Oswald come in here next Friday morning and you come in and look at her and the children too, do you think you would be able to come here and tell us if they were the people that were in that store?

Mrs. HUNTER. Well, I wouldn't say—I just wouldn't say.

Mr. LIEBELER. Well, we have asked Mrs. Whitworth to come in—to come back Friday morning at 9 o'clock and we will have Mrs. Oswald and the babies come in and we would like for you to come back to see if they were the people in the store. Would you be willing to do that?

Mrs. HUNTER. Yes; I will be willing to do it, but now, it's like I say—I wouldn't say I would recognize her now because she is pretty now.

Mr. LIEBELER. Do you think she would recognize you, do you think she would remember being in the store if she had really been in there?

Mrs. HUNTER. I wouldn't know that—that's her—I don't know because I never did interfere with the people that come in there to do business with her or I never did say anything to them and I never did answer her telephone or nothing at that business. I was just sitting in there talking to her.

Mr. LIEBELER. Let me suspend with the questioning now, Mrs. Hunter, until Friday morning.

Mrs. HUNTER. This Friday morning?

Mr. LIEBELER. Yes; day after tomorrow. You and Mrs. Whitworth can come back at that time and we will bring Mrs. Oswald here.

Mrs. HUNTER. That's all right. She is pretty now but she wasn't then.

Mr. LIEBELER. Before you go, I want to show you some pictures here and ask you if you recognize any of the people in them. I show you Pizzo Exhibit No. 453-A and ask if you recognize anybody in that picture.

Mrs. HUNTER. Well, just not offhand—not, no; I don't.

Mr. LIEBELER. I will ask you the same question with regard to Pizzo Exhibit No. 453-B.

Mrs. HUNTER. No.

Mr. LIEBELER. You don't recognize anybody in that picture?

Mrs. HUNTER. No.

Mr. LIEBELER. The same question with respect to Bringuier Exhibit No. 1.

Mrs. HUNTER. No; not dressed like that—I don't.

Mr. LIEBELER. I show you Commission Exhibit No. 177 and ask if you recognize anybody in that picture.

Mrs. HUNTER. Yes.

Mr. LIEBELER. You are pointing to a woman that's holding a child.

Mrs. HUNTER. I don't know what she's holding—I can't tell that.

Mr. LIEBELER. Anyway, there is a woman sitting there in a chair?

Mrs. HUNTER. Yes.

Mr. LIEBELER. As we face the picture, it's on the farthest left, is that right, and who is that?

Mrs. HUNTER. Well, that looks like her a little bit—but she's got her hair fixed still different than she had it in the store that day.

Mr. LIEBELER. What about the man sitting right next to her, does he look like the man that was in the store that day?

Mrs. HUNTER. No.

Mr. LIEBELER. You don't think he resembles the man that was in the store?

Mrs. HUNTER. No; that's not him, and that's Mrs. Oswald. That may be a brother, but that's not him. I never did see his brother because I didn't watch none of that. I just didn't want to live with it.

Mr. LIEBELER. Now, I show you a picture that has been marked Garner Exhibit No. 1 and ask you if that looks like anybody you have ever seen before.

Mrs. HUNTER. Well, now, looking from up this way it could be—from here up—it could be.

Mr. LIEBELER. You think that that resembles the man who was in the store somewhat?

Mrs. HUNTER. I would say he's kind of built that way.

Mr. LIEBELER. What about Pizzo Exhibit No. 453-C, does that look like the man who was in the store?

Mrs. HUNTER. Well, it could look like him some, but he was not dressed that way.

Mr. LIEBELER. You are not sure that that was him?

Mrs. HUNTER. No; I wouldn't say it was with him dressed that way because I didn't have that much hankering to really tell what he really looked like and it has been so long since I've seen it on the television that I wouldn't guarantee that—not looking for nothing.

Mr. LIEBELER. All right, thank you very much. We will see you on Friday.

TESTIMONY OF EDITH WHITWORTH

The testimony of Edith Whitworth was taken at 5 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. Would you stand and take the oath, please?

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?

Mrs. WHITWORTH. I do.

Mr. LIEBELER. My name is Wesley J. Liebeler. I am an attorney on the staff of the President's Commission investigating the assassination of President Kennedy. I have been authorized to take your testimony by the Commission pursuant to authority granted to it by Executive Order No. 11130, dated November 29, 1963, and by joint resolution of Congress No. 137.

Under the Commission's rules relating to the taking of testimony by the Commission, you are entitled to have an attorney present at this or any other hearing at which you may appear before the Commission and you are entitled to 3-days' notice of your appearance here. You are also entitled to exercise the usual privileges with regard to self incrimination and so forth as far as not answering questions is concerned. I assume that since you are here without an attorney, that you do not wish to have your attorney present at the session. In fact, very few witnesses do have their attorneys present. Am I correct in that understanding?

Mrs. WHITWORTH. Well, I assume that—I don't see any use of me having one.

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

Mrs. WHITWORTH. My name is Edith Whitworth.

Mr. LIEBELER. Where do you live?

Mrs. WHITWORTH. I live at 315 South Jefferson, Irving, Tex.

Mr. LIEBELER. And you are married; is that correct?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. How many children do you have?

Mrs. WHITWORTH. I have two.

Mr. LIEBELER. Approximately how old are they?

Mrs. WHITWORTH. My daughter is 24 years old and my son 19 years old.

Mr. LIEBELER. When were they born?

Mrs. WHITWORTH. My daughter was born May 13, 1940, and my son was born May 20, 1945.

Mr. LIEBELER. Your daughter is also married, is she not?

Mrs. WHITWORTH. Yes; she is.

Mr. LIEBELER. What is her married name?

Mrs. WHITWORTH. Her married name—her husband's name is Bobby Gene Hollaway, and her name is Joyce.

Mr. LIEBELER. It's spelled [spelling] H-o-l-l-a-w-a-y, is that correct?

Mrs. WHITWORTH. Yes, sir.

Mr. LIEBELER. Do they have any children?

Mrs. WHITWORTH. They have two children.

Mr. LIEBELER. How old are they, and when were they born?

Mrs. WHITWORTH. The first one—Bryan will be 3 years old the 20th of October, I think I'm right on that; and the other one was born the 10th day of last October—he will be 1 year old.

Mr. LIEBELER. The youngest one was born when?

Mrs. WHITWORTH. Wait—I said the 20th of October—I believe that oldest one is the 28th of October—I am sorry.

Mr. LIEBELER. What is the name of the older child?

Mrs. WHITWORTH. Bryan Douglas.

Mr. LIEBELER. You say he was born on what date?

Mrs. WHITWORTH. I believe it was October 28.

Mr. LIEBELER. What year?

Mrs. WHITWORTH. And he will be 3 years old this October—he was 2 last year—that will be 1961, wouldn't it?

Mr. LIEBELER. The other child's name is what?

Mrs. WHITWORTH. Jeffery Lynn. He was born October 10, 1963. You got me on those birthdays—I have forgotten them. I believe October 28 is right—I'm not just real sure.

Mr. LIEBELER. It is my understanding that you formerly operated a used furniture store in Irving, Tex.; is that right?

Mrs. WHITWORTH. Yes; I did until about the 25th day of January of this year.

Mr. LIEBELER. What was the name of that store?

Mrs. WHITWORTH. Furniture Mart.

Mr. LIEBELER. Where was it located?

Mrs. WHITWORTH. 149 East Irving Boulevard.

Mr. LIEBELER. Irving Boulevard runs east and west, does it not?

Mrs. WHITWORTH. Yes; it does.

Mr. LIEBELER. Which side of the street is the furniture store on?

Mrs. WHITWORTH. That would be on the right-hand side going west.

Mr. LIEBELER. Going away from Dallas or toward Dallas?

Mrs. WHITWORTH. Going west.

Mr. LIEBELER. That would be the north side?

Mrs. WHITWORTH. The north side; yes.

Mr. LIEBELER. The FBI has advised us that you have told them that some time during 1963, you believe that Lee Harvey Oswald was in your furniture store: is that right?

Mrs. WHITWORTH. Yes; it is.

Mr. LIEBELER. Would you tell me all the circumstances surrounding that event, to the best of your recollection?

Mrs. WHITWORTH. Well, as far as the date, I couldn't, you know, say that it was any day—any special day, but it was along the first of November. We had, you know, a discussion about the babies—that's the reason you have that there about my baby—my grandchildren, and their children. They had the baby with them at that time. We had at one time had a gun shop in there. We had a gunsmith sign out in front and I presume he had come up and saw that sign there and he stopped and came in. We have two doors in this place of business—one was on the west side and the west end, and one on the east end. He had

pulled up there at the front as well as I remember and he walked around his car and came into the west door.

Mr. LIEBELER. You saw him drive up in the car?

Mrs. WHITWORTH. Yes; because it was all glass in front and I was sitting at the—well, it's the cash stand—we call it there.

Mr. LIEBELER. Which direction was he driving the car at that time?

Mrs. WHITWORTH. He was driving west on a one-way street—that's a one way there.

Mr. LIEBELER. Running from east to west?

Mrs. WHITWORTH. East to west.

Mr. LIEBELER. What kind of a car did he have, Mrs. Whitworth?

Mrs. WHITWORTH. Well, as far as I can remember—I wouldn't be—I wouldn't say for sure. All I can say is that I believe, you know, not paying a lot of attention to the car and the car not meaning anything at that time, that it was a two-tone blue and white. It was either a Ford or a Plymouth. Now, I wouldn't swear to that, but it was either one—the car didn't mean anything to me at that time. Anyway, he came in and he stood—

Mr. LIEBELER. Let me ask you some questions about the car first—how many people were in the car when you saw it drive up?

Mrs. WHITWORTH. I didn't pay any attention to it—just really when it drove up out there. When I did pay attention to it was when he got back in it, you know, and it was faintly, you know. As to them getting back in it, I wouldn't say that there was anyone else in it—I wouldn't say that they were the only ones that was in it. They were the only ones that come in the store.

Mr. LIEBELER. Did you notice specifically that Oswald was driving?

Mrs. WHITWORTH. I wouldn't say that he was, and I wouldn't say that he drove off in the car. I wouldn't say that, because, like I say, it didn't mean anything to me at that time, just faintly, I would say that that car was blue and white, two-tone, and that it was either a Ford or a Plymouth—now, I wouldn't swear to that.

Mr. LIEBELER. So, he drove up in front of the store and he got out of the car and came in—which door—did he come in?

Mrs. WHITWORTH. He came in the west door.

Mr. LIEBELER. He came in the west door?

Mrs. WHITWORTH. West door; he came in and he stood right in front of me there, and I arose up out of my chair and asked him, you know, if I could help him and he asked for something for a gun, and he had whatever this was wrapped up and it was about so long, as well as I can remember, not paying too much attention to it at that time, but we didn't have the gunshop in there then. It had gone out of business and I told him, no, I didn't have anything there, and whatever he was looking for—that I didn't have it.

Mr. LIEBELER. Now, when you say, "so long," you held your hands up and how many inches was that—would you hold your hands up again?

Mrs. WHITWORTH [indicating]. I would say it was about like that.

Mr. LIEBELER. How many inches do you think that is?

Mrs. WHITWORTH. Well, I would say about 15 inches.

Mr. LIEBELER. About 15 inches?

Mrs. WHITWORTH. That's what I would say. You know, just judging it. It could have been longer and it could have been shorter, but it was wrapped up, I know that.

Mr. LIEBELER. He didn't have occasion to open it up for you while he was in the store?

Mrs. WHITWORTH. No.

Mr. LIEBELER. Now, did he ask you about a specific part for it?

Mrs. WHITWORTH. Yes; he did. But I don't know what it was because I didn't pay any attention to it because it was something, you know, for a gun and I couldn't help him, so I didn't pay any attention to it, you know, because I never worked in a gunshop anyway and I know nothing about guns whatever.

Mr. LIEBELER. How come he came into this used furniture shop looking for a gun part?

Mrs. WHITWORTH. Well, I had a sign—I mean, I had had a gun shop in there, a man had leased part of my store and he had a gunshop in there, one part of it, but he had been moved for quite a while, but the sign hadn't been taken down.

Mr. LIEBELER. So, there was still a sign on the front of the building saying that there was a gunshop there?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. Go ahead and tell me what are the other circumstances?

Mrs. WHITWORTH. And when I told him that I didn't have anything—I didn't have what he was looking for, but I probably told him where he could go get it. I don't remember that I did, but I usually would tell someone where they could go to get such a thing and he turned around and he looked and he realized, I guess, that it was a furniture store and he said, "You have furniture in here?" I said, "Yes, I do." He says, "I'm going to need some in a couple of weeks or so," and I said, "Well, I'll be glad to show you what I have." I had new and used furniture and he wanted bedroom furniture, he told me that, and he turned—he went back to the car and came back in and when he came back in his wife followed him in with the young baby and the little girl and we walked straight to the back of the building where I had the bedroom suites and I showed him the bedroom suites and I told him about the bedroom suites and I noticed that he would look over to her and she would never—she never uttered a word and I thought she didn't like what I had and was uninterested, because I didn't, you know, high pressure them to sell them.

Mr. LIEBELER. Were they interested in new furniture or used furniture?

Mrs. WHITWORTH. Well, I never did get that far along to find out, you know, what they wanted, because she acted like she wasn't interested, you know, and I couldn't talk to him and he was the only one saying anything, and then we got talking about the babies.

Mr. LIEBELER. What was that conversation about?

Mrs. WHITWORTH. Well, we was comparing the birthdays of the children and my grandchildren had birthdays kind of similar to theirs, you know, and so it went even so far as to—I said, "Well, we wanted a little girl. We wanted one of ours to be a little girl." He said, he wanted one of his to be a little boy and just jokingly, I said, "Well, let's just swap then." And, he kind of smiled but she still didn't say anything, didn't even offer to show us the baby. We didn't know then, you know, that she couldn't even speak, or probably couldn't understand what we said, so she walked clear away from us and we walked back toward the front of the building there and she walked out ahead of him—the little girl was right in front of her, you know, and this was the older little girl, and they went on to the car and the little girl was kind of whining and at one time I thought—well, I'll offer her a piece of candy. I had candy in there, you know, but I never did, I never did offer them any candy and they went on off, but it was them just as sure as I'm sitting here—I'm sure it was him and her too.

Mr. LIEBELER. In this conversation about the babies, did they tell you—did this man tell you when his little baby had been born?

Mrs. WHITWORTH. Yes; it was 2 weeks old.

Mr. LIEBELER. It was 2 weeks old at that time?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. And he told you it was 2 weeks old?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. Did he tell you the date on which the baby was born?

Mrs. WHITWORTH. He probably did at that time, but I don't know—the date on that kind of corresponded with the date of the birthday of my oldest grandson there.

Mr. LIEBELER. You have no recollection as to whether or not he told you the date or not; is that correct? Or you just don't remember the date—do you remember whether he told you or not?

Mrs. WHITWORTH. I'm sure that he told me. I just don't remember the date.

Mr. LIEBELER. Did he tell you by saying, "Well, the baby is 2 weeks old," or did he tell you specifically that the baby was born on such and such a date; do you remember?

Mrs. WHITWORTH. No; I wouldn't swear to it, but I'm pretty sure he told me the date at that time but the baby was 2 weeks old and I judge that he would have been in the store around the 4th, 5th, or 6th of November, because we were fixing to go to a ball game, this lady and I, and I have a son that plays football for Irving High School and we were going on to the football game and that's how come this lady to be in there. You know, we were planning to go together or get tickets to the football game and it had to be along in there—the first week in November.

Mr. LIEBELER. Now, do you remember a specific football game that you were going to see; is that how you fixed the date as early in November?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. Can you tell us what ball game that would have been?

Mrs. WHITWORTH. It probably was Richland Hills that we were going to.

Mr. LIEBELER. Richland Hills was going to play who?

Mrs. WHITWORTH. Irving, and we were going to Richland Hills—that's a Fort Worth team.

Mr. LIEBELER. Have you made any efforts, since this question came up, to find out the exact date on which the Richland Hills team played the Irving team, did you go back and look it up?

Mrs. WHITWORTH. I probably did at one time, but I couldn't tell you what the date was now, except that it was a Friday night. It was going to be on Friday and it was before that Friday. Now, Mrs. Hunter might be able to tell you that. I didn't go back and try to review anything before I come over here. At that time, you know, I knew what game it was, but I haven't reviewed it.

Mr. LIEBELER. Did I understand you to say correctly that there was a friend of yours that was in the store at the time they were there?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. That was Mrs. Hunter?

Mrs. WHITWORTH. Yes; Mrs. Hunter.

Mr. LIEBELER. Did I also understand you to say correctly that Mrs. Hunter was there for the purpose of getting tickets to go to the football game?

Mrs. WHITWORTH. We were planning a trip, you know, to this football game.

Mr. LIEBELER. Does Mrs. Hunter ordinarily come into the store?

Mrs. WHITWORTH. Yes; she did—I had just begun to know her, you know, and it all come about through school doings and all, and I usually got her tickets or she got my tickets when we were going to travel to a game or so.

Mr. LIEBELER. Can you fix a day of the week any more specifically than you have as to when this might have occurred?

Mrs. WHITWORTH. I couldn't—no; I couldn't.

Mr. LIEBELER. Did Mrs. Hunter come in usually on a particular day or did she just come in from time to time?

Mrs. WHITWORTH. Well, she said she did—for some reason why or other, but to me, I couldn't fix any certain day, you know, working in the public like I did and all that. I couldn't, you know, not meaning anything at that time—I couldn't put a date on it, you know, what day she come or anything. Usually, the tickets would go on sale on a Tuesday or Wednesday, if they were going to travel to play, and I have my tickets to the home games, you know, and she could say what day it was, but I couldn't.

Mr. LIEBELER. Was this particular ball game going to be played at Richland Hills; is that right?

Mrs. WHITWORTH. Yes; it was.

Mr. LIEBELER. So you were talking about getting the tickets and were going on over to Richland Hills?

Mrs. WHITWORTH. To this game.

Mr. LIEBELER. And you said Lee Oswald—the Oswalds were in your store on the weekend preceding the game?

Mrs. WHITWORTH. It wasn't the weekend.

Mr. LIEBELER. During the week?

Mrs. WHITWORTH. During the week.

Mr. LIEBELER. Right; during the week preceding the weekend on which Richland Hills played Irving.

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. Do you remember being interviewed by two agents of the FBI about the middle of December on this whole question?

Mrs. WHITWORTH. On a Saturday; yes, sir.

Mr. LIEBELER. Yes; Saturday, December 14, 1963.

Mrs. WHITWORTH. I do remember; it was a Saturday that they came out.

Mr. LIEBELER. And do you remember the names of the agents?

Mrs. WHITWORTH. No; I don't. They were just two tall fellows and I don't even know the names—I didn't take them down and I didn't think it was that important.

Mr. LIEBELER. Do you remember telling those two men specifically that when this man's wife came in, when Oswald's wife came in, that Oswald told you that his youngest child had been born on October 20, 1963?

Mrs. WHITWORTH. Probably so—somewhere, you know, it was along that time, but you know it has been so long now that I have forgotten the dates.

Mr. LIEBELER. And do you remember telling the FBI agents specifically the date October 20, 1963?

Mrs. WHITWORTH. I believe so. Now, like I say, I wouldn't swear to that but if I told them, that's what he had told me. I haven't reviewed this, like I say, before I come over here, so I'm just telling you what I think absolutely is true—the truth.

Mr. LIEBELER. Right; and I want to try and find the state of your recollection as to just what this man told you about the date of birth of this young child, and if you remember specifically that he told you that the child was born October 20, 1963, I want you to tell me that, and if you can't remember that, I want you just to say that and it is very important that you give me the exact state of your recollection on that.

Mrs. WHITWORTH. Now, I'm not going to say that I remember him telling me that because it has been too long ago, you know, it has been too long back to say it was October 20—like when I come over here and you asked me my grandson's birthday that I had forgotten and there is too much that goes through my mind in that length of time. We talked about it and I'm sure he told me the birthdays of the babies, but it has been too long now and I wouldn't say that he told me October 20, but the baby was 2 weeks old when he was in the store and it was the first week in November that he was in the store and I don't know what date that would have been that he was in the store.

Mr. LIEBELER. Was there anybody else in the store besides you and Mrs. Hunter and this man Oswald and the wife and the two little children during this time?

Mrs. WHITWORTH. No; I don't believe there was. There was someone out in front of the store, you know, there always was. I remember something about that, but I wouldn't swear that there was anyone out there in front, any particular person out in front, but there usually was two or three men that kind of hung around there because that was on the corner and had been the bus station and, you know, people just walk in and walk out there, you know, and they ask for information for first one thing and another, you know, in my store and I was always real good about giving them information and like I probably told him where he could go get the gun part he was looking for.

Mr. LIEBELER. Do you remember whether you directed him to another gunshop or not?

Mrs. WHITWORTH. Just to be sure about it, I don't know now, but I'm just almost sure that I did if he asked me.

Mr. LIEBELER. Do you remember where you told him to go?

Mrs. WHITWORTH. If I directed him, it would have been east of me, probably at the Irving Sports Shop or even down on the highway at some pawnshop or something like that.

Mr. LIEBELER. Do you know the man who owns the Irving Sports Shop?

Mrs. WHITWORTH. Yes; Woodrow Greener.

Mr. LIEBELER. How long have you known him?

Mrs. WHITWORTH. Oh, I have known Woodrow for about 20 years, I guess.

Mr. LIEBELER. Are you a good friend of his or close to him at all?

Mrs. WHITWORTH. No; I wouldn't say real close—I just knew him. He had

been in and out of business there for a number of years and I have lived in Irving all of my life, so I wouldn't say I was a real close friend to him—I just know him."

Mr. LIEBELER. Do you know a young man by the name of Dial Ryder?

Mrs. WHITWORTH. I didn't know Dial Ryder.

Mr. LIEBELER. Do you know Ryder now; have you met him since that time?

Mrs. WHITWORTH. No; I haven't.

Mr. LIEBELER. Have you ever discussed this series of events with Mr. Greener?

Mrs. WHITWORTH. Yes; I did discuss it with Mr. Greener over the telephone and Woodrow Greener was out of town. He said at that time he probably was, but he was gone deer hunting, you know, he hunts, and he and his wife were out of town at that time because we talked about it.

Mr. LIEBELER. When did you talk to Mr. Greener about this; do you remember?

Mrs. WHITWORTH. When the FBI men came out there and talked to me on the Saturday.

Mr. LIEBELER. On that same Saturday?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. And you never had any discussion with Mr. Greener at any time about this at all prior to the time in November when the FBI talked to you; is that right?

Mrs. WHITWORTH. Not until the FBI talked to me, you know, I didn't talk to him or anything, but I called Woodrow on the telephone and told him and the FBI men were in his store at that time when I called him and that was the only time he told me, but I don't think I was even in town at that time.

Mr. LIEBELER. Do you read the newspaper, generally speaking?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. Which newspapers do you read?

Mrs. WHITWORTH. Well, I take them all—I read them all. I take the Dallas Morning News and I take the Times Herald out of Dallas and then I have the Irving papers too and I read them all.

Mr. LIEBELER. Do you remember that shortly after the assassination, around Thanksgiving time, as a matter of fact, there was a story in the Dallas Times Herald to the effect that Oswald had had some work done on his rifle in the Irving Sports Shop?

Mrs. WHITWORTH. Yes; I read that and I also saw it on television.

Mr. LIEBELER. When you saw that, it was also reported on television; is that right?

Mrs. WHITWORTH. Yes; it sure did. As well as I can remember it, it showed this Ryder, or whatever his name was, working around there and talking to the men.

Mr. LIEBELER. Who was the first person you ever discussed Oswald's presence in your store with?

Mrs. WHITWORTH. I never discussed it until I saw him on television and also his wife. First, when I saw him on television I told my husband, but my husband didn't work in the store, then, he worked at another furniture store on down on the east end of the road, you know, and I told him, I said, "Why, I have seen the fellow somewhere before," and it didn't dawn on me at that minute where. He says, "Well, you have probably seen him in the store." Just like that. I mean, anybody would come through Irving and be looking for anything like that would more than likely stop in my store quicker than they would any other place.

Mr. LIEBELER. Looking for furniture, you mean?

Mrs. WHITWORTH. Well, if he was looking for a gun or anything like that he would stop in there because this sign was a real good sign, you know, it was painted out there, and also it was a good furniture location. So, he said, "You probably have," and we didn't discuss it any more until we saw her on television, Mrs. Oswald, and she was leaving the jail or something, with her mother-in-law and had these two babies. I said, "Oh, yes, I remember them real well," and I discussed it again with him and I told him about this and I said that those kids are about the age of Bryan and Jeff and we discussed it again and then I knew definitely he had been in there and I knew that he was the fellow that I talked to, and I said, "Well, he seemed to be such a nice man." He even

thanked me for my time when he walked out—you know, he thanked me for the time I had spent with him, more so than anyone else. I mean, very few people will thank anyone for their time in a store like that, you know, but he did. He thanked me for his time.

Mr. LIEBELER. Isn't it a fact that a newspaper reporter came into your store one day and talked to you about this?

Mrs. WHITWORTH. A lady.

Mr. LIEBELER. When was that?

Mrs. WHITWORTH. She was before the FBI men came and talked to me and I don't have her name, but one of the FBI men called me and asked me if I remembered her name and I don't. The only thing, she came in a little foreign car and another gentleman was driving the car for her and she showed me her credentials, just who she was, and she told me she was a White House correspondent.

Mr. LIEBELER. Would you remember her name if I suggested it to you?

Mrs. WHITWORTH. I don't know whether I would or not.

Mr. LIEBELER. How about Coleman, does that seem familiar to you?

Mrs. WHITWORTH. Might have been.

Mr. LIEBELER. Do you remember when she came by, was that after you had seen Ryder on television telling about Oswald?

Mrs. WHITWORTH. No; that was before.

Mr. LIEBELER. It was before?

Mrs. WHITWORTH. Yes; it was before.

Mr. LIEBELER. And did you tell this lady reporter the same story you told us—exactly?

Mrs. WHITWORTH. Yes; and she took it down at that time and this gentleman that was with her, he had a tape recorder and he took down everything that I said.

Mr. LIEBELER. They took it down on a tape recorder?

Mrs. WHITWORTH. Yes; he sure did, and she wrote it down in a little notebook, you know, but she accidentally stopped in the store. I had never told anyone, you know, had ever made the statement to anybody that he was in there. Of course, it was discussed, I'm sure, to people that I knew, you know, I said, "Well, I had seen him," but there are a lot of people in Irving I'm sure that had seen him and his wife both.

Mr. LIEBELER. Did it occur to you after you became aware of the fact that Oswald had been in your store asking for some repairs about a gun that you should call the FBI or the Dallas Police Department and tell them about this?

Mrs. WHITWORTH. No; it really didn't. I just figured I would wait and see if anybody got to looking for him. I didn't contact anyone. I waited until they contacted me. I didn't know where I could be any help to them at all.

Mr. LIEBELER. So, the Oswalds walked out of the store?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. And then you said Mrs. Oswald, I believe, and the children went out first; is that right?

Mrs. WHITWORTH. They were ahead of him.

Mr. LIEBELER. How long was Oswald in the store—how long did he stay in the store after they left?

Mrs. WHITWORTH. Well, he followed them right on out, but they were in line. She started out before he did, with the children, and the little girl—the little 2-year-old, you know, was ahead of all of them and I had a little stepoff there and the mother kind of waited until she stepped off of that, but Oswald himself never did help her with the children or anything like that while she was in the store, you know.

Mr. LIEBELER. And during the time they were in the store she didn't say one word?

Mrs. WHITWORTH. She never uttered one word that I knew about. I caught him at one time looking at her and I kind of felt like they were exchanging glances or something like that, you know, but she never uttered one word, either whether she liked it or whether she didn't like it, and I made the remark after they left, after we talked about trading the children, you know, jokingly, and

I said to Mrs. Hunter, "Well, I don't think she liked what I said about trading those children," and she didn't offer to show us the baby.

Mr. LIEBELER. You made quite a fuss over the children, I presume?

Mrs. WHITWORTH. Yes; I am a great hand to notice children. I just really am, you know, and I always felt like it was one way to get in touch with the customer—is to brag on the children, you know. The closer you get to them the better off you are when you are trying to sell them something, and really, I was, you know, interested in selling him furniture when he told me he needed it.

Mr. LIEBELER. How about this little 3-year-old girl, did she seem to be an ordinarily developed girl—she could walk around and everything?

Mrs. WHITWORTH. Yes; she was pretty.

Mr. LIEBELER. Did she say anything at all?

Mrs. WHITWORTH. She mumbled—as she went out of the store she was about halfway crying, not really crying, but mumbling something. I couldn't understand her or anything, and that's the reason that at one time I thought—well, I'll hand her a piece of candy, but then I didn't because a lot of people don't like you to give their children candy and the woman hadn't been friendly enough with me to make me really want to, but I really would have liked to have given the little girl some candy. She was a beautiful little child.

Mr. LIEBELER. Did the little girl say anything you could understand at all?

Mrs. WHITWORTH. No; she just kind of whined like, you know, it might have been that she was a little cowed or something—I don't know.

Mr. LIEBELER. Now, as they walked out of the store, did you see them get in the car?

Mrs. WHITWORTH. I probably did, but I didn't pay much attention to them—to remember how they did—I didn't—it was just like anybody else walking out of the store, you know, I didn't see them get in the car. I'm sure they got in a car and I just faintly remember that maybe that that car was a two-tone car and that they got in there and drove off and like I say, I don't know how they got into the car, because I didn't pay too much attention to them.

Mr. LIEBELER. Did you see where they went when they got in the car?

Mrs. WHITWORTH. I didn't pay too much attention. Mrs. Hunter said they went back the wrong way down the street.

Mr. LIEBELER. But you didn't see that?

Mrs. WHITWORTH. I probably saw it but I didn't—I wouldn't say that they did because I don't know. So many people pull that stunt anyway and it was just everyday, you know, people make mistakes on that street all the time about going the wrong way and I had seen numbers of them going the wrong way and if they did go, the wrong way, you know, I don't remember it.

Mr. LIEBELER. It wasn't such an extraordinary thing to have that happen?

Mrs. WHITWORTH. No; but what was, you know, out of the ordinary person—not talking. I'm friendly—I'm just a real friendly person and going on over the babies—I would have liked to have looked at the baby and all. That was what stuck with me more than anything else, you know, the way she acted and him too. He was nothing out of the ordinary except that he thanked me for his time, you know, that he had taken, and I suggested furniture to him and tried to find out what kind they were looking for and they weren't quite ready for it and it was going to be a couple of weeks before they moved out and he told me that they were living in an apartment.

Mr. LIEBELER. What did he tell you about that?

Mrs. WHITWORTH. I asked him. So many people would come in the store, you know, to buy furniture you know, and try to get it as cheap as they could because they were living in a furnished apartment, so I usually asked them if they were in apartments or something, and he told me they were and I know they wanted bedroom furniture, because I took them back there and showed them bedroom furniture. They also had to have living room furniture and I asked him what type of furniture and I said, "So many people are using Early American or Danish Modern." I mean, young people were using a lot of that Danish Modern and I couldn't get anything out of her even after suggesting that and I thought if I suggested that that they would tell me what they were looking for, but I never did find out.

Mr. LIEBELER. Did he say where they lived?

Mrs. WHITWORTH. No.

Mr. LIEBELER. But he said they were living in an apartment?

Mrs. WHITWORTH. They were living in an apartment—yes.

Mr. LIEBELER. Now, did you hear subsequent to that time on television that Oswald and his wife weren't living together?

Mrs. WHITWORTH. I heard, yes; you know—after the assassination, I mean, but even at that time I never asked him his name or anything like that. If I had carried out what I usually do, I would have gotten his name, because if they are looking for anything that I don't have—didn't have in the store, I would suggest that they let me give them a card, you know, to go to the wholesale house. Had I given them a card to the wholesale house, he would have had to give me his name. You see, I didn't get that far along on it. I mean, you know, and I just didn't—I wished I had now, but she sure was with him, whether she knew where she was going or what she was doing or anything, but she certainly was with him. Even, you know, her dress and all—as far as telling you what color she had on—I could tell you just about how she was dressed. She looked clean but she looked like she was a person that had gotten in the car to come up to town for something and she probably come out of the house with just the dress she had on and a short coat, and the little girl had on some kind of a short coat. It wasn't really cold—it wasn't real cold then and he had on slacks. He didn't have on what I call really work clothes—he wasn't dressed—but he had on a pair of slacks.

Mr. LIEBELER. What kind of shirt did he have on?

Mrs. WHITWORTH. It was a sport coat, I think, with the collar turned back and he had on a sweater, you know, deal. They weren't dressed, you know, really dressed, but they were dressed good enough to go out, you know, to kind of casual shop or something like that—that kind of shopping.

Mr. LIEBELER. Are you absolutely sure that they drove up at first in an automobile and that they went back out and got into an automobile and drove away?

Mrs. WHITWORTH. Yes; they did.

Mr. LIEBELER. The report that I have of the interview you had with the FBI agents in December indicates that you told them that they went out of the store and got into the car and made a U-turn and drove off east down Irving Boulevard.

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. Do you remember telling them that?

Mrs. WHITWORTH. Well, where I got that—I wouldn't swear that they really went down, you know, turned their car there—Mrs. Hunter told me that they did, you know, and kind of reviewed me at that time, but so many people did that anyway that they went back down the wrong way.

It has been so long now I have, you know, really forgotten whether they did or not, but you know, the color of the car and the make of the car stands out more to me than anything. There was only one correct way for them to go and that was west.

Mr. LIEBELER. You didn't at any time see anybody else with them?

Mrs. WHITWORTH. I wouldn't swear to it.

Mr. LIEBELER. You didn't see anybody?

Mrs. WHITWORTH. I didn't see anyone—no. They didn't get out of the car, let me put it that way.

Mr. LIEBELER. Did you see the car close enough at any time to see whether there was anybody else sitting in the car?

Mrs. WHITWORTH. I could have seen it, but I didn't pay any attention to it. They could have had a driver—I don't know.

Mr. LIEBELER. You are sure it wasn't a station wagon that was sitting out there?

Mrs. WHITWORTH. I'm not sure—I'm really not, but it does not seem like it was. Had I known all this was coming up I would have took it all down, but you know, people—when you are in business, you don't pay a lot of attention to that, but there are incidents that happen that will, you know, be clear in your mind.

Mr. LIEBELER. I show you a picture that has been marked Pizzo Exhibit No. 453-A, and I ask you if you recognize anybody in that picture?

Mrs. WHITWORTH. I don't—no; I don't.

Mr. LIEBELER. I show you another photograph that has been marked Pizzo Exhibit No. 453-B, and ask you if you recognize anybody in that picture?

Mrs. WHITWORTH. I don't know this one either.

Mr. LIEBELER. You don't recognize anybody in there either?

Mrs. WHITWORTH. No; not as far as I see it.

Mr. LIEBELER. Now, what about Bringuier Exhibit No. 1, do you see anybody in there that looks familiar?

Mrs. WHITWORTH. I couldn't identify anyone in there.

Mr. LIEBELER. Now, what about Garner Exhibit No. 1, does that person look familiar to you?

Mrs. WHITWORTH. Yes; he does.

Mr. LIEBELER. That one does?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. And is that the same man that came in the store that day?

Mrs. WHITWORTH. Yes; he looked younger in the store than he does there. Of course, there's the shadow that's on him there that causes him to look that way, but he does.

Mr. LIEBELER. Does that look like the man that came in the store—do you have any doubt about it?

Mrs. WHITWORTH. I don't have a doubt in the world but what it wasn't him.

Mr. LIEBELER. Now, I will show you this one—Pizzo Exhibit No. 453-C.

Mrs. WHITWORTH. Now, that looks more like him—he was more pleasant looking in the store than he is in these pictures here.

Mr. LIEBELER. Now, I show you a picture that has been marked Commission Exhibit No. 171, and ask you if you recognize anybody in that picture?

Mrs. WHITWORTH. Huh.

Mr. LIEBELER. Who do you recognize there?

Mrs. WHITWORTH. Mrs. Oswald is there, I mean, his wife.

Mr. LIEBELER. And you think that's the woman that was in the store that day?

Mrs. WHITWORTH. Yes; but of course she's not dressed there like she was, but that's her and that's the little girl and the little girl wasn't dressed like that either.

Mr. LIEBELER. Now, I will show you a photograph marked Commission Exhibit No. 177 and I ask you if you recognize anybody in there?

Mrs. WHITWORTH. Well, that's his wife there, isn't it?

Mr. LIEBELER. Does that look like the woman that was in the store?

Mrs. WHITWORTH. Yes; she was attractive even then, I mean, she was a pretty girl then, of course, when she came in the store she wore her hair just right back and had it in a pony tail back that way.

Mr. LIEBELER. Did she have short hair or long hair?

Mrs. WHITWORTH. She had long hair and had enough that she could tie it back here.

Mr. LIEBELER. What about that man sitting in the middle there of Commission Exhibit No. 177, does he look familiar to you?

Mrs. WHITWORTH. Well, yes; he kind of resembles him—yes.

Mr. LIEBELER. Does that look something like the man that was in the store?

Mrs. WHITWORTH. Yes; the one sitting there with her?

Mr. LIEBELER. Yes; here is another picture that has been marked as Commission Exhibit No. 172, and I ask you if you recognize any of the people in that picture?

Mrs. WHITWORTH. That's Mrs. Oswald there.

Mr. LIEBELER. What about the man? Does that man look like the man that was there in the store?

Mrs. WHITWORTH. Well, it resembles him. Of course, if I could see him right in the face, you know, like I looked at him—the features are—like him.

Mr. LIEBELER. Yes; and in Exhibit No. 177, of course, he does present a full face.

Mrs. WHITWORTH. That looks more like him there, you know, it really does.

Mr. LIEBELER. Now, Mrs. Whitworth, the testimony that you have given to us about this event is of considerable importance to the Commission for many reasons that are not, I'm sure, even clear to you at the moment.

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. Would you be willing to come back again on Friday morning and meet with Marina Oswald and the children to see if those really were the people that were in your store?

Mrs. WHITWORTH. This Friday morning?

Mr. LIEBELER. Yes.

Mrs. WHITWORTH. I like you to put it up early enough—I go to work at 12 on Friday and if you would make it real early, and I have another appointment real early Friday morning that I could put off, I guess, or maybe do it in the morning. I have an appointment to get my hair fixed on Friday and I have that every Friday morning and I go to work at 12 and I would like for this not to interfere any more than is possible, you know, with my job. I work for J. C. Penney's there in Plymouth Park and they are real nice. They have given me time off because they had to, you know, but I would rather it not interfere with that.

Mr. LIEBELER. What time would be convenient for you on Friday morning—about 9 o'clock?

Mrs. WHITWORTH. I would like to meet with her—that would be all right. Really, I would like to meet with her one time, you know, to—of course, I have only seen her on television and I saw her there at the store and I would like for her to tell me that she went into that store. I believe she would if she's telling what she did—she might not recognize me now, you know, out of the store, but I believe that woman would tell you that she went in that store if she saw that store. I believe she would—that little girl, the oldest one, isn't she a dark headed girl, and at that time she wore—she had her bangs cut.

Mr. LIEBELER. I don't know; I have never seen the little girl.

Mrs. WHITWORTH. Well, she was real attractive and I am attracted to little girls, you know, I just love them. Of course, I love little boys, too, you understand, because I've got one of them, but little girls—mine—I used to sew for them and I have always wanted another little girl and I always made over little girls more so than I did little boys, that that little girl, as well as I remember, she had straight hair and she had little bangs in the front and she was just a real cute child, but I would really like to meet with them again and I would like for her to tell me that she went in that store. She would remember it; I'm sure that she would remember it. There isn't any doubt in my mind but that she wasn't in there and him too.

Mr. LIEBELER. Then, we will meet with you again at 9 o'clock on Friday morning.

Mrs. WHITWORTH. All right.

Mr. LIEBELER. By the way, how long would you say that the husband and wife were in the store from the time that they came back in the second time?

Mrs. WHITWORTH. Well, 30 or 40 minutes—maybe.

Mr. LIEBELER. That was during the time that they were looking at furniture?

Mrs. WHITWORTH. Yes; she didn't come in, now, until he went back to the car.

Mr. LIEBELER. My question is: From the time that he went back out and she came in, how long were the two of them in the store together?

Mrs. WHITWORTH. I'd say 30 or 40 minutes, which is a long time.

Mr. LIEBELER. Yes; and did she seem interested in any of the furniture—what did she do during this 30 or 40 minute period?

Mrs. WHITWORTH. Well, she walked back where we were and I had moved some beds to show her, pulling them around and showing them to her, and as well as I remember, I had a little red maple suite back there and I had some dark walnut suites and I was showing them used furniture because they looked like people that would buy used furniture and she stood there and looked and, like I say, the little girl was whining around and I would see him exchange glances at her, you know, kind of look up and down but I never did see her—I never did catch her but I thought they were exchanging glances at one another and she was not interested and she walked back up and around in the other part of the store and I stayed back there and I talked to him.

Mr. LIEBELER. Did you have the feeling that there was any hostility between these two people that they weren't getting along too well?

Mrs. WHITWORTH. Well, she just didn't say anything. She wasn't interested

in what he was looking at, didn't look to be, you know, and if they were—well—I just don't know, or I would say that there was any misunderstanding—there wasn't any smiles and there wasn't any jokes and neither one of them exchanged smiles. It wouldn't be like if I was going out shopping and my husband was going to buy something for me. I believe I would be more pleasant, but you know, I guess she just didn't know what he was talking about, but we were looking at furniture and I believe he went back to the car and told her to get out.

Mr. LIEBELER. She just didn't seem to be very interested in that furniture?

Mrs. WHITWORTH. No; she didn't.

Mr. LIEBELER. Have you ever had any other occasion in the entire time you have been running a furniture store, when a man and a wife came in and spent 30 or 40 minutes looking at furniture in a store and they never exchanged one single word between each other?

Mrs. WHITWORTH. No; not one single word.

Mr. LIEBELER. That just almost defies ordinary human experience; doesn't it?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. Wouldn't you say that—usually?

Mrs. WHITWORTH. No; I never had anything like that. They usually agree or disagree and they usually exchange a few words.

Mr. LIEBELER. Yes; they usually exchange a few words.

Mrs. WHITWORTH. No; I never had an occasion like that—that's the reason it stood out to me like that more than anything else. I have waited on a lot of people in 10 years and I have had an awful lot of people come in my store. Some of them I would recognize and some of them I wouldn't, but that incident just stood out and after all of this—you just knew it was them.

Mr. LIEBELER. Would it refresh your recollection if I suggested that Oswald, or this man that came into the store, was looking for a plunger—did he tell you what he was looking for, that he was looking for a plunger?

Mrs. WHITWORTH. It might have been a plunger. Like I say, I don't know a thing in the world about guns. It could have been a plunger. We have discussed that since then and I have never said what it was that he was looking for—whatever he had—he had in his hands. I mean, he had something in his hand.

Mr. LIEBELER. Where were you standing in the store when he walked out and they got in the car?

Mrs. WHITWORTH. I believe I walked back up to where my cash—in my cash stand and it hit me about right here and I could lean on it and my candy stand—I would have had to walk around another bar to have gotten to the candy because I couldn't reach over and get it and I was standing right like this and I was looking down on them and this bar hit me about right here [indicating].

Mr. LIEBELER. About waist high?

Mrs. WHITWORTH. And I couldn't have went inside unless I had turned and walked back around and that's as far as I got—was the cash register.

Mr. LIEBELER. Could you see the car from where you were standing?

Mrs. WHITWORTH. I could have.

Mr. LIEBELER. Did you actually see it drive east down Irving Boulevard against the traffic?

Mrs. WHITWORTH. I wouldn't say that I did see it drive east—I don't believe—we talked about it.

Mr. LIEBELER. Who did?

Mrs. WHITWORTH. Well, I might have made a statement one time about that, but right now, I wouldn't say he did. There's too many cars that drove up there that did go the wrong way, but I would say it was a blue and white car and I have always said that it was a Ford or Plymouth—it was something with fins on it.

Mr. LIEBELER. You say we discussed it—what do you mean by that—who is "we"?

Mrs. WHITWORTH. Mrs. Hunter and I, you know, now as far as going back down the wrong way on that street—I wouldn't swear that the man did and I don't think that I ever made the statement that he drove off, because I don't know that he did.

Mr. LIEBELER. I quote the FBI report of your interview on December 14, 1963:

"On leaving the Furniture Mart (second hand furniture store) the Oswalds made a U-turn and left driving against traffic on East Irving Boulevard in the direction of a gun repair shop in either a 1956 or 1957 two-tone blue and white Ford or Plymouth." Do you remember telling the agents that?

Mrs. WHITWORTH. I probably did and it might be fresher in my mind at that time that they did go, but right now—I have talked with Mrs. Hunter so much, that she was the one actually that said that they went on the one way street the wrong way. Now, I might have said it at that time, but right now, you know, it has been a good while since that happened and not ever thinking anything would come of it—that I could be more specific on what happened on the inside of the store than what happened on the outside, because things like that happen every day, you know, I mean on the outside, but no two people ever come in there and acted like that for that length of time, you know, that I'm not going to swear that he went the wrong way and I'm not going to say that he drove that car off from there. Like I say, it wasn't that important to me to know that at that time because I didn't know I was going to have to—if I had—I would have been more specific about it, but I was in a position where I could have seen it, but we remarked after he left about what I had said and I got no comment about it from her, you know.

Mr. LIEBELER. All right, thank you very much and we will see you Friday morning.

Mrs. WHITWORTH. All right.

TESTIMONY OF MRS. LEE HARVEY OSWALD, EDITH WHITWORTH, AND GERTRUDE HUNTER

The testimony of Mrs. Lee Harvey Oswald, Edith Whitworth, and Gertrude Hunter was taken at 11 a.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission. Present were June Oswald and Rachel Oswald, children of Mrs. Lee Harvey Oswald; William A. McKenzie and Henry Baer, counsel for Mrs. Lee Harvey Oswald; Peter Paul Gregory, interpreter; and Forrest Sorrels and John Joe Howlett, special agents of the U.S. Secret Service.

[Note.—The asterisk represents a response by Marina Oswald without assistance of the interpreter. All other responses shown for Marina Oswald were through the interpreter.]

Mr. LIEBELER. May the record show, Marina, that you have previously been sworn as a witness when you appeared before the Commission in Washington?

Mrs. OSWALD. Yes.

Mr. LIEBELER. And you will regard the testimony that you are going to give here this morning as a continuation of the testimony you gave to the Commission, and I assume you will regard yourself as being under oath as you did before the Commission?

Mrs. OSWALD. Yes.

Mr. LIEBELER. Am I correct in understanding that Marina has indicated she will regard herself as being under a continuing oath?

Mrs. OSWALD. Yes.

Mr. LIEBELER. The basic purpose for your presence here this morning relates to testimony that has been given by two ladies, Mrs. Whitworth and Mrs. Hunter, who are outside, that you were in a furniture store in Irving, Tex., in early November with your two children and with Lee Harvey Oswald.

Mrs. OSWALD. [No response.]

Mr. LIEBELER. I understand that you had previously testified about this and have told the Commission that you were not in the store at that time. We want these two ladies to have an opportunity to see you and have you see them, to see

if your recollection can be refreshed or if they were mistaken. Is that agreeable with you, Marina?

Mrs. OSWALD. Yes; I can remember—I'm sure, I never forget and the baby is just 2 weeks. I would like to know under what circumstances these two ladies saw me at that particular time?

Mr. MCKENZIE. And furthermore, where the store is located?

Mr. LIEBELER. Let the record show that Mrs. Whitworth and Mrs. Hunter have come into the room [reporter's note: 11:10 a.m.], and let the record further show that they have both previously testified that sometime in early November 1963, they saw Marina and the two children and Lee Oswald in a furniture store located on East Irving Boulevard in Irving, Tex.

Mrs. OSWALD. I don't remember the name of the street.

Mr. LIEBELER. Now, I will ask Mrs. Whitworth, who was the operator of that store, the address of the store and to describe the store generally for Marina and its name.

Mrs. WHITWORTH. The store was known as the Furniture Mart. The name was clearly on it, and it was located at 149 East Irving Boulevard. That's at the corner of Jefferson and Irving Boulevard on the north side of the street and in the same block with the bank. In fact, the back of it was up to the Bank & Trust there and it looked like at one time it might have been a service station and we had changed it into a furniture store, and they would have seen more used furniture in it, because we had new and used furniture. This clear enough?

Mrs. OSWALD. I don't remember the names of the streets—that wouldn't be material to me. I wouldn't remember it.

Mr. LIEBELER. All right.

Mr. GREGORY. Would you like for me to give the complete answer of this lady to her?

Mr. LIEBELER. Yes.

Mrs. WHITWORTH. That would be the main thoroughfare in Irving.

Mr. GREGORY. That's the street across from the bank?

Mrs. WHITWORTH. No; it would be in the same block with the Irving Bank & Trust.

Mrs. OSWALD. The only thing I am interested in is whether Mrs. Whitworth actually knows me or not, whether this lady actually saw me or knows me or not. That's what I am interested in.

Mr. LIEBELER. Let us ask Mrs. Whitworth to describe briefly the circumstances under which you say these people came in the store.

Mr. MCKENZIE. And the time of the day, establish the time of the day and the complete circumstances.

Mrs. WHITWORTH. Well, it would be more from the middle of the day until, you see, say 3 o'clock in the afternoon or maybe 4 o'clock in the afternoon. When they came in, and drove up to the front, and Mr. Oswald came in the store first.

He came in and asked, you know, about this part of the gun and then he went back to the car, and after asking me about, you know, it—I said I didn't have the part—I didn't have the gun part that he wanted, he said, "You have furniture in here?" And I said, "Yes." He said, "I am going to be needing some," and he went back to the car and took whatever he had back to the car, and then he came back in and she followed him and she had the baby in her arms. It was a tiny baby—he told me it was 2 weeks old, and this little girl [indicating June Oswald] was walking in front of Mrs. Oswald and she was whining a little bit and Mrs. Oswald was, you know, carrying the baby and we come back in and went to the extreme back of the store, and I showed them some bedroom suites and had to pull these beds out and Mrs. Oswald stood there and she never said anything, but Mr. Oswald and I talked, you know, about the furniture, and then we talked about the babies, but she turned and left before he did, you know, because I walked back up to the front of the store with him, because she was already at the front of the store by the time we turned and went up there, and it was a cool day and it was cool enough that you would have on a little wrap and this little girl, as well as I remember, had on some kind of a short sweater or coat, and Mrs. Oswald had on a short coat too, and she had her hair tied back.

She doesn't look like she does today, because her face was fuller then and it might have been because she just had this baby then and still hadn't gone back like she was. This baby was just a tiny thing. I didn't see it, it was wrapped up in some kind of a blanket, but this little girl—it definitely was her. It seemed like her hair was a little darker but she did have on some kind of a cap.

Mr. LIEBELER. Do you understand this?

*Mrs. OSWALD. I wonder if somebody was in car or not?

Mrs. WHITWORTH. That, I wouldn't testify that there was anybody in the car with you, because I observed what happened in the store, you know. I mean, you impressed me in the store and not out of the store. I didn't notice, because too many people drove up. I thought your car was a two-tone car, either a Ford or a Plymouth—now—I don't know. I thought it was blue and white—I wouldn't, you know, swear to that. I mean, too many cars drove up out in front like that, but it was what happened on the inside of the store that I was more impressed with and remembered, and your actions and his, because she acted like she wasn't interested in what he said because she didn't exchange words or anything, but I did talk to him, and I know it was him and I know she was in there.

She may not remember it, but if I was to see her today and seeing her that day and I was to meet her on the street, it would be hard for me to identify her. You know, she still has the features, but her face was round and she had her hair pulled back [indicating].

Mr. GREGORY. You mean in a pony tail?

Mrs. WHITWORTH. In a pony tail.

*Mrs. OSWALD. No; it wasn't that.

Mrs. WHITWORTH. Well, there was something tied around it—you had something tied around it, I mean, slicked back from her face.

*Mrs. OSWALD. I didn't wear this.

Mrs. WHITWORTH. I called it a pony tail, but it was kind of pulled back to the back.

*Mrs. OSWALD. I had two pigtails.

Mrs. WHITWORTH. Well, she might have—it was tied back and whipped back from her face. Her face was round then and she was pretty then—I'd say she was pretty.

*Mrs. OSWALD. Thank you.

Mrs. WHITWORTH. The little girl—I tried to talk to her and attract her attention, but she was whining all the time she was in there and she was trying to attend to this little girl and had this baby in her arms and the little girl walked out in front of her, you know, when they left the store.

*Mrs. OSWALD. Just one time I was in the store? I do not remember that I was ever in a furniture store. That does not make a difference for me. I recall the time when I was in a store with Mrs. Ruth Paine.

Mr. GREGORY. Which store was it?

Mrs. OSWALD. In that store they were selling baby things and towels and I was looking for something for a child.

Mrs. WHITWORTH. No; I didn't sell anything like that—mine was all furniture.

*Mrs. OSWALD. There was just one store like that.

Mrs. WHITWORTH. But we went to the extreme back of the store and, as well as I remember, I had a used reddish maple bookcase headboard bed, you know, I was showing you.

Mrs. OSWALD. I was never in any furniture store.

Mrs. WHITWORTH. Well, she didn't act like she was, even that day, you know, she walked off.

*Mrs. OSWALD. You know, not because I want to say you are wrong, but I can't remember I was in a furniture store, especially when I talked with somebody.

Mr. LIEBELER. Now, Marina, you said you do remember one time that you were in a store with Mrs. Paine and with Lee and with the children. Do you remember how long you were in the store that time?

*Mrs. OSWALD. About 30 minutes.

Mr. LIEBELER. And how long, Mrs. Whitworth, was she in the store this time that you are talking about?

Mrs. WHITWORTH. I would say from 30 to 40 minutes.

Mr. LIEBELER. But you don't remember Marina seeing any furniture in the store at that time?

*Mrs. OSWALD. No; this was a cafe on that side—on the left side and baby clothes on the right side, and a radio and that's all.

Mr. LIEBELER. Do you remember what you went to that store for?

*Mrs. OSWALD. To buy Junie pants—rubber pants.

Mr. LIEBELER. Did you buy some clothes for June; do you remember ever seeing these ladies before, Marina?

*Mrs. OSWALD. Just this one [indicating Mrs. Hunter]. Perhaps, now, I saw her, because there is a woman of that particular type, a lady like this out in Richardson—I may have seen a lady like this in Richardson.

Mr. LIEBELER. But you do remember seeing a woman that looked something like Mrs. Hunter, here, Mrs. Hunter being the woman in the blue dress?

*Mrs. OSWALD. I don't think that I saw her, but I saw a woman or women like her—not one, but many of that type.

Mr. LIEBELER. Now, Mrs. Hunter, as you sit here and you look at these children and you look at Marina, are you sure in your own mind that these were the people who were in the store that day?

Mrs. HUNTER. I have seen Marina several times before the baby came—several times. She said she saw me—do you remember talking to a lady about getting help for you before your baby came?

Mrs. OSWALD. For housework?

Mrs. HUNTER. No; she was talking about the welfare of clothes for the baby before the baby came, but I don't know who she was.

Mr. LIEBELER. Now, wait just a minute, Mrs. Hunter, you say you talked to Marina about this?

Mrs. HUNTER. She was with another woman and this other woman didn't come around, and I couldn't understand too much of what she said, and she couldn't understand too much of what I said, and I says, "If you need help with this baby, we can get you help at Parkland Hospital." Do you remember that?

Mr. LIEBELER. Just a minute, would you describe the other woman?

Mrs. HUNTER. Now, the other woman don't mean a thing to me. All I know, she was with this other woman, but I live on Second Street and it was down below me, four or five different streets and this woman, I believe, was going to see someone about fixing a tire or changing a tire. Now, I couldn't tell you what the other woman had on because it was just curiosity to me why—that her couldn't speak like we could and was in this condition and I kept asking her where her husband was and I never did make her understand me and I finally asked her if they had separated [indicating hand signals]—and I did that way—with her, and she made me understand he was staying over in town, but then, I didn't know who she was or nothing about her.

Mr. LIEBELER. Where did all this happen?

Mrs. HUNTER. Let me see, it was in a filling station—how come me at the station—I don't know whether that's the day that we looked at a car that this man had for sale at the station or not.

Mr. LIEBELER. Where do you think this happened, Mrs. Hunter?

Mrs. HUNTER. It was on the corner of Sixth and Hastings Streets—I know where the station was—I couldn't even tell you the name of the station, because we were looking at a car there.

Mr. LIEBELER. Now, what were the circumstances under which you were in this station, Mrs. Hunter?

Mrs. HUNTER. Now, I have never been there but about twice, but at this particular time, last July until right after Christmas, we were looking just for a used pickup or a used car for my husband to haul his tools in. We have a used car at this time there was a car for sale there.

*Mrs. OSWALD. After Christmas?

Mrs. HUNTER. What?

*Mrs. OSWALD. After Christmas?

Mrs. HUNTER. No; I said we were looking for used cars, so that's bound to have been my purpose there because we do not trade with that man. Do you know a driveway and a filling station and a washateria on Sixth Street?

*Mrs. OSWALD. No; I don't remember Irving.

Mrs. HUNTER. This was before—I would say it was in September or October. It was before—just a little while, I know, before your baby came, because I won't tell you the remark I made, but anyhow, I know it was pretty close—almost due time—you could tell from the way you were carrying the baby, it was almost time for the baby.

*Mrs. OSWALD. I can't remember her [indicating Mrs. Whitworth].

Mr. LIEBELER. Didn't you see this other woman at all, Mrs. Hunter?

Mrs. HUNTER. No; she got out and had her back to me and if I'm not badly mistaken the woman had on a dark dress, but what the woman looked like, it wasn't even dawning on me, because I wasn't even interested. The only thing I seen that she was very uncomfortable and what I thought she was saying was that she was going to have to have help when the baby comes.

Mr. MCKENZIE. Excuse me, but I would like to ask her a question; may I?

Mr. LIEBELER. Yes.

Mr. MCKENZIE. Mrs. Hunter, what is your full name, please?

Mrs. HUNTER. Gertrude Hunter.

Mr. MCKENZIE. What is your husband's name?

Mrs. HUNTER. John T. Hunter.

Mr. MCKENZIE. Do you work with Mrs. Whitworth there in the store?

Mrs. HUNTER. No; just visiting her.

Mr. MCKENZIE. You were not in the store on this particular occasion that Mrs. Whitworth has described; is that correct?

Mrs. HUNTER. Yes; I was there.

Mr. MCKENZIE. You were there?

Mrs. HUNTER. Yes.

Mr. MCKENZIE. And what were you doing in the store that morning or that day?

Mrs. HUNTER. We go to football games together and we were down discussing whether we was going to have, what do you call it, caravan cars or charter a bus, and it was after 2 o'clock in the afternoon, because I never did leave the house only after 2. My daughter works at Commercial Title and she calls me before she goes back off of her lunch hour at 2 o'clock.

Mr. LIEBELER. So, this was after 2 o'clock and prior to the football weekend; is that correct?

Mrs. HUNTER. On Wednesday or Thursday—I won't say just which day.

Mr. LIEBELER. Now, on that occasion when you were in the store with Mrs. Whitworth at the Furniture Mart, did Mrs. Oswald or her husband buy any clothes or anything of the sort?

Mrs. HUNTER. Well, she went to talking about the cafe. It used to be a bus station and it has the counter and the chairs for the cafe. The only thing she had there was the candy, and there was some used clothes and a church or welfare or something had had them there, they had their used clothes there, and there were some shoes there. Now, she might have thought she was in a cafe or a drygoods store.

*Mrs. OSWALD. No.

Mr. MCKENZIE. At that time I'm asking you about, did either Mrs. Oswald or her husband buy any clothes; do you recall?

Mrs. HUNTER. No; they didn't buy anything.

Mr. LIEBELER. You had seen Mrs. Oswald before; is that correct?

Mrs. HUNTER. Yes; but I didn't know who she was until now—I do now—I would know her eyes.

Mr. MCKENZIE. Of course, you have seen many pictures of her since then.

Mrs. HUNTER. No; I'll be honest with you, I have only seen her once on television and that was in Washington, and day before yesterday I wanted to be sure that this woman had the long hair, and the way it looked there. Now, I'm honest with him about that. I didn't watch the run of it on television.

Mr. MCKENZIE. By "him" you are referring to Mr. Liebler here?

Mrs. HUNTER. Well, I don't know what his name is.

Mr. LIEBELER. That's right.

Mr. MCKENZIE. Now, on this occasion when she was in the store with the two children and her husband, that Mrs. Whitworth has described, did you notice the automobile that they came in?

Mrs. HUNTER. I sure did.

Mr. MCKENZIE. And was it in the same automobile you had seen her in before at the filling station?

Mrs. HUNTER. No.

*Mrs. OSWALD. Not the same? Not the same?

Mr. MCKENZIE. Did you go outside and see the automobile?

Mrs. HUNTER. I was standing in the side door looking up and down the street while she had went with them to the back. Now, I didn't hear her say nothing and I don't know whether she said something to the little girl, or what she said, but she did go "shhh." She could have said "shhh" or something, but I remember her making some kind of a remark to the little girl.

Mr. MCKENZIE. To quiet the little girl?

Mrs. HUNTER. Yes.

Mr. MCKENZIE. Now, at that time did you notice the automobile in front?

Mrs. HUNTER. Can I tell him what I told you?

Mr. LIEBELER. Yes.

Mrs. HUNTER. Well, what I meant—I didn't want to do something that I shouldn't. I was looking for some friends of mine from Houston that drove a two-tone blue and white Ford—a 1957—I think it was, and when this car drove up, I left a note on my mailbox when I left the house and I told them if they come while I was gone to come down to this place, because I would be there, or left her telephone number on the note too, and when they drove up—

Mr. LIEBELER. Who is "they" now?

Mrs. HUNTER. Mr. and Mrs. Dominik from Houston, and when this car drove up, I thought it was them and I just said, "Well, my company has come," and that was it and when I seen he was getting out of the car I just seen then that it wasn't, and I just sat back down in the platform rocker there where I was sitting. It was a partition in the front part of the store and I was sitting right here in platform rocker and there was some tables and chairs over here and I had opened this side door. She had it shut and I had opened it.

Mr. MCKENZIE. Did your friends from Houston come while they were there?

Mrs. HUNTER. No; they never did come up until later on, and he come up in a truck—several weeks later.

Mr. MCKENZIE. Was there anybody else in the automobile that drove up that they got out of?

Mrs. HUNTER. No; just her and him and the two children. Now, I wasn't up close to the car. I was standing in the door and the car was parked over here something like this, and somebody could have been down in the floor-board of the car—I wouldn't say they wasn't.

Mr. MCKENZIE. Did you see who was driving the automobile?

Mrs. HUNTER. He got under the steering wheel.

*Mrs. OSWALD. Lee?

Mr. LIEBELER. And you saw him drive the car?

Mrs. HUNTER. I seen him at the steering wheel, under the steering wheel, and if there was someone else, now, in there, you couldn't see them.

Mr. LIEBELER. Well, in any event, Mr. Oswald got behind the steering wheel of the car and he drove the car out of the parking lot in front of the building somewhere; isn't that right?

*Mrs. OSWALD. I have never seen Lee drive the car in my lifetime. Lee never drove a car with me or the children in it. The only time I saw him behind the wheel was when Ruth Paine taught him to drive the car, he was practicing parking the car when Ruth Paine was teaching him to drive.

Mr. LIEBELER. And that was all in front of Mr. Paine's house; wasn't it?

*Mrs. OSWALD. Yes. I'm sure this lady is trying to tell the truth, but the only possible person who could have driven the car when we were in that store could have been Mrs. Ruth Paine. She knows all the stores where we went because we never went there without her.

Mrs. HUNTER. Well, you've got your privileges—you've got your privileges.

Mr. MCKENZIE. Mrs. Hunter, back in September or October when you were in the Shell filling station and Mrs. Oswald and the little girl here, June, and another lady happened to be there—that was the occasion when your husband

was looking for the pickup truck—did either Mrs. Oswald get out of the car or did the other lady get out of the automobile?

Mrs. HUNTER. She was standing beside the car, now, I don't even remember the baby being there—being in the car.

Mr. LIEBELER. But Mrs. Oswald was standing beside the car?

Mrs. HUNTER. Standing beside the car.

Mr. McKENZIE. And where was the other lady standing?

Mrs. HUNTER. Well, she went either to the restroom or into the filling station. She wasn't out there—I never did say anything to this woman.

Mr. McKENZIE. The other woman—

Mrs. HUNTER. Do you remember anyone saying anything to you about a Salvation Army woman?

*Mrs. OSWALD. Salvation Army woman? I don't know what the Salvation Army is.

Mrs. HUNTER. This woman was dressed and I told her I would get her, I would get her a contact. She dresses in these regular white uniforms most of the time?

Mrs. OSWALD. At the time this lady claims that she saw me, I was not interested in any help or I did not need any help for the baby from the standpoint of social help, because we already made all the preparations for the baby.

Mr. LIEBELER. Mrs. Hunter, when you say you saw these people at the service station, you indicated that the other lady got out of the car, and even though you didn't see her face, you did see her standing in the area of the service station; is that right?

Mrs. HUNTER. You see, we had drove up where he had some used cars and she was there by herself because—

Mr. LIEBELER. When you say "she" you have to say who.

Mrs. HUNTER. Mrs. Oswald.

Mr. LIEBELER. Mrs. Oswald?

Mrs. HUNTER. And I don't know whether she had got out to go into the restroom or what, but that's where she seen me instead of in Richardson.

Mr. LIEBELER. My question is, did you see the other lady standing in the area of the filling station?

Mrs. HUNTER. No; I didn't see the other woman—I really couldn't tell you what she looked like. I just seen a woman go into the filling station or into the restroom and I presumed it was who she was with, because she said—she didn't ask for any help and I couldn't understand her and she couldn't understand me, you see.

Mr. LIEBELER. Now, Mrs. Hunter, I want to try and find out—you said you saw this other woman walk into the restroom?

Mrs. HUNTER. I seen a woman—I don't know whether it was the one that was driving the car she was in or not, because she was standing beside the car.

Mr. LIEBELER. That's what I'm trying to get to—was this a skinny woman, a fat woman, a tall or short woman—what did she look like as you saw her walk into the restroom?

Mrs. HUNTER. The woman, I don't believe she was quite as heavy as I am and a little bit taller.

Mr. LIEBELER. How tall are you?

Mrs. HUNTER. Five feet two.

Mr. LIEBELER. And she's just a little bit taller than you?

Mrs. HUNTER. I would say this woman was taller than I am.

Mr. LIEBELER. How much?

Mrs. HUNTER. About 5 feet 4.

Mr. LIEBELER. About 5 feet 4 or 5 feet 5—how much do you think she weighed?

Mrs. HUNTER. I would say about 135.

Mr. LIEBELER. Now, did you see anybody else around the automobile?

Mrs. HUNTER. No.

Mr. LIEBELER. What kind of car was it?

Mrs. HUNTER. When we got in our car and left she was still standing beside the car.

Mr. LIEBELER. Mrs. Oswald was?

Mrs. HUNTER. Yes.

Mr. LIEBELER. What kind of car was it?

Mrs. HUNTER. Well, now, I wouldn't say as to that.

Mr. LIEBELER. Was it a convertible, was it a Volkswagen, was it a station wagon, or was it an ordinary American-type car?

Mrs. HUNTER. It was just a car—but I wouldn't go back to it, because it didn't dawn on me for sure.

Mr. LIEBELER. Was it a station wagon?

Mrs. HUNTER. No.

Mr. LIEBELER. Now, you saw Mrs. Oswald, or who you think was Mrs. Oswald, in the station there that day before you saw her in the Furniture Mart; is that right?

Mrs. HUNTER. Yes.

Mr. LIEBELER. Now, when you saw her in the Furniture Mart, did you recognize her?

Mrs. HUNTER. No; it didn't dawn on me—I didn't think a thing in the world about it.

*Mrs. OSWALD. Excuse me, do you remember how I was dressed and was I pregnant at that time?

Mrs. HUNTER. Yes.

*Mrs. OSWALD. And what did I have on?

Mrs. HUNTER. All I know is you had on a jacket.

*Mrs. OSWALD. What color?

Mrs. HUNTER. It was pretty chilly—it was a rose or more of a—it wasn't red.

*Mrs. OSWALD. Was it blue?

Mrs. HUNTER. It was more of a rose.

*Mrs. OSWALD. I had a rose short one.

Mr. LIEBELER. Now, you testified before you had seen Mrs. Oswald several times.

Mrs. HUNTER. Yes; but I didn't know who she was.

Mr. LIEBELER. Tell us about the other times you saw her.

Mrs. HUNTER. I have seen her in Minyards Grocery Store.

Mr. LIEBELER. What is that?

Mr. MCKENZIE. [Spelling] M-i-n-y-a-r-d-s.

Mr. LIEBELER. Where is that?

Mrs. HUNTER. On Irving Boulevard.

*Mrs. OSWALD. Grocery store?

Mrs. HUNTER. And this drive-in grocery that I was talking about, if you remember there—I think I had seen her there.

Mr. LIEBELER. Now, aside from the gas station and the furniture shop and the grocery store, did you ever see her any place else?

Mrs. HUNTER. Well, just them things, then at once it dawns on me about her, but she had ribbons in here hair.

*Mrs. OSWALD. What did I have?

Mrs. HUNTER. She was wearing a pigtail or something—her hair was long, and I remember one side the string was hanging down longer and that was at the furniture store.

Mr. LIEBELER. You mean the pigtail?

Mrs. HUNTER. What I can remember about her was the sad expression in her face—she had a very, very sad expression in her face.

Mr. LIEBELER. Was anybody else with Mrs. Oswald when you saw her in the grocery store?

Mrs. HUNTER. Well, I didn't pay no attention to who she was with, or who was with her or nothing about it. I just remember her.

Mr. LIEBELER. You just remember her?

*Mrs. OSWALD. I never wore any ribbons or bows in the hair. Maybe it was somebody just like me?

Mr. LIEBELER. How is it you remember seeing Mrs. Oswald when you have no recollection of who she was with or anything like that?

Mrs. HUNTER. Well, her eyes—I would know her on the street by her eyes if I was to meet her.

*Mrs. OSWALD. Everybody knows my eyes.

Mr. LIEBELER. What about you, Mrs. Whitworth, do you recognize these people as the people that were in your store that day?

Mrs. WHITWORTH. Well, like I say, she has changed, but I am definitely sure they were in there.

Mr. LIEBELER. Now, as you sit here and look at these children who have been here this morning with Mrs. Oswald, do you recognize them?

Mrs. WHITWORTH. They have grown, and according to their ages and all—they were there.

Mr. LIEBELER. Do you have any doubt about that?

Mrs. WHITWORTH. I don't have a doubt in the world but that they were there. I believe it might have been, if she could remember, probably about her, of course, the first time after she had this new baby over here, her husband told me—Lee Harvey Oswald told me that the baby was 2 weeks old and we discussed my grandchildren about the same age and they were boys. She probably didn't understand our discussion but we discussed these two children and my two grandchildren.

Mrs. OSWALD. I remember Lee exchanging conversations with a woman, but she was a younger woman and they were talking about the baby.

Mrs. WHITWORTH. That was me, probably, but my hair might not be as gray as it is today and I probably have changed, too, but we discussed the babies and trading babies, you know, we was just joking, in fact, in fact I was, anyway, and he said he had hoped to have had a boy when he had the two girls, and we were hoping for a little granddaughter. We talked and she walked off. She never would—she never offered to show us the baby or anything and that's what impressed me more than anything else. Otherwise, I probably would have never paid any attention to them being in the store or anything else, but it was that special talking to him and I was to expedite just about like he was on television one time. It was cool that day and you had to have on—it was probably the 4th, 5th, or 6th of November.

*Mrs. OSWALD. That sounds just about like Lee.

Mr. LIEBELER. And Marina made that answer when Mrs. Whitworth remarked that Lee said that he hoped to have a boy and, isn't that right, Marina?

*Mrs. OSWALD. No; I don't hear this.

Mr. LIEBELER. Because he did want that?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. Now, Mrs. Whitworth, did he do something unusual—did he drive up at the store and park the car and get out?

Mrs. WHITWORTH. I wouldn't say what he did do, but I saw the car come up and I think it was his own car, and I think that it was his own car and I know the door that he came in and I know he went back to the car and she came in, but she didn't come in the same door as he did. Whether he drove that car up there, I won't say he didn't and I won't say he drove it off.

Mr. LIEBELER. You told the FBI that he got into the car and drove it off going the wrong way down the street, as a matter of fact?

Mrs. WHITWORTH. I think, really, that Mrs. Hunter and I had talked about it, but I'm not going to say that she described the car at all, but all I want to say is that they were in that store that day, you know, they've got four of them and I didn't see anyone else in the car and I didn't think you could do it, and if I did at that time, why it was maybe because I had talked to Mrs. Hunter previously about that, because the car did come up there to the gate and they would make a U-turn and go back down the way—back down that one way, and Mrs. Hunter would notice it, where I wouldn't pay too much attention about what happened every day.

Mr. LIEBELER. Now, you don't recall whether he drove the car or not?

Mrs. WHITWORTH. It has been a long time and I don't recall.

Mr. LIEBELER. Did you tell me yesterday or the day before yesterday that you saw this car drive up in front and the man get out, and did it appear to you that he was driving the car?

Mrs. WHITWORTH. I saw him get out of the car and come to the west door; absolutely.

Mr. LIEBELER. Which side of the car did he get out from; do you remember?

Did you see anybody else in the car at all, besides this woman and the two children?

Mrs. WHITWORTH. I didn't pay any attention at that time that they were in the car, you know, when they first drove up but I didn't know that they come in the car and they had to get out of a car to come in there; they wouldn't have walked up.

Mr. MCKENZIE. Why do you say they wouldn't have walked up there, Mrs. Whitworth?

Mrs. WHITWORTH. Well, they would have had to have lived pretty close and around there and I had never seen them come in there before.

Mr. LIEBELER. Did you know where they were living?

Mrs. WHITWORTH. Well, not until after all this happened—the assassination and everything—and they lived pretty close around there. I had never seen Mrs. Paine walk by there before.

Mr. LIEBELER. Did you know where they were living?

Mrs. WHITWORTH. Well, I asked them when all this happened and everything. If they lived out where they did, it would have been too far from my store to have walked up there.

Mr. LIEBELER. You were under the impression at that time that they were living together; isn't that right?

Mrs. WHITWORTH. Well, yes; he told me they were living in an apartment, and I asked him.

*Mrs. OSWALD. Living in an apartment?

Mrs. WHITWORTH. Yes; I said, "You are living in an apartment," and wanting to move out, you know, and he said, "Yes." So, I just assumed when people come in wanting to buy furniture and they are going to need some, that they are either in an apartment fixing to move out, or need some—they are going to need some and they are fixing to move out, but he wasn't quite ready then—he said.

Mr. LIEBELER. Did you specifically ask him or did he specifically tell you that they were living in an apartment together?

Mrs. WHITWORTH. No; I asked him—yes.

Mr. LIEBELER. He told you that they were living in an apartment together?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. You have learned since that time that they weren't living together; isn't that right?

Mrs. WHITWORTH. Yes; I believe so.

Mr. MCKENZIE. Do you recall in talking to this lady if she had a tooth missing in front? One or two teeth missing?

Mrs. WHITWORTH. I don't recall that—all I noticed—she didn't even utter a word—I didn't notice it.

Mr. MCKENZIE. Do you remember if she had a tooth or two missing?

*Mrs. OSWALD. You know me; you know me?

Mr. MCKENZIE. Mrs. Oswald has indicated to Mrs. Hunter that Mrs. Hunter had said she remembered talking to Marina. Now, what about you, Mrs. Hunter; do you remember whether she had any teeth missing?

Mrs. HUNTER. Well, I don't remember anything about her teeth because she would have to almost move her lips, you know, if you didn't pay close attention, now, that was just a very few seconds with her at this station—very few. The only thing that I caught was right here [indicating].

Mr. MCKENZIE. Now, don't you think you would notice it if somebody had a tooth out in front of their mouth?

Mrs. HUNTER. Not necessarily, because I don't pay no attention to nobody—only their eyes and their feet.

Mr. MCKENZIE. I don't have any more questions.

Mr. LIEBELER. Marina, did you at any time go with Lee and the children when Lee had something with him wrapped in a brown sack that he took into a store?

*Mrs. OSWALD. No.

Mrs. WHITWORTH. It would be about this long [indicating].

Mr. LIEBELER. Indicating about how long?

Mrs. WHITWORTH. I would say about 15 or 18 inches.

Mrs. OSWALD. I would have noticed if he had had an object with him.

Mr. LIEBELER. Now, Mrs. Whitworth, you testified that when this man came in the store he did have an object with him about 15 inches long wrapped in brown paper; isn't that right?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. And you also testified that this man asked about a part for a gun; isn't that right?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. And you know he had some part of the gun wrapped in this package; didn't he?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. And you also testified that this man asked about a part for a gun; isn't that right?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. And you thought that he had some part of the gun wrapped in this package; isn't that right?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. Do you understand that, Mrs. Oswald?

Mrs. OSWALD. Even if he did, I would not have understood what he was saying because I simply did not know the language, but I don't recall him having any object in his hands such as that referred to here.

Mr. LIEBELER. At any time; is that correct?

Mrs. OSWALD. No; at no time.

Mr. MCKENZIE. She is saying he went back to the car and got this part?

Mr. LIEBELER. What were you saying, Mrs. Whitworth?

Mrs. WHITWORTH. He went back to the car and took whatever he had in his hand—he must have put it in the car, because I never noticed any more; she came in, you know, but he came back in the store before she did, because she followed him in and in the store—I don't see why that she couldn't remember it, it's different, you know, from other stores that you would go in where you bought soft goods.

Mr. LIEBELER. Now, you say he brought this package into the store?

Mrs. WHITWORTH. Yes.

Mr. LIEBELER. Mr. McKenzie, do you wish to inquire as to this package?

Mr. MCKENZIE. Mrs. Whitworth, when this man whom you have identified as Lee Harvey Oswald, whom you know now was Lee Harvey Oswald, from his pictures in the paper, came into your store, you stated that he had a package in his hand about 15 to 18 inches long; is that correct?

Mrs. WHITWORTH. No; I saw him.

Mr. MCKENZIE. I say, you had seen that and stated that he had such a package?

Mrs. WHITWORTH. I saw him; yes.

Mr. MCKENZIE. How was the package wrapped?

Mrs. WHITWORTH. Loosely in brown paper and you know, it didn't have any strings on it, as far as I remember—it was loosely tied.

Mr. MCKENZIE. Well, was it a package in a bag?

Mrs. WHITWORTH. No; he held it with one hand.

Mr. MCKENZIE. He held it with one hand?

Mrs. WHITWORTH. Yes.

Mr. MCKENZIE. Did it look like a piece of pipe or did it look like a gun stock, or did it look like a piece of wood or what did it look like that was in the package?

Mrs. WHITWORTH. I didn't see it.

Mr. MCKENZIE. How big around was the package?

Mrs. WHITWORTH. It wasn't large—I'd say it might have been this big [indicating].

Mr. MCKENZIE. You are making a sign with your hands there, with both hands—

Mrs. WHITWORTH. What is that—about 2 or 3 inches in diameter?

Mr. MCKENZIE. All right.

Mrs. WHITWORTH. And then it was some 15 or 18 inches long.

Mr. MCKENZIE. So, the package that he had was 2 or 3 inches in diameter and approximately 18 inches long; is that right?

Mr. LIEBELER. Fifteen to 18 inches long.

Mrs. WHITWORTH. That's right.

Mr. MCKENZIE. What did he say to you when he came into the store?

Mrs. WHITWORTH. He asked me if I had this particular part, some particular part, but not knowing about guns, I didn't have it. I don't remember it, you know, what he asked for.

Mr. MCKENZIE. To the best of your recollection, if you will, state for the purpose of the record here exactly what he said to you?

Mrs. WHITWORTH. Well, he asked me if I had this part, whatever it was, pertaining to a gun.

Mr. MCKENZIE. And what part was it?

Mrs. WHITWORTH. I don't know—because I don't know anything about guns.

Mr. MCKENZIE. Can you state it in his words?

Mrs. WHITWORTH. I cannot.

Mr. MCKENZIE. You cannot tell us exactly what he said, but this is just what your recollection is of what he said?

Mrs. WHITWORTH. That's right.

Mr. MCKENZIE. And what did he say to you then—give us your best recollection.

Mr. LIEBELER. Let me ask a question, if I may. Mrs. Whitworth, isn't it a fact that you told a newspaper reporter that came by your store shortly after this happened what that part was that he was looking for; a Miss Campbell or Mrs. Campbell?

Mrs. WHITWORTH. No; I didn't. Mrs. Hunter and I discussed it afterwards, and I think that she might know more about guns and she said it was a plunger, but I'm not sure—I might have told them that I thought it was a plunger, but I don't remember.

Mr. MCKENZIE. And you did not tell the reporter what you thought it was; is that right?

Mrs. WHITWORTH. No; I didn't—I don't believe I ever made the statement that I knew exactly what it was.

Mr. LIEBELER. Well, you told the reporter that you thought it was a plunger; isn't that a fact?

Mrs. WHITWORTH. I believe Mrs. Hunter said that. She talked to the same reporter—I don't know what it was, because I don't remember.

Mr. LIEBELER. Did the reporter make a tape recording of the conversation?

Mrs. WHITWORTH. The reporter made a tape recording of my conversation—part of it, I would say.

Mr. LIEBELER. Did she ever give you a copy of that tape recording?

Mrs. WHITWORTH. No.

Mr. MCKENZIE. Did he tell you what the part that he was looking for was to be used with or for?

Mrs. WHITWORTH. No; because I didn't ask him.

Mr. MCKENZIE. Did he tell you that he was looking for a part for a gun?

Mrs. WHITWORTH. Well, it was for a gun, because he asked for it, you know, that part. He came in because I had a gunsmith sign on the street and there had been one there.

Mr. LIEBELER. Did he tell you that?

Mrs. WHITWORTH. No; he didn't tell me that.

Mr. LIEBELER. How did you know that he came in because you had a gunsmith sign on the door?

Mrs. WHITWORTH. Well, I presume that because he asked for a gun part.

Mr. LIEBELER. And what part did he ask for?

Mrs. WHITWORTH. I don't know.

Mr. LIEBELER. How did you know it was a part for a gun?

Mrs. WHITWORTH. Well, I just knew it was—whatever he asked for was, you know, pertaining to a gun, but as far as what it was, I don't know. I didn't pay that much attention to it because I had people coming in every day asking for something for a gun.

Mr. LIEBELER. Did he tell you it was a part for a gun?

Mrs. WHITWORTH. I knew that it was at that time.

Mr. LIEBELER. Did he tell you that it was?

Mrs. WHITWORTH. That it was?

Mr. LIEBELER. Yes.

Mrs. WHITWORTH. No; he didn't tell me.

Mr. LIEBELER. Did he mention guns?

Mrs. WHITWORTH. We didn't talk about it. We didn't talk about it—when I told him I didn't have the gunsmith, that he had moved, that he was no longer there and when I told him we no longer had a gunsmith we didn't talk about what he wanted any more.

Mr. MCKENZIE. To the best of your recollection, and that's based on your conversation with Mrs. Hunter, the part that he asked for was a plunger?

Mrs. WHITWORTH. Well, to the best of my recollection it was, but I wouldn't say definitely that he asked for a plunger.

Mr. MCKENZIE. Do you recognize that a plunger is a part of a gun?

Mrs. WHITWORTH. I wouldn't unless somebody told me that it was.

Mr. MCKENZIE. Well, you say you recognized the part that he asked for as being a part of a gun?

Mrs. WHITWORTH. Yes.

Mr. MCKENZIE. He didn't mention to you a gun part at that time, did he, or did he?

Mrs. WHITWORTH. Well, he asked in such a way that I knew he was seeking the gun shop and not the furniture store.

Mr. LIEBELER. Was the word "gun" ever used?

Mrs. WHITWORTH. Yes; it was, because I told him the gunsmith had moved.

Mr. MCKENZIE. And what did he say then, please, ma'am?

Mrs. WHITWORTH. He turned around and he looked at me. He was standing practically in the front or in the middle of the store and he turned and I had furniture all around me—dinettes over on this side and there was living room furniture to this side, and in front of him there was living room furniture and bedroom furniture and he said, "You have furniture?" I said, "Yes."

He said, "I'm going to need some in about 2 weeks," and I said, "All right, I'll be glad to show you some."

He turns and walks out the door that he came in and took whatever he had in his hand back in the car and that's when Mrs. Oswald followed him back in and he got back in the store before she did.

Mr. MCKENZIE. Did you hear them talking together?

Mrs. WHITWORTH. I never did hear her utter one word.

Mr. MCKENZIE. Did he say anything to her?

Mrs. WHITWORTH. He never said anything to her other than he might have glanced at her and I thought that they were exchanging glances, you know. She didn't utter a word.

Mr. MCKENZIE. And he didn't utter a word to her?

Mrs. WHITWORTH. Not to her—but to me.

Mr. MCKENZIE. Now, he said he was going to need some furniture in approximately 2 weeks?

Mrs. WHITWORTH. Yes.

Mr. MCKENZIE. At that time did you ask him where he was living?

Mrs. WHITWORTH. I asked him if he was living at an apartment and he said, "Yes."

Mr. MCKENZIE. Did he tell you where?

Mrs. WHITWORTH. No.

Mr. MCKENZIE. Did he tell you where he was moving to?

Mrs. WHITWORTH. No; he hadn't got that place yet.

Mr. MCKENZIE. Did he ask you if you delivered?

Mrs. WHITWORTH. No; we didn't get that far along.

Mr. MCKENZIE. I see. He didn't like the piece of furniture that you showed to him, is that it?

Mrs. WHITWORTH. I probably didn't have what he was looking for. We talked about not having it.

Mr. MCKENZIE. Well, in any event, he didn't seek to buy any of the furniture that you showed him?

Mrs. WHITWORTH. No.

Mr. McKENZIE. Did he state what he was looking for, did he tell you what he was looking for?

Mrs. WHITWORTH. I asked him what kind of furniture that he was looking, and I suggested furnitures to him if he bought new furniture. I said, "Do you like Early American, or do you like Danish Modern?" And we exchanged those words and he never uttered what he liked or anything. He didn't say what he liked.

Mr. McKENZIE. Now, Mrs. Whitworth, there had been a gun shop in that particular location before you moved in with your furniture store?

Mrs. WHITWORTH. No; I leased one corner of my store to a gunsmith.

Mr. McKENZIE. And what was his name?

Mrs. WHITWORTH. His name was Warren Graves.

Mr. LIEBELER. Does he still operate a gun shop?

Mrs. WHITWORTH. No; he doesn't.

Mr. LIEBELER. Does he still live in the Irving area?

Mrs. WHITWORTH. He still lives in Irving.

Mr. McKENZIE. Had you had any previous experience with guns?

Mrs. WHITWORTH. Other than just seeing guns in that little corner of the building, it seems like, and you know, hearing conversations on guns, but I knew nothing about guns.

Mr. McKENZIE. Well, did you know anything about the various nomenclature or the various parts of a gun?

Mrs. WHITWORTH. No; I didn't.

Mr. McKENZIE. But you did recognize that a plunger was a part of a gun when this man came in?

Mrs. WHITWORTH. Well, in the way that he asked for it, I knew that it was a gun part that he wanted because I didn't have it.

Mr. McKENZIE. In what way did he ask for it, explain what you mean by that?

Mrs. WHITWORTH. As well as I can remember, I told him we didn't have a gunsmith and he asked for this part and I don't remember really just what he asked for, but whatever it was, it led me to know that he wanted a gunsmith, which we didn't have.

Mr. McKENZIE. Were you in the front of the store when he came in?

Mrs. WHITWORTH. Yes; I was in the cash stand.

Mr. McKENZIE. Was Mrs. Hunter still sitting there on the platform chair?

Mrs. WHITWORTH. She was sitting there in the front.

Mr. McKENZIE. And how far away was she from you when he came in?

Mrs. WHITWORTH. I was behind the stand, which I guess that was probably $\frac{1}{2}$ or 5 feet in squares and I would have had to have gotten out of the stand and walked clear around and Mrs. Hunter, I imagine, was probably 8 feet from me.

Mr. McKENZIE. Was she as close to you as I am now—just directly across, I mean?

Mrs. WHITWORTH. Yes.

Mr. McKENZIE. About the same distance that we are apart now?

Mrs. WHITWORTH. There was a counter between us.

Mr. McKENZIE. And we are about 8 feet apart now, aren't we?

Mrs. WHITWORTH. Yes.

Mr. McKENZIE. When the man came in, was there anyone else in the store other than Mrs. Hunter and yourself?

Mrs. WHITWORTH. I don't believe there was anyone in the store but Mrs. Hunter and myself. Now, there was probably someone on the outside.

Mr. McKENZIE. Now, if I may direct this question to Mrs. Hunter; Mrs. Hunter, do you recall any of the conversation that you heard Mrs. Whitworth testify about this morning?

Mrs. HUNTER. Well, when he drove up in the car and I thought it was my friends from Houston and when I seen it wasn't, I sat back down in the chair and he went down to the door on that end of the building and went in and he asked her, he says, "Where is your gunsmith?"

I remember that and he had something—I won't say just what it was, because I wasn't particularly interested. I wasn't in her being down there at the time. She told him that the gunsmith was moved—that he wasn't there, and she showed him down the street where to go to.

Mr. McKENZIE. Where did she tell him to go?

Mrs. HUNTER. Well, now, I don't know, but it was back down east on Irving Boulevard.

Mrs. WHITWORTH. There was a gunsmith or a sports shop or something back down there.

Mrs. HUNTER. There was a sport shop down there where she showed him to go. I remember that much of it.

Mr. McKENZIE. You said this man got out of the car and came to the other door, the door back to the back?

Mrs. WHITWORTH. He came to the west door.

Mrs. HUNTER. I believe if I could draw a picture of it I could explain it better that way.

[The witness proceeded to draw while testifying.] There's a partition right here and there are table and chairs right back in here, and over here is where her telephone is and where her table and there's a little counter right back in here, right back down this way, and right back here was the gunsmith where he had that leased, and all of this back here was furniture and this partition over here—these little tables and chairs over here—that looked kinda like a cafe where you would sit, at the tables and all. Over here, all there was was used clothes and things.

Mr. McKENZIE. Where is the door?

Mrs. HUNTER. Now, this is a door where I was sitting in the chair right here looking out and he come in by this door right over here and come up to where her counter was. I was sitting right here in the chair and she comes back out here and looks down this way and showed him which way to go to where this gunsmith was and when he goes back to the car and put what he had in his hand—he went back to the car for the purpose of that, and when he come back in, he come back in this way. When she got out with the children, she come in this door right here that I had got up and opened after I sat down there.

Mr. McKENZIE. That would be the east door?

Mrs. HUNTER. Well, yes; I guess so, and she walked on around and I just sat back down and I didn't pay her any attention or anything and they had gone back into the back here and she walked on along right along in here and the little girl was pulling, hanging on to her dress tail and she either told her to be quiet or said "shhh" or something like that, and that is the only thing that I heard the woman say.

Well, he goes back and goes back and gets in the car and she followed him out—she put the little girl in the car, then she got in the car, and he didn't offer to help her no way putting the babies in the car and he was talking to her and looking back down this way and he turned and when he pointed, I said, "You can't go back down that way, it's a one way street. You will have to go up here to the red light and turn to your left and come back around."

Mr. McKENZIE. When you told him that, where were you standing?

Mrs. HUNTER. I was standing right in this door here.

Mr. McKENZIE. Right at the curb?

Mrs. HUNTER. No; the car was—let's say it was about like this, because there is a porch or a thing with a top over it, you know, and he catercornered down this way and I was right over here [indicating].

Mr. McKENZIE. Now, at that time when you were standing in the doorway and he had gotten in the car and you told him he could not go that way, where was Mrs. Oswald sitting?

Mrs. HUNTER. She was in the car by him and the little girl was standing up in the seat between them and she had the tiny baby in her hands.

Mr. McKENZIE. And was it a two-door automobile or a four-door automobile?

Mrs. HUNTER. Well, I wouldn't say as to that, but I believe it was a two-door, but I wouldn't swear to it.

Mr. McKENZIE. And he was behind the wheel?

Mrs. HUNTER. Yes.

Mr. McKENZIE. And she was sitting next to him?

Mrs. HUNTER. Yes.

Mr. McKENZIE. With the child between them?

Mrs. HUNTER. Yes.

Mr. McKENZIE. And there was no one else in the car other than the baby?

Mrs. HUNTER. If it was, they was down in the floorboard of the car and when he started out, he pulled out back that way, and I said, "Don't go back that way, it's a one-way street." I said, "Go down to the red light."

Mr. McKENZIE. What did he say then?

Mrs. HUNTER. He didn't say anything; he didn't thank me nor nothing.

Mr. LIEBELER. But from where you were standing you could see him drive the automobile out into Irving Boulevard, going down to the next red light where he made a turn and drove out of sight; isn't that right?

Mrs. HUNTER. Well, he went down Irving Boulevard—I told him to go to the red light, but she wasn't interested in what he was going to buy at all.

Mr. LIEBELER. In any event, you saw them drive out of the area?

Mrs. HUNTER. Yes; I sure did.

Mr. LIEBELER. And they were driving west?

Mrs. HUNTER. I'll stake my life on that, that's how positive I am to it.

Mr. LIEBELER. He was driving the right way down the street?

Mrs. HUNTER. Yes.

Mr. LIEBELER. Could this car have been an Oldsmobile?

Mrs. HUNTER. No, sir; it was a Ford—it was just like the one that my friends had in Houston.

Mr. LIEBELER. You are sure it wasn't a foreign car of any kind?

Mrs. HUNTER. Oh, no; no.

Mr. LIEBELER. It was a Ford?

Mrs. HUNTER. It was a 1957—I think it was a 1957 Ford instead of a 1958.

Mr. McKENZIE. Blue and white?

Mrs. HUNTER. Blue and white—yes, sir.

Mr. McKENZIE. Blue on the bottom and white on the top?

Mrs. HUNTER. Yes, sir; I think I've got a picture of the car that my friends—the one that I was waiting for. Could I ask her a question?

[Addressing Marina Oswald.] Don't you have a rinse on your hair now?

*Mrs. OSWALD. A rinse—yes. My hair is dark—not too dark.

Mrs. HUNTER. A dirty blonde.

*Mrs. OSWALD. Well, thank you.

Mrs. HUNTER. Like his [indicating Mr. Liebeler].

Mr. McKENZIE. I don't have any more questions. Mrs. Whitworth, we certainly do thank you and Mrs. Hunter, we certainly do thank you very much.

Mrs. HUNTER. How soon are you going to be through with us—the reason I want to know—I am going to be out of town next week. [Addressing Marina Oswald.] It's nice I met you in person now and your babies are very sweet.

(At this point Mrs. Whitworth and Mrs. Hunter left the hearing room.)

Mr. McKENZIE. Marina, do you remember a blue and white car?

*Mrs. OSWALD. I don't know—what kind of car did Mrs. Paine have?

Mr. McKENZIE. Do you know what kind of car Mr. Paine had?

*Mrs. OSWALD. No; I don't.

Mr. McKENZIE. What kind of car did Mrs. Paine have?

*Mrs. OSWALD. I don't know that either, but all the time Mrs. Paine, she take me to the store.

Mr. McKENZIE. Mr. Gregory, what do you do in Fort Worth?

Mr. GREGORY. I am a petroleum engineer.

Mr. McKENZIE. And are you on your own over there?

Mr. GREGORY. Well, half of my time is my own and the other half of my time is with a company on salary, and I am chairman of an engineering committee.

Mr. LIEBELER. I believe you have previously testified, Marina, that the only time Lee came up to the Paine's, except on the weekends, in Irving, was on Thursday night, November 21, 1963?

*Mrs. OSWALD. Yes; he was all the time there on weekends for the 5th or the 3d of November or September?

Mr. LIEBELER. Yes; I was trying to figure out what day in the week that he was there when you all were supposed to have been in this store—it would be Wednesday or Thursday, but Lee was never in Irving on Wednesday or Thursday at any time; is that right.

*Mrs. OSWALD. Just one time when he came to see me the night before the assassination.

Mr. LIEBELER. You are absolutely sure about that?

*Mrs. OSWALD. Oh, sure, if you don't believe me, ask Mrs. Paine. You know, if he has a job—maybe—he don't have a job then?

Mr. MCKENZIE. At the time when he didn't have a job, did he come?

*Mrs. OSWALD. November he had a job.

Mr. MCKENZIE. But when he didn't have a job, did he come out there during the week other than weekends.

Mrs. OSWALD. He spent 2 days on one occasion during the week when he had no job.

*Mrs. OSWALD. He had job at that time in November.

Mr. MCKENZIE. Now, before Rachel was born, did he come during the week?

*Mrs. OSWALD. Yes; I remember that only once he came—only once before Rachel was born during the week.

Mr. MCKENZIE. After Rachel was born at Parkland Hospital, did he come during the week up until the time he got a job?

*Mrs. OSWALD. No.

Mr. LIEBELER. He didn't come to Irving during the week at any time after Rachel was born, as a matter of fact, except on Thursday night?

Mrs. OSWALD. Rachel was born either Saturday night or Sunday.

Mr. LIEBELER. October the 20th?

*Mrs. OSWALD. When Rachel was born?

Mr. GREGORY. She wants to say what day of the week—it was either the 19th or 20th of October, but she wants to know the day of the week.

Mr. LIEBELER. Sunday.

Mrs. OSWALD. He was at home the weekend before Rachel was born. He sent me to the hospital Sunday night at 9 o'clock.

*Mrs. OSWALD. Well, he go working the next morning and he come to see Ruth Paine and she take him to the hospital to see me and baby and he spent the night in her house.

Mr. LIEBELER. What day did Lee come to see you in the hospital, do you remember?

*Mrs. OSWALD. Monday.

Mr. LIEBELER. And on Monday night he stayed at Ruth Paine's house; is that right?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. And then you went home the next morning?

*Mrs. OSWALD. Yes; to Ruth Paine's. Lee was at work and Ruth Paine take me from the hospital.

Mr. MCKENZIE. You were in the hospital Sunday, Monday, and left Tuesday?

*Mrs. OSWALD. No; I was just Sunday night—I was one and a half days—34 hours or 36 hours or something like that.

Mr. LIEBELER. So, that on Monday, October 21, Lee came to Irving after work?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. And came to the hospital to see you with Mrs. Paine?

*Mrs. OSWALD. With Mrs. Paine.

Mr. LIEBELER. And stayed at Mrs. Paine's house that night and went back to work on Tuesday morning?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. And he did not come to the hospital at any other time or to take you home; is that right?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. After Rachel was born and after Lee had been there on Monday to see you, did he come back to Irving at any time during the week except the night before the assassination?

Mrs. OSWALD. No; he came to Irving only the weekends—only on weekends.

Mr. LIEBELER. Now, before the time that Rachel was born, you said that he came to Irving during the week and spent 2 days before he got his job; was that just after he came back from Mexico?

Mrs. OSWALD. He spent 1 day in Irving after he came back from Mexico, and

the following day he went to look for work and he was looking for work all week long and returned to Irving on Saturday.

Mr. LIEBELER. Did he come to work during the week at any time after he got his job and up until Rachel was born, except on weekends?

Mrs. OSWALD. As I remember—not.

Mr. LIEBELER. Let's take a short recess for lunch, and we will resume at 1:30 p.m.

(Whereupon, at 12:30 p.m., the proceeding was recessed.)

TESTIMONY OF MRS. LEE HARVEY OSWALD RESUMED

The proceeding was reconvened at 1:50 p.m.

Mr. LIEBELER. You previously told the Commission that Lee Oswald prepared a notebook in which he kept plans and notes about his attack on General Walker; is that right?

Mrs. OSWALD. I saw this book only after the attempt on Walker's life. He burned it or disposed of it.

Mr. LIEBELER. Tell me when you first saw the notebook?

*Mrs. OSWALD. Three days after this happened.

Mr. LIEBELER. You saw the notebook 3 days after it had happened?

*Mrs. OSWALD. I think so.

Mr. LIEBELER. How did you come to see it then?

Mrs. OSWALD. When he was destroying it.

Mr. LIEBELER. Is that the only time you ever saw it?

Mrs. OSWALD. I saw on several occasions that he was writing something in the book, but he was hiding it from me and he was locking it in his room.

Mr. LIEBELER. Did he actually lock the door to his room when he left the apartment?

Mrs. OSWALD. The door to his room could be locked only from the inside and he was locking the door when he was writing in the book, otherwise, he was hiding it in some secret place and he warned me not to mess around and look around his things. He asked me not to go into his room and look around.

Mr. LIEBELER. You saw him writing in this book before the night that he shot at General Walker?

*Mrs. OSWALD. Not before the night.

Mr. MCKENZIE. After?

*Mrs. OSWALD. No; not before—1 month before, but not every day, you know, sometimes. I saw him writing on several occasions in that book prior to the attempt on Walker's life, only I did not know what he was writing.

Mr. LIEBELER. Even though you could have gone into this room to look at the book, you did not do so, because Lee had told you not to; is that correct?

Mrs. OSWALD. Yes; he forbade me looking around in his room, and so I did not see the book or look at it.

Mr. LIEBELER. But 3 days after he shot at General Walker, you saw him destroy the book; is that correct?

Mrs. OSWALD. Yes.

Mr. LIEBELER. How did he destroy it?

Mrs. OSWALD. He burned it.

Mr. LIEBELER. Where?

Mrs. OSWALD. In the apartment house on Neeley.

Mr. LIEBELER. Where in the apartment?

Mrs. OSWALD. He burned it with matches over a wash bowl in the bathroom.

Mr. LIEBELER. And you first became aware of this when you smelled it burning; is that correct?

Mrs. OSWALD. I did not see the book, but I saw him writing in this book several times, but after he burns the book he told me what was in that book and he showed me several photographs. Before he burned the book, he showed me several photographs that were in the book. I asked him what the pictures were and he said, "Well, this one is the picture of the house of General Walker's—his residence."

Mr. LIEBELER. And that picture was pasted in the notebook; is that right?

Mrs. OSWALD. No; it was loose in the book—I really don't remember.

Mr. MCKENZIE. Establish what kind of book it was and the size of it.

*Mrs. OSWALD. The size—it looked like this size of paper.

Mr. LIEBELER. It was a book something like the reporter is using?

*Mrs. OSWALD. No; a legal size paper—it was a legal size notebook—this size.

Mr. LIEBELER. So, the notebook was about the same size as a legal size pad; is that right?

*Mrs. OSWALD [nodding head for an affirmative reply].

Mr. LIEBELER. Did you say anything to Lee when you saw him destroying this book about why he prepared it and why he left it there in the apartment when he went to shoot General Walker?

Mrs. OSWALD. No; I did not. No; I never asked him why he left it in the apartment, why he left his book in the apartment while he went to shoot General Walker. I did not ask him why he left it in the apartment. I asked him what for was he making all these entries in the book and he answered that he wanted to leave a complete record so that all the details would be in it. He told me that these entries consisted of the description of the house of General Walker, the distances, the location, and the distribution of windows in it.

Mr. LIEBELER. What did he want to leave this record for?

Mrs. OSWALD. All these details—all these records, that he was writing it either for his own use so that he would know what to do when the time came to shoot General Walker. I am guessing that perhaps he did it to appear to be a brave man in case he were arrested, but that is my supposition. I was so afraid after this attempt on Walker's life that the police might come to the house. I was afraid that there would be evidence in the house such as this book.

Mr. LIEBELER. Did you talk to Lee about that?

Mrs. OSWALD. Oh, yes.

Mr. LIEBELER. What did you say and what did he say?

*Mrs. OSWALD. What did I say?

Mr. LIEBELER. And what did he say?

*Mrs. OSWALD. And what did he say?

Mr. LIEBELER. Both.

Mrs. OSWALD. I told him that it is best not to have this kind of stuff in the house—this book.

Mr. LIEBELER. When did you tell him that?

Mrs. OSWALD. At the time he was destroying it—he showed me this book after this attempt on Walker's life, and I suggested to him that it would be awfully bad to keep a thing like that in the house.

Mr. LIEBELER. When did he first show it to you?

Mrs. OSWALD. Three days after the attempt—3 days after this attempt, he took the rifle from the house, took it somewhere and buried it.

Mr. LIEBELER. Three days after the attempt?

Mrs. OSWALD. Yes, yes.

Mr. LIEBELER. So that he actually took the rifle out of the house and took it away and hid it somewhere?

*Mrs. OSWALD. Yes.

Mrs. OSWALD. No; the day Lee shot at Walker, he buried the rifle because when he came home and told me that he shot at General Walker and I asked him where the rifle was and he said he buried it.

Mr. LIEBELER. He shot at General Walker on April 10, which was on Wednesday.

*Mrs. OSWALD. Wednesday?

Mr. LIEBELER. Yes; it was on Wednesday.

Mrs. OSWALD. As I remember, it was the weekend—Saturday or Sunday when Lee brought the rifle back home.

Mr. LIEBELER. What weekend following the time he shot at General Walker?

*Mrs. OSWALD. The same weekend of the same week.

Mr. LIEBELER. Had he destroyed the notebook before he brought the rifle back?

Mrs. OSWALD. No.

Mr. LIEBELER. How long after he brought the rifle back did he destroy the book?

Mrs. OSWALD. He destroyed the book approximately an hour after he brought the rifle home.

Mr. LIEBELER. After he brought the rifle home, then, he showed you the book?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. And you said it was not a good idea to keep this book?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. And then he burned the book?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. Did you ask him why he had not destroyed the book before he actually went to shoot General Walker?

Mrs. OSWALD. It never came to me, myself, to ask him that question.

Mr. LIEBELER. Did you see him take the pictures, the photographs, out of the book when he destroyed it?

Mrs. OSWALD. When I saw him burning the book—I'm not positive that he burned the photographs or not with the book. He retained the negatives and he preserved either the photographs themselves or the negatives. I know that they have the photographs and I don't know whether they got the originals or whether they made them from the negatives.

Mr. MCKENZIE. Now, when you say "they," Marina, who do you mean by "they?"

Mrs. OSWALD. FBI, Secret Service, and the President's Commission.

Mr. LIEBELER. I show you Commission Exhibit No. 5, which is a copy of one of the photographs that was found among these effects after the assassination.

*Mrs. OSWALD. Yes.

Mr. LIEBELER. Does that appear to be one of the photographs about which you were speaking?

*Mrs. OSWALD. Yes; that's one.

Mr. LIEBELER. Are you absolutely sure about that?

*Mrs. OSWALD. No; I don't remember when Lee showed me the picture that it was this.

Mrs. OSWALD. When I was first shown this picture, I remember that there was a license plate number on this car.

Mr. LIEBELER. When Lee showed you the picture, there was a license plate number on the car?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. As shown in Commission Exhibit No. 5; is that right?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. When you look at this picture you see that there is a black mark on the back of this, do you know what makes that black mark?

*Mrs. OSWALD. No; but I think when the Commission showed me this picture the number was there.

Mr. MCKENZIE. License plate?

Mrs. OSWALD. I would have remembered this black spot if it were there at the time the Commission showed me this, or the FBI. When the FBI first showed me this photograph I remember that the license plate, the number of the license plate was on this car, was on the photograph.

*Mrs. OSWALD. It had the white and black numbers. There was no black spot that I see on it now. When Lee showed me this photograph there was the number on the license plate on this picture. I would have remembered it if there were a black spot on the back of the car where the license plate would be.

Mr. LIEBELER. The original of this picture, the actual photograph, has a hole through it. That's what makes this black spot.

*Mrs. OSWALD. This is from the negative?

Mr. GREGORY. This picture was made from the original photograph, rather than from a negative?

Mr. LIEBELER. Yes; it's simply a picture of a picture.

Mrs. OSWALD. When the FBI and Lee showed me this particular picture—

*Mrs. OSWALD. Not this big size.

Mrs. OSWALD. This photograph—it was a smaller size.

Mr. LIEBELER. Yes.

Mrs. OSWALD. There was a license plate on this car.

Mr. LIEBELER. Do you remember that very clearly?

Mrs. OSWALD. When Lee showed it to me, I remember very distinctly that there was a license plate on this car. When this business about General Walker came up I would have remembered this black spot.

Mr. LIEBELER. Or the hole?

Mrs. OSWALD. Or the hole in the original—I would have remembered it.

Mr. LIEBELER. And you remember, then, that the license plate was actually on that car when you saw the picture?

Mrs. OSWALD. This black spot is so striking I would have remembered it if it were on the photograph that Lee showed me or the FBI.

Mr. LIEBELER. Let's address ourselves also, not just to the black spot but to the possibility that they may have shown you the actual original photograph on which there is no black spot, but which has a hole right through the photograph.

Mrs. OSWALD. There was no hole in the original when they showed it to me—I'm positive of it.

Mr. MCKENZIE. All right, let me ask her a question.

Mrs. OSWALD. This is the first time I saw a black spot or have heard about a hole in the original photograph.

*Mrs. OSWALD. Why does the Commission not ask me about this?

Mr. MCKENZIE. Well, the Commission is asking you about it now, because Mr. Liebeler represents the Commission.

*Mrs. OSWALD. I know it.

Mr. MCKENZIE. Let me ask you—when Lee showed you this picture, which is Commission Exhibit No. 5, had it been folded over?

*Mrs. OSWALD. No.

Mr. MCKENZIE. At that time did the car that appears in the picture, did it have a hole in the picture?

Mrs. OSWALD. No.

Mr. MCKENZIE. When the FBI or the Secret Service showed you this picture, had it been folded?

*Mrs. OSWALD. No.

Mr. MCKENZIE. Who showed you the picture—the FBI or the Secret Service or the Commission?

*Mrs. OSWALD. The FBI first and then the Commission.

Mr. MCKENZIE. Now, at the time the Commission showed you the picture in Washington, was there a hole shown in the picture where the car's license plate would be?

*Mrs. OSWALD. No; I don't know what happened to this picture, because when the Commission showed me the picture there was not this spot here.

Mrs. OSWALD. If there was a hole, I would have asked them right away why that hole is there or the black spot.

Mr. MCKENZIE. Off the record, please.

(Discussion between Mr. McKenzie and Mr. Liebeler to the effect that the picture might have been creased in the process of making a print from the original photograph.)

Mr. MCKENZIE. One more question—is this the first time that you have seen the picture when there was a black spot in the back of the automobile?

*Mrs. OSWALD. Yes; the first time.

Mr. LIEBELER. Have you ever seen a picture like this that had a hole in it?

*Mrs. OSWALD. No.

Mr. LIEBELER. Do you think of anything else about this Walker incident that you haven't already told the Commission that you think we should know that you can remember?

Mrs. OSWALD. I think I have told all I know about it—I can't remember anything else now.

Mr. LIEBELER. Did it seem strange to you at the time, Marina, that Lee did make these careful plans, take pictures, and write it up in a notebook, and then when he went out to shoot at General Walker he left all that incriminating evidence right in the house so that if he had ever been stopped and questioned and if that notebook had been found, it would have clearly indicated that he was the one that shot at General Walker?

Mrs. OSWALD. He was such a person that nothing seems peculiar to me for what he did. I had so many surprises from him that nothing surprised me. He may have wished to appear such a brave man or something.

Mr. LIEBELER. Did you ever have the feeling that he really wanted to be caught in connection with the Walker affair?

Mrs. OSWALD. I don't know how to answer that—maybe yes and maybe no. I couldn't read his mind.

Mr. LIEBELER. Do you think that the picture that he asked you to take when he was holding the rifle and the newspapers, and that he then autographed for June, do you think that was connected with the Walker thing at all?

Mrs. OSWALD. I think so, because it happened just before he went to shoot General Walker. Then, I asked him why he was taking this silly picture and he answered that he simply wanted to send it to the newspaper.

Mr. LIEBELER. The Militant?

*Mrs. OSWALD. The Militant.

Mrs. OSWALD. I didn't attach any significance to what he said at the time, but he added, "That maybe some day June will remember me." He must have had something in his mind—some grandiose plans.

Mr. LIEBELER. You told the Commission that in November 1962, you stayed with Anna Meller and with Mrs. Ford for 2 weeks?

*Mrs. OSWALD. Yes; 1 week.

Mr. LIEBELER. One week with each person?

*Mrs. OSWALD. I think maybe I was 3 days at Anna Meller's house—yes.

Mr. LIEBELER. How long do you think you were with them altogether?

*Mrs. OSWALD. One week or 10 days.

Mr. LIEBELER. Now, you also told us that you went to Anna Meller's in a taxicab?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. Were you separated from Lee at any other time in the fall of 1962 except this time?

Mrs. OSWALD. The only time I was separated from Lee, not because we quarreled, but because I lived with Elena Hall in Fort Worth.

Mr. LIEBELER. Now, you went to Anna Meller's one night in a taxicab?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. Did you bring any of the things for the baby, the furniture or your clothes or things like that to Anna Meller's?

*Mrs. OSWALD. No.

Mr. LIEBELER. At no time?

*Mrs. OSWALD. No; I just take baby and bottle.

Mr. LIEBELER. What about the next day, did you get anything over to the Meller's house the next day?

*Mrs. OSWALD. No.

Mrs. OSWALD. No; after a couple of days Anna Meller went and bought some diapers for the baby, then, I wanted to take my things away from Lee and George De Mohrenschildt took me in his car and we got the things from the house.

Mr. LIEBELER. Where did you take the things then?

Mrs. OSWALD. To Anna Meller's house.

Mr. LIEBELER. How long did you stay at Anna Meller's house before Mohrenschildt brought the things there?

*Mrs. OSWALD. Two or three days.

Mr. LIEBELER. And how long did you stay at Anna Meller's after De Mohrenschildt brought your things there and before you went to Mrs. Ford's?

*Mrs. OSWALD. Two more days.

Mr. LIEBELER. When De Mohrenschildt came and took these things, they filled up his whole car almost, didn't they? There were quite a lot of things?

Mrs. OSWALD. Yes.

Mr. LIEBELER. Did you take these things from Anna Meller's over to the Fords' house?

Mrs. OSWALD. Only the bare necessities.

Mr. LIEBELER. What did you do with the other things that you had brought to Anna Meller's?

Mrs. OSWALD. They remained at Anna Meller's.

Mr. LIEBELER. Who took the things from Meller's to Ford's?

Mrs. OSWALD. I don't remember.

Mr. LIEBELER. Was it George De Mohrenschildt?

*Mrs. OSWALD. No.

Mr. LIEBELER. Was it Mr. Ford or Mrs. Ford?

*Mrs. OSWALD. I don't remember.

Mr. LIEBELER. Do you remember what day it was that De Mohrenschildt moved these things for you, what day of the week?

Mrs. OSWALD. The weekend—probably Sunday.

Mr. LIEBELER. What day did you first go to Anna Meller's; do you remember?

Mrs. OSWALD. I don't remember.

*Mrs. OSWALD. About 4 days before.

Mr. LIEBELER. Did Lee know where you went the night you left him?

*Mrs. OSWALD. No.

Mr. LIEBELER. When did he first find out where you were?

Mrs. OSWALD. George De Mohrenschildt knew that I was at Anna Meller's and he telephoned Lee, but he did not tell Lee where I was. He asked him to come to his house where I would also be at the time so that we could discuss the things.

Mr. LIEBELER. The day you went to take the things to Anna Meller's, De Mohrenschildt went to your apartment in his car; is that right?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. Who was with him?

*Mrs. OSWALD. His wife.

Mr. LIEBELER. Were you with him?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. So, that you and Mrs. De Mohrenschildt and George De Mohrenschildt came in the car out to the apartment?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. And got these other things?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. And left?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. Was Lee there when you came?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. What happened when the three of you came to the apartment?

Mrs. OSWALD. Nothing happened except he was very angry and I took things.

Mr. LIEBELER. What did he say?

*Mrs. OSWALD. He did not want me to leave.

Mr. LIEBELER. What did he say?

*Mrs. OSWALD. I don't remember.

Mr. LIEBELER. Did he talk to De Mohrenschildt?

Mrs. OSWALD. I was collecting things, so I don't know what transpired—I was busy. Lee was helping me to gather the things, because he said he didn't want anything—to take the whole works.

Mr. LIEBELER. Do you remember that Lee first said that he was going to tear your dresses up and break all the baby things if you left and went away?

*Mrs. OSWALD. No; maybe that's George De Mohrenschildt's joke.

Mr. LIEBELER. That's what George De Mohrenschildt told the Commission.

*Mrs. OSWALD. I know it.

Mr. LIEBELER. I don't think he meant it as a joke when he told it.

*Mrs. OSWALD. I don't know.

Mrs. OSWALD. Maybe Lee said that to George De Mohrenschildt. I do not know whether Lee said that to George De Mohrenschildt or not. I was busy gathering the things.

Mr. LIEBELER. Did there appear to be an argument or a discussion between Lee and De Mohrenschildt at that time?

Mrs. OSWALD. I don't think so—perhaps they were speaking together—talking English and I didn't understand them.

Mr. LIEBELER. How would they usually talk to each other—in Russian or in English?

Mrs. OSWALD. Both Russian and English.

Mr. LIEBELER. Did George Bouhe have anything to do with your leaving Lee this time?

Mrs. OSWALD. George Bouhe told me that if I wanted to leave Lee, he would help me at first, provided I would not go back to Lee. Bouhe did not interfere into my and Lee's affairs, but he wanted to know if I wanted to leave him permanently, he would help me. He told me that if I wanted to leave him for good, then he would help me out, but not if I would go back to him because the second time nobody would help me.

Mr. LIEBELER. Now, in fact, you did later go back to Lee; didn't you?

Mrs. OSWALD. Yes; he's my husband.

Mr. LIEBELER. And it is also a fact that when you did, George Bouhe was displeased—unhappy?

Mrs. OSWALD. Yes.

Mr. LIEBELER. And in fact he even asked you to give back to him the dictionary that he had given you; didn't he?

Mrs. OSWALD. Yes.

Mr. LIEBELER. And he helped you no more after that?

Mrs. OSWALD. That's correct.

Mr. LIEBELER. George De Mohrenschildt recalls this Sunday morning differently—he said that he came there with his wife and that you were still at the apartment with Lee, and that he and his wife came in and told Lee that they were going to take you away because he had been beating you in the past, and that he convinced you to leave and that you all left then that Sunday morning and he took you over to Meller's. He does not say you had previously gone to Meller's.

Mrs. OSWALD. That's not so. I was not at the apartment with Lee. I came that Sunday with the De Mohrenschildts to the apartment. I was at Anna Meller's and George De Mohrenschildt told me to be at his house at a certain hour, 10 o'clock, or sometime, and that Lee will come to his house, and Anna Meller took me. George Bouhe came to Anna Meller's and took me to George De Mohrenschildt's house and Lee came to De Mohrenschildt's house in a bus. Lee came to De Mohrenschildt's house on a bus.

Mr. LIEBELER. Was this the same Sunday?

Mrs. OSWALD. That same Sunday.

Mr. McKENZIE. Later in the day?

Mrs. OSWALD. Ten o'clock or eleven.

Mr. McKENZIE. And before you went to the apartment?

*Mrs. OSWALD. Yes.

Mr. McKENZIE. Did Lee and Mrs. De Mohrenschildt and George De Mohrenschildt go to the apartment together in George De Mohrenschildt's car?

Mrs. OSWALD. I do not remember right now whether Lee left after this confrontation at De Mohrenschildt's house, whether Lee left first or whether we all left De Mohrenschildt's house together, but I do remember distinctly that I went in the car with George De Mohrenschildt and his wife. I did not go with Lee and so it is impossible that they came later.

Mr. LIEBELER. What happened at De Mohrenschildt's house this morning—what was said there?

Mrs. OSWALD. De Mohrenschildt was telling Lee that that was not the way to treat his wife and Lee begged me to stay with him.

Mr. LIEBELER. Was De Mohrenschildt's wife there at this time?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. How did the meeting at De Mohrenschildt's house end; do you remember?

Mrs. OSWALD. I did not agree to go back with Lee and either Lee left by the bus first, or, I don't remember it clearly what happened.

*Mrs. OSWALD. No; I don't know what happened—I don't remember if Lee goes with us or if he goes first.

Mr. LIEBELER. But you do remember that Lee was at the apartment on Elsbeth Street when you went there to get the clothes and things for the baby?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. When you came there, did he just help you load the things up?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. He didn't seem to be angry about anything?

*Mrs. OSWALD. Yes; he was angry. That's why he helped me.

Mr. LIEBELER. How did you come to go back to Lee, and that was when he came out to Anna Ray's and met you there?

Mrs. OSWALD. He telephoned me several times begging me to return and he came to Anna Ray's and he cried and you know a woman's heart—I went back to him. He said he didn't care to live if I did not return.

Mr. LIEBELER. Who paid the taxi fare when you went over to Anna Meller's the first time?

*Mrs. OSWALD. The first time—Anna Meller.

Mr. LIEBELER. The Commission has been advised that some time in the spring of 1963, you, yourself, either threatened to or actually tried to commit suicide. Can you tell us about that?

Mrs. OSWALD. Do I have the right now not to discuss that?

Mr. LIEBELER. If you don't want to discuss that, certainly, but I really would like to have Lee's reaction to the whole thing. But if you don't want to tell us about it—all right.

Mrs. OSWALD. At my attempt at suicide, Lee struck me in the face and told me to go to bed and that I should never attempt to do that—only foolish people would do it.

Mr. LIEBELER. Did you tell him that you were going to do it, or did you actually try?

Mrs. OSWALD. No; I didn't tell him, but I tried.

Mr. LIEBELER. But you don't want to discuss it any further?

*Mrs. OSWALD. No.

Mr. LIEBELER. Do you have a copy of Lee's diary?

*Mrs. OSWALD. Yes;—I have that now.

Mr. LIEBELER. Did you have a copy of the diary before it was printed in the Dallas Morning News?

*Mrs. OSWALD. No.

Mr. MCKENZIE. You might also ask her if I had a copy of it.

Mr. LIEBELER. Do you know whether or not Mr. McKenzie had a copy of the diary?

*Mrs. OSWALD. I don't know—ask him. I don't know what you have in your office—I'm sorry.

Mr. MCKENZIE. Let the record show that Mr. McKenzie does not have a copy of the diary, and that Mrs. Oswald states she did not have a copy of the diary prior to its being published by the Dallas Morning News, and for the purposes of the record the Life magazine and Time, Inc., first gave me a copy of the diary, and I in turn furnished a copy of the diary to Mrs. Oswald from the copy that was given to me by Time, Inc.

Mr. LIEBELER. So, that now, you do have a copy of the diary; is this correct?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. And it was given to you by Mr. McKenzie after he got it from Time-Life, Inc.?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. Did you make an arrangement with Life magazine to give them permission to publish the diary?

Mrs. OSWALD. Yes; after it has been published in the newspapers. I, myself, would not have been willing for it to be published in the first place.

Mr. LIEBELER. Did Life magazine pay you anything for the privilege of publishing the diary?

*Mrs. OSWALD. Yes; \$20,000. I would like to know where the Dallas Morning News got the diary.

Mr. LIEBELER. I can tell you this much, Mrs. Oswald, that the Dallas Morning News did not get a copy of the diary from the Commission. Other than that, I can't say anything.

Mrs. OSWALD. If it is possible, I would like to determine where they got it.

Mr. LIEBELER. When did you enter into this arrangement with Life magazine and how did it come about, Mrs. Oswald; will you tell us?

Mrs. OSWALD. I don't remember what day—

Mr. MCKENZIE. It was after it was published in the Dallas Morning News.

Mr. LIEBELER. Am I correct in stating that the transaction was negotiated

between representatives of Life magazine and your attorney, Mr. William A. McKenzie? An attorney here in Dallas?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. I have no more questions.

*Mrs. OSWALD. Thank you.

Mr. MCKENZIE. I have a couple of questions. Marina, there is a difference, is there not, in your mind between a Marxist and a Communist?

*Mrs. OSWALD. What?

Mrs. OSWALD. I never was interested in this so I don't know—it makes me no difference.

Mr. MCKENZIE. A Communist ordinarily is known as a party member; is that correct?

Mrs. OSWALD. A Communist does not necessarily have to be a member of the party. People that believe in communism do not necessarily have a party card. The fact is that a Communist is not necessarily a member of the party. He may be a Communist by his choice but not necessarily a member of the party.

Mr. MCKENZIE. Well, Lee was a Marxist by his choice; is that correct?

Mrs. OSWALD. I don't know what he thought.

Mr. MCKENZIE. That's all.

Mrs. OSWALD. I think he was just a sick person. He didn't know himself what he was.

Mr. LIEBELER. Mrs. Oswald, as we discussed this morning, we want to go out to Irving and all look at the store and see if it refreshes your recollection as to whether or not you were there, so at this time we will adjourn the deposition, to be resumed out at the location of this store in Irving, if that is agreeable with counsel for Mrs. Oswald.

Mr. MCKENZIE. It is agreeable.

(At this point the proceedings of this deposition were adjourned and Messrs. Liebler and McKenzie, Marina Oswald, the Reporter, Odell Oliver, and Secret Service Agents John Joe Howlett and Forrest Sorrels in charge of the Dallas Secret Service office traveled to Irving, walked through the store heretofore referred to, departed the same and while standing in front of the store the following proceedings were had:)

Mr. LIEBELER. Let the record show that we are resuming the deposition in front of 149 East Irving Boulevard, Irving, Tex., and the record will indicate that Mr. McKenzie and Mrs. Oswald, Mr. Sorrels and Mr. Howlett, the Court Reporter and I walked inside of the building here at 149 East Irving Boulevard and walked around inside and outside, and this is at 3:45 p.m., in an effort to refresh Mrs. Oswald's recollection as to whether or not she has ever been in this store.

Mr. LIEBELER. Have you had a chance to go through the store, Marina?

*Mrs. OSWALD. No; this is the first time.

Mr. LIEBELER. This is the first time you have been here?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. And you have now looked at the outside of the store and looked through the inside?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. And you are quite sure you have never been here before?

*Mrs. OSWALD. I'm sure I never was here before—I am quite sure.

Mr. LIEBELER. You are sure of that in spite of the testimony that you heard this morning from Mrs. Whitworth and Mrs. Hunter; is that right?

*Mrs. OSWALD. Yes; that's right. She told how I was dressed with a rose jacket—that's true I had a rose jacket.

Mr. LIEBELER. She may have seen you somewhere?

*Mrs. OSWALD. Yes; but I never was here—maybe she saw me on the street somewhere. She said it looked like she saw me someplace else and that's the reason why I wanted to see this store, but maybe I have forgotten by now—

Mr. LIEBELER. You are now standing directly in front of the store at 149 East Irving Boulevard, aren't you?

*Mrs. OSWALD. Yes.

Mr. LIEBELER. And you are sure you have never been here before?

*Mrs. OSWALD. No; I have never been here before.

Mr. LIEBELER. Do you have anything to add, Mr. McKenzie?

Mr. McKENZIE. No.

*Mrs. OSWALD. I don't know if I were inside this store, but I don't recall it now.

Mr. LIEBELER. You don't recognize this store as a place you have ever been before?

*Mrs. OSWALD. No.

Mr. LIEBELER. I have no further questions, and this will adjourn the deposition.

TESTIMONY OF MAJ. EUGENE D. ANDERSON

The testimony of Maj. Eugene A. Anderson was taken at 4:30 p.m., on July 24, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. J. Lee Rankin, general counsel; and Arlen Specter, assistant counsel of the President's Commission.

Mr. SPECTER. May the record show that this is a deposition proceeding of the President's Commission on the Assassination of President Kennedy, and that our witnesses today are Maj. Eugene D. Anderson and M. Sgt. James A. Zahm of the U.S. Marine Corps who have been asked to testify about their knowledge of the capabilities of a marksman using a rifle with a scope.

With that preliminary statement of purpose, would you stand, Major Anderson and raise your right hand please. Do you solemnly swear that the testimony you shall give before the President's Commission in this deposition proceeding will be the truth, the whole truth, and nothing but the truth, so help you God?

Major ANDERSON. I do.

Mr. SPECTER. Would you state your full name for the record please.

Major ANDERSON. Eugene D. Anderson.

Mr. SPECTER. What is your occupation or profession, sir?

Major ANDERSON. I am a major in the U.S. Marine Corps.

Mr. SPECTER. How long have you been in the Marine Corps.

Major ANDERSON. Twenty-six years 3 months.

Mr. SPECTER. Of what do your current duties consist?

Major ANDERSON. I am assistant head of the Marksmanship Branch, Headquarters Marine Corps.

Mr. SPECTER. And where is your current duty station?

Major ANDERSON. In Navy Annex, Headquarters Marine Corps, Washington, D.C.

Mr. SPECTER. How long have you held that position?

Major ANDERSON. I have been stationed here for 2 years.

Mr. SPECTER. Would you outline briefly your qualifications, if any, in marksmanship?

Major ANDERSON. I have been working in marksmanship training for approximately 18 years. I am a distinguished rifle shot in the Marine Corps, master rifle shot, National Rifle Association of America.

Mr. SPECTER. Would you outline briefly the qualifications or tests which must be achieved in order to qualify as a distinguished shot?

Major ANDERSON. A man must have acquired a minimum of 30 points from winning medals in certain specified high-caliber matches. To win these points he must have placed among the top 10 percent of the nondistinguished shooters participating in the match. By winning a gold medal he can earn 10 points. By winning a silver medal he can earn eight points. By winning a bronze medal he can win six points.

Mr. SPECTER. And what qualifications must be displayed to obtain the classification as master of the National Rifle Association of America?

Major ANDERSON. You have to fire in a minimum number of National Rifle Association sponsored matches.

(Discussion off the record.)

Major ANDERSON. I want to correct the record.

Mr. SPECTER. Proceed to do so.

Major ANDERSON. I am a master with the pistol in the National Rifle Association. I am not classified with the rifle.

Mr. SPECTER. And does your classification as a distinguished marksman apply to the rifle?

Major ANDERSON. To the rifle, yes.

Mr. SPECTER. I now hand you a document which has heretofore been introduced into evidence as Commission Exhibit No. 239.

Mr. SPECTER. I ask you if you have heretofore had an opportunity to examine that document?

Major ANDERSON. Yes; I have.

Mr. SPECTER. And would you describe for the record what that document is, please?

Major ANDERSON. This is a U.S. rifle, caliber 30, M-1 and U.S. carbine, caliber 30, M-1-A1 record scorebook that is maintained by a shooter who is training for firing for qualification or requalification in the Marine Corps.

Mr. SPECTER. Is that a standard record scorebook which the Marine Corps makes available to every Marine who shoots under those circumstances?

Major ANDERSON. It was standard at the time of issuance of this particular book.

Mr. SPECTER. And what was that time?

Major ANDERSON. In December 1956.

Mr. SPECTER. And does the name of any specific Marine appear on the front page of that document?

Major ANDERSON. Yes; Oswald.

Mr. SPECTER. And are there any initials?

Major ANDERSON. It appears to be "L. H."

Mr. SPECTER. Would you outline the marksmanship training, if any, which a Marine recruit receives in the normal course of Marine training?

Major ANDERSON. He goes through a very intensive 3 weeks' training period. During this 3 weeks for the first week he receives a basic training in the care and cleaning of the weapon. He learns sighting and aiming. He learns manipulation of the trigger.

He is exposed to various training aids. He goes through a series of exercises in what we call dry firing in which he assumes all of the positions that he is going to use in the full firing of the rifle over the qualification course. Normally in about the middle of the second week or the latter part of the second week he conducts some firing with a .22 rifle and .22 pistol to familiarize himself with live ammunition and to give the coaches an opportunity to check on his previous training. He then proceeds to the rifle range and he zeros the rifle in normally at 200 yards.

This consists of a few rounds being fired at a target, and the sights are changed so that at this particular range, either 200 or 300 yards, this rifle will strike the bull's-eye at the sight setting so indicated when there is no wind blowing and all the conditions for firing are ideal.

Then the following week he goes out to the range and he fires over the course completely, consisting of firing at 200, 300, and 500 yards. He will normally fire possibly 60 rounds the first day, which is 10 rounds over the required amount to fire the course. This firing is normally done at 200 yards. The following days, possibly the second or third day he may fire as much as 70 rounds each day, giving him an opportunity to acquire more practice with the gun, and to get a better opportunity to find out the zero of his weapon and where the strike of his bullet is going to be under any given circumstances.

Then on Thursday he will fire preliminary day, in which he will fire over the course one time under all circumstances exactly as he will do the following day for record day, except that on preliminary day he is allowed to have a coach on the range with him on the firing line to assist him in all phases.

The following day on record day, he fires over the course 50 rounds for his qualification score record. At this time the coach may give him any assistance possible as long as he is behind the firing line. Once he steps onto the firing line, assumes the firing position, then he is completely on his own. He cannot be helped by any gestures or comments or in any way given any assistance from

anyone whatsoever. He completes this firing and the score that he attains then becomes his qualification score.

Mr. SPECTER. Was that training program in effect during 1956?

Major ANDERSON. With some possible minor deviations, yes. Generally speaking this is exactly what he would have done in 1956.

Mr. SPECTER. Would that training then necessarily have preceded the compilation of a marksmanship test as is reflected in the document which has been marked Commission Exhibit No. 239?

Major ANDERSON. I am not sure I understand exactly what you mean?

Mr. SPECTER. Perhaps I can rephrase it. Would your presumption be that L. H. Oswald, whose test score you have before you, would have received the training such as that which you have just described?

Major ANDERSON. Absolutely. He fired every day according to this. The only exception might be that if he was required to go to the sick bay for some minor treatment, and missed maybe an hour a day or some sort of thing such as that.

Mr. SPECTER. And the basis for your statement on that would be your conclusion based on the fact that L. H. Oswald had undergone a test where he completed these documents under the category of "US Marine Corps Scorebook for US Rifle Caliber .30 M-1 and US Carbine Caliber .30 M-1-A1?"

Major ANDERSON. Yes, sir; this document shows by dates and days as indicated that he fired daily and sighted in his rifle as prescribed.

Mr. SPECTER. Of course, you didn't know Mr. Oswald personally?

Major ANDERSON. I never knew him whatsoever.

Mr. SPECTER. So that your conclusion as to his training is based upon the inference which arises from the document which I have presented to you. That is to say, you know that if a man has one of those scorebooks, that he must have received that training?

Major ANDERSON. Absolutely. He received this in full.

Mr. SPECTER. Does that document have some record of practicing as well as actual scoring in it, Major Anderson?

Major ANDERSON. This record shows that on Thursday of the week preceding the record firing week, he fired approximately 10 rounds which were not scored, appear to be zeroing in shots. There is no day here to indicate any firing on Friday. Monday is shown of the following week with a 10 shot group, and shows that he fires the entire course on Monday throughout.

Mr. SPECTER. Major Anderson, I now show you a letter which I have marked for the purpose of this deposition as Anderson Exhibit No. 1, and ask you for the record to tell us what is the date of that letter, first of all?

Major ANDERSON. 8 January 1964.

(Major Anderson Deposition Exhibit No. 1 was marked for identification.)

Mr. SPECTER. To whom is the letter addressed?

Major ANDERSON. Mr. J. Lee Rankin, General Counsel, President's Commission on the Assassination of President Kennedy.

Mr. SPECTER. And by whom was the letter written?

Major ANDERSON. The signature shows it was from A. G. Folsom, Jr., lieutenant colonel, U.S. Marine Corps.

Mr. SPECTER. Have you had an opportunity heretofore to examine that letter?

Major ANDERSON. Yes; I have.

Mr. SPECTER. And whom does that letter concern itself with?

Major ANDERSON. The letter concerns a Mr. Oswald.

Mr. SPECTER. Lee Harvey Oswald?

Major ANDERSON. Yes; Lee Harvey Oswald.

Mr. SPECTER. Does that letter contain with it the marksmanship practice which Mr. Oswald had while in the Marine Corps?

Major ANDERSON. It so indicates; yes.

Mr. SPECTER. What is the procedure of the Marine Corps in retaining such information on men who were in the Corps and had marksmanship training?

Major ANDERSON. Any time a man goes through any type of live firing, the type of firing, the number of rounds he has fired, the course he has fired is supposed to be and supposedly is entered in his record book in the spaces provided for his training?

Mr. SPECTER. What do you mean by live firing, sir?

Major ANDERSON. By live firing I mean any time a live round of ammunition is actually placed in the gun and it is fired.

Mr. SPECTER. Is that distinguished from some other type of firing, or heavy firing?

Major ANDERSON. Yes; it is distinguished from what we call dry firing in that no ammunition is used whatsoever. A man just simulates that he is firing the gun.

Mr. SPECTER. Does that letter set forth the marksmanship practice which Mr. Oswald had in the Marine Corps?

Major ANDERSON. It does; yes. It shows that he had the course A firing and followed by "fam" firing in the B course.

Mr. SPECTER. By "fam" firing, what does that mean?

Major ANDERSON. This is sharp terminology for familiarization firing and it is used to familiarize a man with the weapon prior to his being armed with said weapon.

Mr. SPECTER. And on what date was the A course registered?

Major ANDERSON. 21 December 1956.

Mr. SPECTER. And what weapon was used?

Major ANDERSON. The M-1 rifle.

Mr. SPECTER. And what was his final qualification there?

Major ANDERSON. 212.

Mr. SPECTER. And what rating is that equivalent to, or within what range of rating is that score?

Major ANDERSON. That should have been a sharpshooter.

Mr. SPECTER. And what was the authorized ammunition allowance?

Major ANDERSON. 400 rounds for recruit firing.

Mr. SPECTER. And during what period was that?

Major ANDERSON. That was to be fired within a 2-week period.

Mr. SPECTER. Did he have exposure on another course for M-1 firing at a later date?

Major ANDERSON. The record shows that 6 May 1959 he fired the B course.

Mr. SPECTER. And what weapon was used at that time?

Major ANDERSON. The M-1 rifle.

Mr. SPECTER. And what score was obtained on that occasion?

Major ANDERSON. 191 for marksman.

Mr. SPECTER. And what was the authorized ammunition allowance?

Major ANDERSON. 200 rounds.

Mr. SPECTER. Would there be any reason why the scores might differ from 212 to 191, based on the layout of the courses or any of the conditions surrounding those tests, Major Anderson?

Major ANDERSON. Yes; the day the 212 was fired appears to be according to the record book to have been an ideal day under firing conditions.

Mr. SPECTER. When you say the record book you meant Commission Exhibit No. 239 that you referred to?

Major ANDERSON. Yes; when he fired that he had just completed a very intensive preliminary training period. He had the services of an experienced highly trained coach. He had high motivation. He had presumably a good to excellent rifle and good ammunition. We have nothing here to show under what conditions the B course was fired. It might well have been a bad day for firing the rifle—windy, rainy, dark. There is little probability that he had a good, expert coach, and he probably didn't have as high a motivation because he was no longer in recruit training and under the care of the drill instructor. There is some possibility that the rifle he was firing might not have been as good a rifle as the rifle that he was firing in his A course firing, because may well have carried this rifle for quite some time, and it got banged around in normal usage.

Mr. SPECTER. What are the differences between the A and B courses, Major Anderson?

Major ANDERSON. The A course is fired at 200, 300, and 500 yards. The B course is exactly the same course as far as targets, number of rounds and positions are concerned, but it is fired entirely at 200 yards.

Mr. SPECTER. Are there compensations in the scoring to allow for the difference in distances?

Major ANDERSON. Yes; there is.

Mr. SPECTER. What other familiarity with weapons did Mr. Oswald possess according to that document identified as Anderson Exhibit No. 1?

Major ANDERSON. On 17 December 1956 he fired the Browning Automatic Rifle familiarization 75 rounds.

Mr. SPECTER. Is there any score indicated on that firing?

Major ANDERSON. There will be no scores indicated for familiarization firing. It is not scored.

Mr. SPECTER. What other familiarization?

Major ANDERSON. On 11 December 1956 he fired the pistol familiarization 100 rounds. On 2 May 1958 he fired the 12-gage riot gun familiarization 10 rounds, again on 7 May 1958 he fired the .45 caliber pistol 100 rounds for familiarization and on 9 March 1959 he fired the 12-gage riot gun 10 rounds for familiarization.

Mr. SPECTER. Based on what you see of Mr. Oswald's marksmanship capabilities from the Marine Corps records which you have before you, Major Anderson, how would you characterize him as a marksman?

Major ANDERSON. I would say that as compared to other Marines receiving the same type of training, that Oswald was a good shot, somewhat better than or equal to—better than the average let us say. As compared to a civilian who had not received this intensive training, he would be considered as a good to excellent shot.

Mr. SPECTER. Major Anderson, I now want to show you certain photographs which have been heretofore identified and introduced into the Commission's record as a preliminary to asking your opinion on the difficulty of certain shots which I will identify.

First I show you Commission Exhibit No. 347 which is an overhead photograph of an area known as Dealey Plaza, which the record will show is the situs of the assassination of President Kennedy. I now show you Commission Exhibit No. 348 which is a photograph of the Texas School Book Depository Building with the letter "A" pointing to the half-opened window, that is the bottom portion of the window which is half opened, where other witnesses have testified that the assassin stood. Let me add as a factor for you to assume to be true, this the record will show is based upon eyewitnesses at the scene, that the weapon partly protruded from the window identified as letter "A" in Exhibit No. 348 pointing at an angle which is not completely in a straight line but very much in a straight line with the angle of the street being designated as Elm Street, which street runs on a downgrade of approximately 3°.

I now show you a document identified as Commission Exhibit No. 893, and a second document identified as Commission Exhibit No. 895, which depict frame No. 210 and frame No. 225 on photographs in the nature of moving pictures taken by Abraham Zapruder at the assassination site which the evidence indicates was the range of the first shot which struck President Kennedy in the lower portion of his neck, with that bullet striking at a distance from 176.9 feet to a distance of 190.8 feet. Stated differently, the evidence shows that somewhere between these two pictures President Kennedy was shot in the neck, and as the photograph of the rifle scope shows in the left-hand corner lower picture, that is the view through the telescopic lens which the marksman had based on onsite tests which were made in Dallas with a camera mounted looking through the scope on Commission Exhibit No. 139, which is the weapon identified as the assassination rifle. Now assuming those factors to be true for purposes of this next question, how would you characterize the difficulty of a shot at that range, which would strike the President in the lower portion of his neck at a spot indicated by a white mark on the back of the stand-in the photograph marked "Re-enactment"?

My question, then, is how would you characterize the difficulty or ease of that shot for a marksman with Mr. Oswald's capabilities?

Major ANDERSON. In my opinion this is not a particularly difficult shot, and that Oswald had full capabilities to make this shot.

Mr. SPECTER. I now show you a document marked as Commission Exhibit No. 902, which characterizes what was believed to have been the shot which struck President Kennedy in the head at a distance from rifle in window to the Presi-

dent of 265.3 feet, with the photograph through rifle scope identified on the document being the view which the marksman had of the President at the time the President was struck in the head, and I ask you again for an opinion as to the ease or difficulty of that shot, taking into consideration the capabilities of Mr. Oswald as a marksman, evidenced by the Marine Corps documents on him.

Major ANDERSON. I consider it to be not a particularly difficult shot at this short range, and that Oswald had full capabilities to make such a shot.

(Discussion off the record.)

Mr. SPECTER. May the record show that we have been off the record because Mr. Rankin stepped out, but we will proceed now to complete the deposition since he hasn't returned at this time.

Major Anderson, assume if you will that there were three shots fired by the assassin with a Mannlicher-Carcano rifle in a time span of 4.8 to 5.6 seconds. Would that speed of firing be within the capabilities of Mr. Oswald based upon the information as to his marksmanship ability from the Marine Corps records?

Major ANDERSON. Yes, sir; it would.

Mr. SPECTER. Major Anderson, are you as familiar with the telescopic sights as is Master Sergeant Zahm?

Major ANDERSON. No, sir; I am not. Sergeant Zahm is far more familiar and much more of an expert on telescopic sights than I am.

Mr. SPECTER. Has the testimony which you have provided here today on the general propositions to which you have testified been within your sphere of specialization?

Major ANDERSON. Yes, sir; they have.

Mr. SPECTER. That concludes the deposition of you, Major Anderson. We very much appreciate your coming.

Major ANDERSON. You are quite welcome.

TESTIMONY OF SGT. JAMES A. ZAHM

The testimony of Sgt. James A. Zahm was taken on July 24, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. J. Lee Rankin, general counsel; and Arlen Specter, assistant counsel of the President's Commission.

Mr. SPECTER. Sergeant Zahm, will you stand and raise your right hand. Do you solemnly swear that the testimony which you shall give before the President's Commission on the Assassination of President Kennedy will be the truth, the whole truth, and nothing but the truth, so help you God?

Sergeant ZAHM. I do.

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

Sergeant ZAHM. James A. Zahm.

Mr. SPECTER. What is your profession or occupation, please?

Sergeant ZAHM. Master sergeant.

Mr. SPECTER. And in what branch of the service are you?

Sergeant ZAHM. U.S. Marine Corps.

Mr. SPECTER. How long have you been in the Marine Corps, Sergeant Zahm?

Sergeant ZAHM. Eighteen years.

Mr. SPECTER. Of what do your current duties consist?

Sergeant ZAHM. I am the NCO in charge of the Marksmanship Training Unit Armory at the Marksmanship Training Unit in the Weapons Training Battalion Marine Corps School, Quantico, Va.

Mr. SPECTER. When you say NCO, what do you mean by that for the record.

Sergeant ZAHM. Noncommissioned officer.

Mr. SPECTER. How long have you been so occupied in that particular duty?

Sergeant ZAHM. Two years 4 months.

Mr. SPECTER. What experience have you had if any in marksmanship?

Sergeant ZAHM. I became engaged in competitive shooting in 1952, and I became a distinguished rifleman in 1953. I fired the national matches from 1952

through to date about eight times. This is annually. I won the President's match in 1953 at the national matches and the Leech Cup in 1952, and the Marine Corps Cup in 1957. There are some others.

Mr. SPECTER. What experience have you had with telescopic sights, Sergeant Zahm?

Sergeant ZAHM. One of my additional duties at the present time is the non-commissioned officer in charge of the long-range team. This consists of about 40 members of the Marine Corps Rifle and Pistol Team, and I am charged with training, providing weapons, and hand loading the ammunition for practice and eventual firing at 600 and 1,000 yards in the interservice match.

Mr. SPECTER. Are telescopic sights used regularly in those activities?

Sergeant ZAHM. Yes.

Mr. SPECTER. Could you characterize for me in some manner your experience then with telescopic sights in the number that you have used or duration of time where you have used telescopic sights?

Sergeant ZAHM. Well, from my own experience, and it is true that the higher powered telescopes are used in the particular type of firing we are doing right now, deliberate slow fire at extreme ranges of 600 and 1,000 yards. We use 12-power to 20-power telescopes. These are unsuitable for moving targets or closer ranges from unsteady positions, because the power of the telescope tends to magnify the shooter's movements and makes a hold more difficult.

In the lower-powered telescope such as four-power telescope at closer ranges ranging from 50 to 200 yards, this is an ideal type of weapon for moving targets or type of telescope for moving targets, and for the closer ranges, things being inherent in the focus of the scopes when you get in too close, the higher power type scopes tend to blur out to a certain degree.

Mr. SPECTER. Can you characterize the increased efficiency of a marksman in using a four-power scope as opposed to using only the iron sights?

Sergeant ZAHM. Well, with the iron sights you have more room for error in the fact that you have three variables. You have your targets, your front sight and your rear sight, and you have the possibility of an error in aligning the sights, and then you also have the possibility of an error in the sights on the targets, which we refer to as the sight picture. Looking through aperture or even the open buckhorn type sights, when you are concentrating on your sights, your targets tend to become blurred because of the close focus of your eye in aligning the sights.

Now this as opposed to telescope of a four-power nature it is a natural characteristic of a telescope when you are looking for your target, it is a natural thing to center your target in the view of your telescope, and in the center view of your telescope is the aiming crosshairs. This is only one point.

If you get this one point, the crosshairs in the proper relationship to your target, this is an aid in locating, finding your target, because you are using the scope in the sense as binoculars. Once you have found your target, your sights are already aligned, and then through good trigger manipulation the shot should be well on the target.

Mr. SPECTER. With respect to rapid-fire shooting, how does the telescopic sight on a four-power scope work out?

Sergeant ZAHM. Four-power being a reasonably low-power scope, it has a fairly broad field of view. By this we mean it covers a reasonable amount of area out at about 100 yards, about I think probably around 30 feet or so. Using the scope, rapidly working a bolt and using the scope to relocate your target quickly and at the same time when you locate that target you identify it and the crosshairs are in close relationship to the point you want to shoot at, it just takes a minor move in aiming to bring the crosshairs to bear, and then it is a quick squeeze.

Mr. SPECTER. Would you characterize it as easy, difficult, or how would you characterize it to use a scope, a four-power scope in rapid fire?

Sergeant ZAHM. A real aid, an extreme aid.

Mr. SPECTER. Suppose in focusing in through the four-power scope you do not get a completely circular view, but instead get a partial view with a corner of the view being blacked out because you don't have the scope in direct alignment, but you are still able to see a sufficient amount of daylight through the scope so

that you can see where the crosshairs line up on target. Is it in sufficient alinement at that juncture to permit the marksman to shoot accurately?

Sergeant ZAHM. Yes.

Mr. SPECTER. And how does that work out that the alinement is sufficient to permit an accurate shot, even though the marksman does not have a completely clear view through the entire circle of the scope?

Sergeant ZAHM. Well, in the assembly of the telescope, the aiming reticle or crosshair is so placed in the scope that it is in the same plane as the focus of the lenses, and regardless of the position of the eye behind the scope, this makes no apparent or no real movement of the reticle on the target itself, so if the shooter can look through the scope and see the juncture of the crosshairs, and it is on his target, if he properly manipulates the trigger he will get a hit.

Mr. SPECTER. Have you had an opportunity to examine the documents identified as Commission Exhibit No. 239 and Exhibit No. 1 to Major Anderson's deposition, Sergeant Zahm?

Sergeant ZAHM. Yes; I have.

Mr. SPECTER. Based on the tests of Mr. Oswald shown by those documents, how would you characterize his ability as a marksman?

Sergeant ZAHM. I would say in the Marine Corps he is a good shot, slightly above average, and as compared to the average male of his age throughout the civilian, throughout the United States, that he is an excellent shot.

Mr. SPECTER. How much familiarity would a man with Oswald's qualifications, obtained in the Marine Corps, require in order to operate a rifle with a scope such as a Mannlicher-Carcano rifle with a four-power scope?

Sergeant ZAHM. How much familiarity would he require?

Mr. SPECTER. Let me rephrase the question. Would it be very difficult for a man with Oswald's capabilities as a marksman to use a rifle with a four-power scope?

Sergeant ZAHM. No; I feel that the instruction that he had received qualifies him on the basic fundamentals of marksmanship. There are just a few refinements in the operation of the bolt rifle and the scope through a minimum amount of experimenting would make him as proficient with the bolt and the scope as it did with the weapons he received instruction on, and if not it would improve his proficiency actually through the use of the telescope. I feel that this would be an advantage.

Mr. SPECTER. How many shots in your opinion would a man like Oswald have to take in order to be able to operate a rifle with a four-power scope, based on the training he had received in the Marine Corps?

Sergeant ZAHM. Based on that training, his basic knowledge in sight manipulation and trigger squeeze and what not, I would say that he would be capable of sighting that rifle in well, firing it, with 10 rounds.

Mr. SPECTER. Would dry runs be an aid to a man like Oswald in learning how to operate a rifle with a scope on it.

Sergeant ZAHM. Yes.

Mr. SPECTER. Would you describe for the record what is meant in marksmanship terms by a dry run?

Sergeant ZAHM. Dry firing is working the bolt and manipulating the trigger and alining the sights, whether it be scope or iron, without any ammunition. The advantage in the scope in dry firing is that when he snaps the trigger or squeezes the trigger, he can see any apparent error in his trigger manipulation, movement of the piece, by the jump of the crosshair much easier than he can with iron sights.

Mr. SPECTER. Would the use of a four-power scope be a real advantage to a marksman of Mr. Oswald's capabilities or of a slight advantage, or how would you characterize the advantage that he would obtain, if any, from the use of such a scope?

Sergeant ZAHM. I consider it a real advantage, particularly at the range of 100 yards, in identifying your target. It allows you to see your target clearly, and it is still of a minimum amount of power that it doesn't exaggerate your own body movements. It just is an aid in seeing in the fact that you only have the one element, the crosshair, in relation to the target as opposed to iron sights with alining the sights and then alining them on the target. It is a real aid.

Mr. SPECTER. Sergeant Zahm, I am now going to show you the same photographs which I showed to Major Anderson in setting the basis for asking you a hypothetical question on capabilities here. As the record will show, we have heretofore before the President's Commission entered into evidence Exhibit No. 347 which is an overhead shot of Dealey Plaza. Commission Exhibit No. 348, which I am now displaying to you, is a photograph of the Texas School Book Depository Building. The evidence in the record indicates that the marksman stood at the point designated "A" with the lower half of the window being raised halfway, and the gun protruding out of that window pointing down the street called Elm Street in approximately the angle of my pencil which is virtually although not exactly straight down the street. Elm Street declines 3° as it slopes under the triple underpass.

As the evidence will further show, Commission Exhibits Nos. 893 and 895 respectively depict frames 210 and 225 of the Zapruder film which is a range of the first shot from 176.9 feet to 190.8 feet. In the lower left-hand corner under designation "Photograph through rifle scope" there is shown the view of the marksman from the sixth floor of the depository building as he looked down at President Kennedy with this picture being taken of a stand-in for President Kennedy, with the white mark designating the spot on the President where the first bullet struck him.

Now assuming that the President was struck under those circumstances at a distance of from 176.9 feet to 190.8 feet, using a 6.5 mm Mannlicher-Carcano rifle with a four-power scope, would a man with Oswald's marksmanship capabilities be able to complete such a shot and strike the target on the white mark there?

Sergeant ZAHM. Very definitely.

Mr. SPECTER. How would you characterize that, as a difficult, not too difficult, easy, or how would you characterize that shot?

Sergeant ZAHM. With the equipment he had and with his ability, I consider it a very easy shot.

Mr. SPECTER. Now taking a look at Commission Exhibit No. 902, which as the record will show, has been introduced into evidence to depict the shot which struck President Kennedy in the head at a distance from the rifle in the window to the part of the President's body being 265.3 feet. Assuming the same factors about using a Mannlicher-Carcano rifle and pointing it down Elm Street as shown on Commission Exhibit No. 347, would a marksman of Mr. Oswald's capabilities using such a rifle with a 4-power scope be able to strike the President in the back of the head? Would Mr. Oswald possess the capability to complete such a shot which did, in this situation, strike the President in the back of the head?

Sergeant ZAHM. Yes; I think that aiming at the mass of what portion of the President is visible at that distance and with his equipment, he would very easily have attained a hit, not necessarily aiming and hitting in the head. This would have been a little more difficult and probably be to the top of his ability, aiming and striking the President in the head. But assuming that he aimed at the mass to the center portion of the President's body, he would have hit him very definitely someplace, and the fact that he hit him in the head, but he could have hit, got a hit.

Mr. SPECTER. So you would have expected a man of Oswald's capabilities at a distance of 265.3 feet to strike the President someplace aiming at him under those circumstances?

Sergeant ZAHM. Yes.

Mr. SPECTER. And within the range of where you would expect him to hit him, would that include the President's head?

Sergeant ZAHM. Yes.

Mr. SPECTER. And how would you characterize that shot with respect to whether it was difficult or not difficult?

(Discussion off the record.)

Mr. SPECTER. Let's go back on the record. May the record show that Sergeant Zahm has questioned the appearance of the "photograph through rifle scope" which appear on Exhibits Nos. 895 and 902. And as the record will show, there

are only four photographs on Exhibit No. 895 whereas there are eight on Commission Exhibit No. 902, so that necessarily the photograph through the rifle scope is much smaller as it is depicted on Exhibit No. 902, and I want you to bear that in mind, Sergeant Zahm, in answering the question as to whether you consider the shot at a distance of 265.3 feet to be difficult or not difficult; or characterize it for me in your own words.

Sergeant ZAHM. I consider it still an easy shot, a little more difficult from the President's body position and increase in distance of approximately 40 feet, but I still consider it an easy shot for a man with the equipment he had and his ability.

Mr. SPECTER. Assuming that there were three shots fired in a range of 4.8 to 5.6 seconds, would that speed of firing at that range indicated in the prior questions be within Mr. Oswald's capabilities as a marksman?

Sergeant ZAHM. Yes.

Mr. SPECTER. What effect if any would the alinement of the street have on the moving vehicle in the way that it is shown on the picture, Exhibit No. 348?

Sergeant ZAHM. This is a definite advantage to the shooter, the vehicle moving directly away from him and the downgrade of the street, and he being in an elevated position made an almost stationary target while he was aiming in, very little movement if any.

Mr. SPECTER. How would the fact that the street had a 3° decline affect the difficulty of the shot.

Sergeant ZAHM. It would make it easier because Oswald was in an elevated position, and therefore if the car was traveling on a level terrain, it would apparently—he would have to keep adjusting by holding up a little bit as the car traveled. But by going downgrade this just straightened out his line of sight that much better.

Mr. SPECTER. So that if the car had been proceeding on a level, the assassin would have had to have raised his weapon as the distance between the rifle and the car increased to allow for trajectory?

Sergeant ZAHM. No; just to allow for the movement of the targets, the travel. Assume that you are aiming standing at ground level and aiming down a little at somebody walking straight away from you, and you could hold your finger and point to him and never have to move it. But when he gets to the bottom of the hill and the ground levels out, then as he continues on you have to point your finger—

Mr. SPECTER. Raise your finger as you are indicating with your finger now?

Sergeant ZAHM. Right; you would have to raise your finger to track the target.

Mr. SPECTER. So that if you were aiming at a man in a moving car driving on the horizontal, as he got farther away from you, would you (a) hold your rifle at the same level, (b) lower it, or (c) raise it?

Sergeant ZAHM. If you were in an elevated, a slightly elevated position, and he was driving on straight level terrain, you would have to continually track and raise your weapon as he increased his distance from you.

Mr. SPECTER. And if he was going down in an angle of descent, would that decrease the necessity for you to raise your rifle in tracking him?

Sergeant ZAHM. Right; it would slow the movement down. There still might be a slight movement, but it wouldn't be as fast. Therefore, not affecting the aiming or possibly having to introduce a lead in your aiming, because the target is staying relatively in the same position on the line of sight.

Mr. SPECTER. So then it would have been an aid to the assassin to have had the President's car going on a downgrade because that would have taken into consideration some of the adjustment necessary by virtue of the greater distance between the rifle and the victim?

Sergeant ZAHM. Yes.

Mr. SPECTER. Do you have anything to add, Sergeant Zahm, which you think might be helpful in this analysis?

Sergeant ZAHM. No, sir; I don't think so.

Mr. SPECTER. Thank you very much for appearing before the Commission today, sir.

TESTIMONY OF C. A. HAMBLÉN

The testimony of C. A. Hamblen was taken at 2:50 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.

Mr. LIEBELER. You may remain seated. Will you raise your right hand? 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. HAMBLÉN. I do.

Mr. LIEBELER. My name is Wesley J. Liebeler. I am an attorney on the President's Commission investigating the assassination of President Kennedy. I have been authorized to take your testimony by the Commission pursuant to authority granted to it by Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress, No. 137. You are entitled under the rules of the Commission governing the taking of testimony of witnesses to have an attorney present, should you wish. I understand that you are present pursuant to a subpoena that was served on you some days ago by the U.S. Secret Service, and I presume since you don't have an attorney with you at this time, you are prepared to proceed with your testimony without an attorney?

Mr. HAMBLÉN. I don't need an attorney. You might wish to make a little correction. This should be C. A. Hamblen instead of C. R.

Mr. LIEBELER. Your name is C. A. H-a-m-b-l-e-n?

Mr. HAMBLÉN. That's right.

Mr. LIEBELER. How old are you?

Mr. HAMBLÉN. I will be 50 in December.

Mr. LIEBELER. You are employed by the Western Union Telegraph Co.; isn't that right?

Mr. HAMBLÉN. Yes.

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

Mr. HAMBLÉN. It will be 38 years the 6th day of August.

Mr. LIEBELER. I want to come right to the point in this deposition. I think you know basically the reason we have asked you to come over. It is my understanding that you had a conversation with a newspaper reporter by the name of Bob Fenley shortly after the assassination, in which you told him, in substance, that you thought that a man who you thought looked like Lee Oswald had been in your office and had either sent a telegram or cashed a money order telegram that he had in his possession; is that correct?

Mr. HAMBLÉN. Not exactly.

Mr. LIEBELER. What is it exactly?

Mr. HAMBLÉN. During that time, I came in contact with newspaper correspondents from all over the world. In my years of service to the company, I have never disclosed the contents of a telegram, who they were addressed to, who they were from, or anything pertaining to them.

I don't think I told Mr. Fenley that a Lee Oswald had been in there, because talking with those correspondents, I wouldn't divulge any patron coming into the telegraph office in search of any of our services, money orders, telegrams, collateral services, collection services, anything that we have to offer. I believe there is some misunderstanding on Mr. Fenley's part there. Perhaps I did tell him that I thought I had seen someone that looked like the man that I saw over television.

Mr. LIEBELER. Do you remember—

Mr. HAMBLÉN. I thought he was the assassinator.

Mr. LIEBELER. Do you remember talking to Mr. Fenley about this?

Mr. HAMBLÉN. I don't remember telling anyone that, of anyone filing a telegram with us. I remember talking with Fenley, but I wouldn't disclose any information.

Mr. LIEBELER. What did you say to Fenley?

Mr. HAMBLÉN. Just in general conversation like I would with Wes Wise or any of the other reporters that I come in contact with.

Mr. LIEBELER. Didn't you tell Fenley that you thought you had seen somebody that reminded you of Oswald in your office?

Mr. HAMBLEN. Yes; I did tell him that I had saw Oswald. I may have told him that. I don't recall what all was said—as many of those correspondents that I talked to during that period of time. Then the employees under me, we never discuss any telegrams unless it is necessary for them to ask me to pass upon a telegram so it could be transmitted.

Mr. LIEBELER. Do you remember telling Fenley that when you saw the picture of the alleged assassin on television, that he looked very much like a man that had caused you a hard time on several instances in your office?

Mr. HAMBLEN. I don't remember telling Fenley anything like that.

Mr. LIEBELER. Do you remember signing a statement to that effect for Mr. Wilcox on December 2, 1963, and I show you a copy.

Mr. HAMBLEN. That I told Fenley that I saw that man in there?

Mr. LIEBELER. Yes.

Mr. HAMBLEN. I told Wilcox that I thought I saw him, but I don't think I told Fenley.

Mr. LIEBELER. Read the first paragraph of that statement.

Mr. HAMBLEN (reading). I don't think I told Fenley that. I remember telling Mr. Wilcox that I thought a party had been in there that resembled Oswald, on several different occasions.

Mr. LIEBELER. Well, now the statement that I have shown you here, which is Wilcox Exhibit No. 3005, is a copy of a statement that you signed on December 2, 1963, isn't it? That is your signature?

Mr. HAMBLEN. Yes; that is my signature.

Mr. LIEBELER. Could I have it back, please? Now, that statement says, and I quote:

"I was in conversation with a reporter at the counter and remarked to him that I was watching my TV, enjoying the Ernie Ford show, when word was flashed that the President had been shot and that I thought to myself what a coincidence it was that I recognized the picture of the accused gunman when I recognized it when he was slain in jail. He asked me how I could remember so vividly the photo and my answer to him that the picture was or was the spit image of a party that had caused me a hard time on several instances in his transactions of business within the past several months. (Mr. Bob Fenley was the reporter.)"

Mr. HAMBLEN. Well, now, if I gave Bob any information like that, I don't recall it now. I might have at the time that I wrote the statement.

Mr. LIEBELER. Now you had several conversations with Mr. Wilcox about this whole matter over a period of time?

Mr. HAMBLEN. Yes.

Mr. LIEBELER. Mr. Wilcox and the company conducted a thorough investigation of the files?

Mr. HAMBLEN. I am sure they did.

Mr. LIEBELER. And tried to find the telegrams that you thought this man that was in there may have sent; isn't that right?

Mr. HAMBLEN. Yes.

Mr. LIEBELER. Were you able to find them?

Mr. HAMBLEN. I wasn't able to detect any one.

Mr. LIEBELER. After this investigation was made, Mr. Wilcox showed you these telegrams that you have associated or thought might be associated with Oswald?

Mr. HAMBLEN. They were brought to me in the presence of Mr. Wilcox and the vice president of the company in charge of this investigation.

Mr. LIEBELER. You weren't able to identify any of those telegrams as having been sent by this man you thought looked like Oswald; isn't that right?

Mr. HAMBLEN. That's right. And I think I am pretty good on recognizing handwriting after handling as many as I have over those years of time.

Mr. LIEBELER. To the best of your recollection at this time, do you think that Lee Oswald was ever in your office?

Mr. HAMBLEN. I wouldn't say that it was Lee Oswald. I would say it was

someone that resembled him from the picture that I had seen in the paper and on TV.

Mr. LIEBELER. But you aren't able to state positively that it was Lee Oswald?

Mr. HAMBLER. No, sir.

Mr. LIEBELER. Now, I show you a photograph that has been marked Pizzo Exhibit No. 453-A, and ask you if you can see anybody in that picture that you think might have been the man that was in your office that we have been talking about.

Mr. HAMBLER. No, sir.

Mr. LIEBELER. I show you a picture that has been marked Bringuier Exhibit No. 1, and ask you if you recognize anybody in that picture.

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

Mr. LIEBELER. Do you recall specifically that Mr. Aubrey Lee Lewis at one time in the fall of 1963 had some trouble paying somebody a money order because this fellow expected to get the money order without proper identification; that you became involved in this and helped Mr. Lewis handle it?

Mr. HAMBLER. Yes, sir; I did.

Mr. LIEBELER. Do you remember what the fellow looked like?

Mr. HAMBLER. No; I can't tell you what he looked like.

Mr. LIEBELER. Do you know if it was Lee Harvey Oswald?

Mr. HAMBLER. I wouldn't say that it was.

Mr. LIEBELER. Do you think he resembled Oswald in any way?

Mr. HAMBLER. No; I don't. Different ways people dress and everything, they come in one time and we pay them money orders and the next time they come in we hardly recognize them. I remember it was a very small money order, too small to quibble over. I can't remember where it was from. I know it was under \$10, I know that.

Usually I pay people without identification when it is a small money order, which the clerks are not allowed to do. They have to get my permission before they can make payment on a money order where a person is unable to furnish proper identification. But on small amounts, I take it upon myself to assume the responsibility, hoping that I will pay the right man.

Mr. LIEBELER. After looking at this picture that we have looked at, and after reviewing your recollection, you are not able to identify any of the people who you saw in your office during that period as being Lee Harvey Oswald, isn't that a fact?

Mr. HAMBLER. No, sir.

Mr. LIEBELER. Am I correct in assuming that you are quite certain that Oswald was not a regular customer, in any event? He was never coming into your office at regular intervals, is that correct?

Mr. HAMBLER. Well, I wouldn't say Lee Oswald came in there at regular intervals. We have patrons that visit us sometimes once a week, sometimes half a dozen times a week. If it was him, he was very infrequent. I will say if it was him, he wasn't there over three times, that I recall.

Mr. LIEBELER. There was a fellow that you thought resembled Oswald to some extent that did come in on occasion, or at least two or three times, but you are not able to positively state that it was Oswald?

Mr. HAMBLER. No, sir.

Mr. LIEBELER. Am I correct in understanding that in your discussions with Mr. Wilcox and with the other officials of the company, you did the best that you could to straighten this whole matter out and determine whether it was Oswald or not?

Mr. HAMBLER. I certainly did.

Mr. LIEBELER. You were unable, after working with Mr. Wilcox, to pin down any of these telegrams or money orders that would indicate that it was Oswald?

Mr. HAMBLER. That is correct.

Mr. LIEBELER. Now, specifically, I show you a picture marked "Pizzo Exhibit No. 453-C," and ask you if that looks like that man who was in your office.

Mr. HAMBLER. No; I wouldn't say that that was the man that was in there. No resemblance.

Mr. LIEBELER. I want to cut your testimony as short as I possibly can, because

you are not feeling well. We appreciate your cooperation in coming in when you don't feel well like you have.

Mr. HAMBLEN. I appreciate it. I was in the X-ray all morning and yesterday morning for 2 hours.

Mr. LIEBELER. Thank you very much, Mr. Hamblen, for coming in. I appreciate it very much.

Mr. HAMBLEN. If I can help you any further, well, you have my address.

Mr. LIEBELER. We will get in touch with you.

TESTIMONY OF ROBERT GENE FENLEY

The testimony of Robert Gene Fenley, was taken at 9:45 a.m., on July 14, 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. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Robert Gene Fenley. Mr. Fenley, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

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 President's Commission in conformance with that 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 relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Fenley, 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. Now, I understand that you are appearing here today by virtue of a letter request mailed to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, which you received about 4 days ago?

Mr. FENLEY. That is correct.

Mr. HUBERT. Will you please rise 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. FENLEY. I do.

Mr. HUBERT. Will you state your full name?

Mr. FENLEY. Robert Gene Fenley.

Mr. HUBERT. G-e-n-e is your middle name?

Mr. FENLEY. Correct.

Mr. HUBERT. Where do you live, sir?

Mr. FENLEY. 3701 Strayhorn Drive, Mesquite, Tex.

Mr. HUBERT. What is your occupation, Mr. Fenley?

Mr. FENLEY. Reporter for the Dallas Times Herald.

Mr. HUBERT. How long have you been so employed?

Mr. FENLEY. Nine years.

Mr. HUBERT. How old are you?

Mr. FENLEY. Thirty-six.

Mr. HUBERT. Were you in newspaper work before you joined the Times Herald?

Mr. FENLEY. Yes.

Mr. HUBERT. With what newspaper?

Mr. FENLEY. Prior to the Times Herald, I was with the Lubbock Avalanche Journal, the Denton Record Chronicle, and the Pryor, Oklahoma, Times Democrat.

Mr. HUBERT. Did you go to college, sir?

Mr. FENLEY. I went to Oklahoma University.

Mr. HUBERT. Did you graduate?

Mr. FENLEY. Four years. No; I did not graduate.

Mr. HUBERT. Study journalism?

Mr. FENLEY. Yes; part of the time.

Mr. HUBERT. Your whole adult experience, I gather, therefore, has been in newspaper work?

Mr. FENLEY. That is true.

Mr. HUBERT. Now, do you know a Mr. Hamblen connected with the Western Union Co. here in Dallas?

Mr. FENLEY. Yes; I have talked with him on one occasion. I don't know him personally.

Mr. HUBERT. What was that one occasion?

Mr. FENLEY. The date is rather vague in my mind.

Mr. HUBERT. Can you tell us perhaps the occasion?

Mr. FENLEY. Yes; I am a stringer.

Mr. HUBERT. A what?

Mr. FENLEY. A stringer. A correspondent for Time magazine, and I had written a long piece which we transmitted by Western Union, and I had gone into Western Union to hand this over for transmitting, and I fell in conversation with Mr. Hamblen.

Mr. HUBERT. Had you known him prior to that time?

Mr. FENLEY. No; I had not.

Mr. HUBERT. Could you tell us about what time of day it was?

Mr. FENLEY. It was at night. I forget the exact time of night, but I believe I had driven from Mesquite with the story to give it to Western Union. It might have been 11 or 12 o'clock.

Mr. HUBERT. It happened that Hamblen was the clerk or employee of the Western Union in service?

Mr. FENLEY. Yes, sir.

Mr. HUBERT. Can you tell us how you came to engage him in conversation?

Mr. FENLEY. He noticed the wire or press message which I had, and it had to do with the assassination, or Oswald, frankly. I can't remember the content of the wire, but we sort of chatted there for a moment, and he recalled that he was certain that Oswald had come into the office on occasion.

I don't know whether he used the word several. I took it to mean that. And received some various small amounts of money orders. And certainly this was interesting to me. We kept chatting and I asked him, now how big were the amounts of the orders, and he said, "I don't think there would be anything over \$15, \$10 or \$15." And I asked him, "Now, you are pretty sure this was Oswald? I mean, the guy you have seen in the pictures and things like that?" And he replied he was. He said, "He used to come in and would give the girls a hard time. He was a cantankerous individual."

Mr. HUBERT. Did he mention what girls?

Mr. FENLEY. No; not by name. So he said, "I believe the last time"—and he couldn't recall the date or anything—"that he came in, he went himself to wait on the fellow because he knew that he was sort of difficult to deal with." Well, this was certainly interesting to me as a newspaperman.

Mr. HUBERT. Had you heard that story before?

Mr. FENLEY. No; I had not.

Mr. HUBERT. In other words, your coming upon this story was something of a gratuity?

Mr. FENLEY. It certainly was. I was slightly amazed. And the other thing, there was a marble countertop there in the office, and he said, or he recalled that Oswald had written in what he described a curious sort of printing with, as best he could tell, he wrote out some letters. For instance, an "N" he said as printed by Oswald would have a high rising right side to it. He said it was a rather curious sort of printing.

Mr. HUBERT. Did he demonstrate that to you?

Mr. FENLEY. He demonstrated this on the marble.

Mr. HUBERT. Hamblen did so?

Mr. FENLEY. Yes.

Mr. HUBERT. Did he indicate that it was in a foreign alphabet?

Mr. FENLEY. No.

Mr. HUBERT. Just a peculiar art?

Mr. FENLEY. I took it to be certainly the English alphabet, but with a peculiar sort of printing.

Mr. HUBERT. Did he indicate what was the nature of the difficulty that he had had on previous occasions with the man he said was Oswald?

Mr. FENLEY. Nothing other than an indication that Oswald was difficult to deal with.

Mr. HUBERT. But he didn't say how he was difficult to deal with?

Mr. FENLEY. No; not specifically. Well, at this moment I thought, well, this sounds like quite an interesting story. And Hamblen gave me his card. So I went home, and the next day—

Mr. HUBERT. How long was the conversation?

Mr. FENLEY. Oh, not over 10 minutes long. I asked him also, which I failed to mention, how could we get the records, or how could anyone get the records, and he indicated it would be very difficult.

Of course, this would be very helpful if you would get the names or the identification of people who had sent any money orders to Oswald, and he indicated that there were so many of that type of money order coming in that they just couldn't keep all the records. And I got the impression that it would be either impossible or almost impossible to run it down.

Mr. HUBERT. You mentioned, I think, that you were particularly interested as to the certainty of his identification of Oswald as the man, and that you made some inquiry along that line?

Mr. FENLEY. Yes.

Mr. HUBERT. What did you do by way of testing him, as it were, on that identification?

Mr. FENLEY. Well, as I said, I went home that night, and, of course, we don't have—we are an afternoon newspaper and don't have deadlines until the morning.

The next morning I went to talk to our police reporter, whose name is George Carter, and I hold him what Hamblen had told me. I said I am not too sure of it. I think it needs a double check. And he said, well, I know the guy.

Mr. HUBERT. Meaning Hamblen?

Mr. FENLEY. Yes; he said he knew the fellow over at Western Union, and he said, "I know he is in at Mike's, which is a little barbecue stand across from the city hall." Hamblen would come into Mike's on occasion, and George knew him.

And I said, "George, why don't you go talk to him and see if he will tell you the same thing?" And George did. When he did, we compared notes, and he had told George just precisely, as best we knew, the same content he told me. So George wrote the story.

Mr. HUBERT. Did you yourself make any notes contemporaneously with the conversation with Hamblen or later?

Mr. FENLEY. No; I may have made some at home, jotted down a couple of things on a scrap of paper. In fact, I know I did.

Mr. HUBERT. Is that available?

Mr. FENLEY. I doubt it. I am sure I have thrown it away. I was very interested in the story, but I was sort of afraid to take notes in front of him, since a lot of people will suddenly freeze up when you start taking notes.

Mr. HUBERT. But to come back to the question of identification, I think you mentioned that it struck you that that was the key to the story, as it were?

Mr. FENLEY. Yes.

Mr. HUBERT. Did you press him in any way about the identification?

Mr. FENLEY. Not a great deal. I really, after asking another question about it, saying, "Now you really feel like you saw Oswald," then I didn't press the matter any further, because I was afraid he would freeze up.

Mr. HUBERT. I understand too that his identification, as he stated it to you, was based upon comparison of the mental image he had of the man that had come in with the pictures of Oswald he had seen since the assassination?

Mr. FENLEY. On television. And frankly, for that reason, I wasn't too darn sure that he knew what he was talking about. So I mean, you always have this

suspicion that somebody is trying to identify in the case or something, and this is precisely why I went to Carter and said, "Why don't you talk to him?"

Mr. HUBERT. In other words even on that day you were wondering whether this man really had seen Oswald or not?

Mr. FENLEY. Yes.

Mr. HUBERT. Did he mention to you anything about Oswald having come to collect any money order in company with the person of Spanish or Latin American appearance?

Mr. FENLEY. No; he did one thing, and I am really squeezing my memory here. I believe he said he thought he lived at the "Y" on one occasion, that he came over again—I am not too certain of that because all of this business is really, there is so much of this jumbled up, but I do believe he said he thought he was living at the "Y."

Mr. HUBERT. There was no other person present when you spoke to Hamblen?

Mr. FENLEY. There were people in the foyer of the office.

Mr. HUBERT. But no one in this conversation?

Mr. FENLEY. No one immediately.

Mr. HUBERT. Did Hamblen know who you were?

Mr. FENLEY. I think so, being that I did send the telegram addressed to Time, Inc., and signed Robert Fenley of Dallas Times Herald.

Mr. HUBERT. Did this conversation occur after your story had been filed, or while it was being filed, or interspersed?

Mr. FENLEY. Interspersed.

Mr. HUBERT. And he volunteered all of this?

Mr. FENLEY. Yes.

Mr. HUBERT. I mean the beginning of it?

Mr. FENLEY. Yes; I certainly forgot what preceded his volunteering it, but it was a volunteered thing. Certainly I couldn't have had any information to question him.

Mr. HUBERT. In fact, you did not have any information about this at all?

Mr. FENLEY. No; it took me rather by surprise.

Mr. HUBERT. Now there is one other matter. You indicated you didn't know what day this occurred on, and I wonder if there is any way you could fix it? It would have been, I suppose, after the shooting of Oswald?

Mr. FENLEY. Yes; certainly.

Mr. HUBERT. How long after?

Mr. FENLEY. It wasn't too long after that. Now I remember one other person who came in, and oddly enough he didn't hear the conversation, but there is sort of a coincidence that at the door was a fellow by the name of Marsh Clark who is also a full-time Time man.

Mr. HUBERT. With what?

Mr. FENLEY. I believe he is in Detroit or Chicago.

Mr. HUBERT. With what?

Mr. FENLEY. Time. And also I saw that he had a long thick file, and I casually inquired who he was with, and it turned out he was with Time also. Marsh, I don't believe—in fact I am fairly certain—did not hear what Hamblen had told me.

Mr. HUBERT. Did Marsh Clark come in, or did you see him after your conversation was over?

Mr. FENLEY. Yes; I made myself acquainted to him after the conversation with Hamblen, but he was the only other person that I could identify as being there. I was trying to think by that—now Marsh was still in town, so it must not have been—we could go back to the file on this thing and find that story, and it would have been about 2 days before that story appeared.

Mr. HUBERT. Let me make this point to you. I notice from the calendar that I have before me of the year 1963 that November 28 was Thursday and was Thanksgiving. Could you relate this meeting with Hamblen to that date?

Mr. FENLEY. It seems to me it might be—my memory on these things is terrible—but it seems to me that it might have been around Thanksgiving, now that you mention it.

Mr. HUBERT. Would you say that it was within the week immediately succeeding the shooting of Oswald?

Mr. FENLEY. I couldn't be positive, but I think it could have been; yes. This could be checked very easily by going to the newspaper file and getting the date and then going back a couple of days.

Mr. HUBERT. This Mr. Carter, I think you said, checked with Mr. Hamblen? That is, he told you he did?

Mr. FENLEY. Yes.

Mr. HUBERT. On the same day that you told him about it, which was the next day?

Mr. FENLEY. The next day after; yes.

Mr. HUBERT. I think you mentioned that he said that you suggested that he check it out with Hamblen, and that he did right away, or in a few hours?

Mr. FENLEY. I would have written the story myself, except I felt a little dubious, I must say, of it and I wanted George to do the same thing and see if the story matched. So now, frankly, I am not too positive when George actually talked to Hamblen, but I believe the story appeared on a Saturday morning. So if it could have been Thanksgiving, if Thanksgiving would be on a Thursday, and George talked to him on Friday, it would appear for the Saturday paper.

Mr. HUBERT. But you have a recollection that Clark spoke to you after having spoken to Hamblen?

Mr. FENLEY. Yes; I am certain of that.

Mr. HUBERT. Before the story appeared?

Mr. FENLEY. Yes.

Mr. HUBERT. And told you that the story he got from Hamblen was about the same as what you told him Hamblen told you?

Mr. FENLEY. You mean Carter?

Mr. HUBERT. Yes; George Carter.

Mr. FENLEY. Yes.

Mr. HUBERT. Is there anything else, sir, you would like to comment upon concerning this matter?

Mr. FENLEY. No; Gee, I wish I—I am still very curious about this, but what results, if any, this yielded, frankly, I don't mean this for the record, but I frankly heard that he recanted the tale.

Mr. HUBERT. Let me ask you this. This is a part of the formality of closing these depositions. I don't think, and I ask you to state whether you concur, that there has been any conversation between us this morning other than that which has been recorded in this deposition?

Mr. FENLEY. No.

Mr. HUBERT. You do concur?

Mr. FENLEY. I concur.

Mr. HUBERT. Thank you very much, sir.

Mr. FENLEY. Yes, sir.

TESTIMONY OF AUBREY LEE LEWIS

The testimony of Aubrey Lee Lewis was taken at 11:30 a.m., on July 14, 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. Dean Robert G. Story, special counsel to the attorney general of Texas and Sam Kelley, assistant attorney general of Texas, were present.

Mr. HUBERT. This is the deposition of Aubrey Lee Lewis. Mr. Lewis, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission. 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 President's Commission in conformance with that 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 relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Mr. Lewis, 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. Now I understand, Mr. Lewis, that you appeared here today by virtue of a letter requesting you to do so, addressed to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission.

Mr. LEWIS. Yes.

Mr. HUBERT. When did you receive that?

Mr. LEWIS. It was Friday.

Mr. HUBERT. Friday, the 10th, is that correct?

Mr. LEWIS. Yes.

Mr. HUBERT. Will you stand, please, and take 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. LEWIS. I do.

Mr. HUBERT. Will you state your name?

Mr. LEWIS. Aubrey Lee Lewis.

Mr. HUBERT. Where do you live?

Mr. LEWIS. 2321 Tolosa Drive.

Mr. HUBERT. What is your occupation?

Mr. LEWIS. I am an assistant branch manager.

Mr. HUBERT. Of what?

Mr. LEWIS. Western Union Telegraph Co.

Mr. HUBERT. Where?

Mr. LEWIS. 7620 Lemmon Avenue.

Mr. HUBERT. In what city?

Mr. LEWIS. Dallas, Tex.

Mr. HUBERT. How long have you been so occupied?

Mr. LEWIS. Five years.

Mr. HUBERT. What was your occupation prior to that time?

Mr. LEWIS. U.S. Navy.

Mr. HUBERT. And prior to that?

Mr. LEWIS. High school.

Mr. HUBERT. How old are you?

Mr. LEWIS. Twenty-six.

Mr. HUBERT. So that all of your adult life you have been employed by the Western Union?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. Have you held the same position all that time?

Mr. LEWIS. No; I have held the same position about the last year and a half.

Mr. HUBERT. What are your general duties in that capacity?

Mr. LEWIS. I am an operator to receive and send telegrams, and advise the other personnel, instruct the new personnel about the daily routine of the office.

Mr. HUBERT. Is that branch number known by a particular designation or number?

Mr. LEWIS. It is B-2 branch office.

Mr. HUBERT. On Lemmon?

Mr. LEWIS. Yes; 7620 Lemmon Avenue.

Mr. HUBERT. Do you know Mr. C. A. Hamblen?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. What is his first name?

Mr. LEWIS. Curtis.

Mr. HUBERT. Is he employed by the Western Union?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. Where?

Mr. LEWIS. At 2034 Main, Dallas, Tex.

Mr. HUBERT. That is the downtown office?

Mr. LEWIS. That is the main branch; yes, sir; main office.

Mr. HUBERT. How long have you known him?

Mr. LEWIS. I have known him the better part of 5 years. About 4½.

Mr. HUBERT. Have you ever worked with him?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. When?

Mr. LEWIS. You mean what years, or when?

Mr. HUBERT. I have specifically in mind sometime prior to November 26.

Mr. LEWIS. I worked under him nearly 3 years.

Mr. HUBERT. Where was that?

Mr. LEWIS. That was at the main office, 2034 Main. He is the early night manager.

Mr. HUBERT. At the Main Street branch?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. So that you worked under him at the Main Street branch until about 2 years ago?

Mr. LEWIS. About a year and a half ago.

Mr. HUBERT. Now were you working with him either at the Main Street branch or at the other branch that you mentioned sometime during the fall of 1963?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. Where was that? Which one?

Mr. LEWIS. That was at the Main Street; 2034 Main.

Mr. HUBERT. How did you come to be working there?

Mr. LEWIS. I was pulled in from my job because they were short downtown. People were on vacation.

Mr. HUBERT. How long a period did you work with Mr. Hamblen then at the Main branch?

Mr. LEWIS. I was down 2 weeks altogether, and he was out the first week. I relieved him the first week, and then I relieved this other fellow the second week, and I worked under him the second week I was there.

Mr. HUBERT. So that you worked under Mr. Hamblen at the Main branch during the early night shift for 1 week?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. Could you place that week?

Mr. LEWIS. It was in October, I believe. I am not for sure.

Mr. HUBERT. Would that be a matter of record on this part?

Mr. LEWIS. It is in the paper there. I don't know exactly what date it was.

Mr. HUBERT. I now show you a photostatic copy of a document dated Dallas, Tex., December 4, 1963, addressed to Mr. Wilcox, apparently signed by Aubrey Lee Lewis, which has heretofore been identified as follows: "Exhibit No. 3006 in the deposition of Laurance R. Wilcox at Dallas, Tex., March 31, 1964, WJL." I have shown you this photostatic copy of this document which I have just described, and I now ask you if that is a photostat of your signature?

Mr. LEWIS. Yes.

Mr. HUBERT. Is this document addressed to Mr. Wilcox and identified as I have stated a moment ago, a correct statement of facts, so far as you know?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. Now I wish you would give us further details concerning the incident to which reference is made in this Exhibit No. 3006, Wilcox' deposition, with reference to Hamblen's difficulty with a man named Oswald?

Mr. LEWIS. Well, as I said, I was working the early night money order counter, and this party approached me and said he had a money order, and I asked him for his identification, which he didn't have any at that time. And I asked him could he obtain some, and he said he guessed he could if he had to. He left and came back with some identification. I believe it was a little Navy ID release card. And I paid him on that. He gave me quite a bit of trouble.

Mr. HUBERT. Of what nature?

Mr. LEWIS. Oh, he was cursing and telling how lousy everything was.

Mr. HUBERT. Did Mr. Hamblen have any part in that matter?

Mr. LEWIS. I beg your pardon?

Mr. HUBERT. Did Mr. Hamblen have any part in this matter?

Mr. LEWIS. Well, yes. When we have difficulty with anybody, he comes up and helps us.

Mr. HUBERT. Did he come up on this occasion?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. Did he speak to this individual?
Mr. LEWIS. Yes.
Mr. HUBERT. Can you tell us what conversation or statements passed between Mr. Hamblen and the individual?
Mr. LEWIS. It was just about the identification, about that you have to have it before you can get your money.
Mr. HUBERT. Prior to the time when the man went off to get the identification?
Mr. LEWIS. Yes.
Mr. HUBERT. How long was Mr. Hamblen with this man?
Mr. LEWIS. I couldn't say for sure. I don't really know.
Mr. HUBERT. How long were you with him on the first occasion?
Mr. LEWIS. The first occasion I would say about 4 to 5 minutes.
Mr. HUBERT. Now how long after having left to get the identification did he come back with his identification you referred to?
Mr. LEWIS. It wasn't long. I would say about 15 to 30 minutes.
Mr. HUBERT. Did Mr. Hamblen see him then?
Mr. LEWIS. Yes.
Mr. HUBERT. How do you know that?
Mr. LEWIS. Because he came back up to the counter.
Mr. HUBERT. Mr. Hamblen did?
Mr. LEWIS. Yes.
Mr. HUBERT. Why did he do that? Did you ask him to?
Mr. LEWIS. He saw him come in, and he came back and helped me out with him.
Mr. HUBERT. Was this person disagreeable on the second occasion?
Mr. LEWIS. He was somewhat disagreeable—still in a nasty mood—you might say.
Mr. HUBERT. When you say nasty mood, could you give us an example of what physically happened that you characterize as nasty?
Mr. LEWIS. Well, cursing and telling us how lousy we are, and that he had been paid money orders before and never had to have any identification. And just generally what everybody else tells us. It is nothing new. We hear it quite often.
Mr. HUBERT. Do you remember this person's name?
Mr. LEWIS. No, sir.
Mr. HUBERT. Did Mr. Hamblen tell you that he had had difficulty with this man prior to this occasion?
Mr. LEWIS. No, sir.
Mr. HUBERT. Did he tell you that he had ever cashed any money orders for this person prior to this occasion?
Mr. LEWIS. I don't believe so, no, sir.
Mr. HUBERT. Do you recall any address to the payee?
Mr. LEWIS. The YMCA is the only address that he gave me.
Mr. HUBERT. Was the telegram money order addressed to the YMCA?
Mr. LEWIS. Yes, sir; as far as I can remember, it was.
Mr. HUBERT. Well, now, as I understand it, it must have come in with the telegram?
Mr. LEWIS. He came in with the check.
Mr. HUBERT. The check?
Mr. LEWIS. Yes, sir.
Mr. HUBERT. Your recollection is, the check was addressed to the YMCA, to an individual at the Y?
Mr. LEWIS. We have a rubber stamp at each branch office which is stamped at the top of their checks where it was issued, and as I recall, it was issued at the Cotton Exchange office.
Mr. HUBERT. At the Cotton Exchange office?
Mr. LEWIS. Yes, sir.
Mr. HUBERT. Of Dallas, Tex.?
Mr. LEWIS. Dallas.
Mr. HUBERT. So that there was someone in Dallas sending a money order from the Cotton Exchange office?
Mr. LEWIS. No, sir. That is where it was addressed, to the Cotton Exchange.

That is where the money order was sent to. I have no idea where it was sent from.

Mr. HUBERT. Well, what is this part then about, YMCA?

Mr. LEWIS. We have an "Office Issued" and there is a rubber stamp on the check where it was issued at, but I have no idea or know where it was coming from. That was where the check was written up at, at the Cotton Exchange.

Mr. HUBERT. And it was addressed to the payee?

Mr. LEWIS. To the payee at the YMCA.

Mr. HUBERT. How are those checks handled? For instance, when it was issued by the Cotton Exchange branch, would it have been mailed or delivered?

Mr. LEWIS. Delivered by boy.

Mr. HUBERT. Delivered by boy?

Mr. LEWIS. To the clerk.

Mr. HUBERT. To the addressee?

Mr. LEWIS. To the clerk at the YMCA. The clerk signs for it and keeps them there in a little box they have there.

Mr. HUBERT. Do you know of your own knowledge whether this was done in this case? That is to say, that the clerk receipted for it at the YMCA?

Mr. LEWIS. So far as I know, that is how it was handled.

Mr. HUBERT. I mean if you know that absolutely, or are you just assuming that is the way?

Mr. LEWIS. I am just assuming that is the way it was handled.

Mr. HUBERT. You don't have any particular knowledge on this occasion?

Mr. LEWIS. No; I don't.

Mr. HUBERT. Can you give us a description of this individual?

Mr. LEWIS. The only thing I could remember was that he was of a feminine, very slender build fellow.

Mr. HUBERT. What do you mean?

Mr. LEWIS. Well, he talked funny and peculiar.

Mr. HUBERT. Did he have an accent?

Mr. LEWIS. No accent. Just the way a person acts.

Mr. HUBERT. What was his mannerism?

Mr. LEWIS. Mannerism was feminine.

Mr. HUBERT. In what way?

Mr. LEWIS. Well, I don't know how to describe it.

Mr. HUBERT. Just an overall impression?

Mr. LEWIS. Just an overall impression, of the person. As far as remembering his weight and height and everything like that, I wouldn't. I have no idea.

Mr. HUBERT. Was he dark complexioned?

Mr. LEWIS. Dark complexioned.

Mr. HUBERT. Do you remember the color of his eyes?

Mr. LEWIS. No, sir.

Mr. HUBERT. Had dark hair?

Mr. LEWIS. That is the only thing I remember.

Mr. HUBERT. How was he dressed?

Mr. LEWIS. I don't recall that either.

Mr. HUBERT. Was he alone?

Mr. LEWIS. No, sir. There was a companion with him.

Mr. HUBERT. How did you know that the person with him was with him? In fact was a companion?

Mr. LEWIS. They were talking. They came together and left together both times.

Mr. HUBERT. I understand you to say that the companion of the payee that we have been talking about was of a Latin American or Spanish type?

Mr. LEWIS. Yes; that I do recall.

Mr. HUBERT. By that, you mean what?

Mr. LEWIS. Dark complexioned, and just looked of Spanish descent.

Mr. HUBERT. Latin American?

Mr. LEWIS. Latin American descent.

Mr. HUBERT. They were speaking English?

Mr. LEWIS. Normal speech in English.

Mr. HUBERT. Did you notice any Spanish accent?

Mr. LEWIS. The fellow had a Spanish accent.

Mr. HUBERT. He was accompanied by the boy with a Spanish accent?

Mr. LEWIS. Yes.

Mr. HUBERT. Do you recall anything else that happened?

Mr. LEWIS. No, sir; I wasn't paying much attention to him.

Mr. HUBERT. I don't mean the exact conversation, but just the general situation.

Mr. LEWIS. No; I wouldn't know.

Mr. HUBERT. How would you describe the person of Spanish accent insofar as build and size and weight?

Mr. LEWIS. He was of short and slender build.

Mr. HUBERT. Shorter than the payee?

Mr. LEWIS. About the same.

Mr. HUBERT. About the same weight?

Mr. LEWIS. Approximately, yes.

Mr. HUBERT. Do you remember how he was dressed?

Mr. LEWIS. No, sir.

Mr. HUBERT. Do you recall how much the money order was for?

Mr. LEWIS. No; it was for a small amount. I don't recall the exact amount.

Mr. HUBERT. You had never had any other business with this payee before?

Mr. LEWIS. No, sir.

Mr. HUBERT. You didn't have any afterward?

Mr. LEWIS. No, sir.

Mr. HUBERT. And Hamblen did not mention to you that he had had any before?

Mr. LEWIS. No, sir. The first time I knew about that was when we went into our district manager's office.

Mr. HUBERT. Now, I show you a picture which I have marked for identification on the back thereof on the lower right-hand corner the following words: "Dallas, Tex., July 14, 1964, Exhibit No. 1 of Aubrey L. Lewis." I ask you if this picture resembles the person that you have been testifying about as the payee on the occasion you have mentioned?

Mr. LEWIS. I couldn't say if it resembled him.

Mr. HUBERT. You have no recollection whether it looks like him at all?

Mr. LEWIS. I sure don't.

Mr. HUBERT. You said he had dark hair?

Mr. LEWIS. That is true. He had dark hair, but as far as any features, I don't remember the eyes or nose or anything. I don't recall them.

Mr. HUBERT. You don't recall, as I understand from your statement, that the man's name was Oswald?

Mr. LEWIS. No, sir; I do not recall that.

Mr. HUBERT. You are familiar with the fact that Mr. Hamblen says he was Oswald?

Mr. LEWIS. Yes; I am familiar with that.

Mr. HUBERT. But you don't remember?

Mr. LEWIS. I don't remember.

Mr. HUBERT. You cannot tell us now whether or not the picture shown in Exhibit No. 1, which in fact is a picture of Lee Harvey Oswald, was the man you have been testifying about as the payee of that money order?

Mr. LEWIS. I couldn't say for sure.

Mr. HUBERT. Can you say for sure either way that it was or it was not?

Mr. LEWIS. No; I can't be sure.

Mr. HUBERT. In other words, it could be and it could not be?

Mr. LEWIS. Yes, sir; it could be and it couldn't be. I have no way of knowing.

Mr. HUBERT. You will not say it was not that man?

Mr. LEWIS. I wouldn't say it wasn't, but I wouldn't say it was, because it could be. I don't know.

Mr. HUBERT. Do you recall making any comments to Mr. Hamblen on the occasion that you have been testifying about, and after this payee had left, that you would like to punch the heads of people of this character?

Mr. LEWIS. Yes; I made that statement.

Mr. HUBERT. You made that statement to Mr. Hamblen?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. Why was that?

Mr. LEWIS. Well, he is just a person that kind of gives you a bad time. You can do without that kind. You don't have time to fool with them.

Mr. HUBERT. Now when did it first come to your attention that it was possible that the man that had dealings with you, as you have testified, might be Lee Harvey Oswald?

Mr. LEWIS. Mr. Hamblen, after I had gone back on my job quite sometime, called me at home one night and asked me did I recall when I had paid that party, and I told him I recalled it.

And he asked me did I recognize him as being Oswald, and I said, "No, I have never put it together." I just never did. And I still can't picture the two. I had forgotten all about it.

Mr. HUBERT. When was it that Hamblen approached you, as you say he did, and asked you about this?

Mr. LEWIS. I don't recall the date, but it was a couple of weeks after the assassination, after he was killed.

Mr. HUBERT. You say then it was about the first week in December?

Mr. LEWIS. I would say somewhere along in there. I am not for sure, but it was a short time span.

Mr. HUBERT. Would it thus have been about 2 months after you had had this episode, that this episode occurred between you and this man?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. Then your memory did not associate the payee with Lee Harvey Oswald?

Mr. LEWIS. No, sir.

Mr. HUBERT. At that time had you been shown or looked at pictures of Lee Harvey Oswald?

Mr. LEWIS. I had seen him on TV.

Mr. HUBERT. Have you at any time prior to today been shown a picture of Lee Harvey Oswald as I have shown it to you?

Mr. LEWIS. I don't recall if Mr. Wilcox had one or not. I am not sure. But I saw it in the newspapers and on TV, and I don't recall seeing one that day. I could have. He possibly had one.

Mr. HUBERT. What I am talking about is the day that inquiry was focused upon the possibility of this payee as Lee Harvey Oswald. Were you then shown a picture and asked if it was that man as I have done today?

Mr. LEWIS. I believe I was. I am not for sure, but I believe Mr. Wilcox had one at the time.

Mr. HUBERT. I think you have described the identification card which this payee ultimately produced and which you ultimately recognized?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. I believe you said it was a Navy ID card?

Mr. LEWIS. It was a little release card you get when you get out of the service.

Mr. HUBERT. Did it have a picture on it?

Mr. LEWIS. No, sir. It just had his name and some of them have serial numbers and some of them don't.

Mr. HUBERT. So the identification established then was that the person who held the telegram also held a card addressed to the payee of the telegram?

Mr. LEWIS. Yes.

Mr. HUBERT. Did he have a library card as well?

Mr. LEWIS. I believe it was a library card also.

Mr. HUBERT. That didn't have any picture?

Mr. LEWIS. That didn't have a picture; no. This ID that he had wasn't very good at all, as far as we considered identification to pay money orders.

Mr. HUBERT. Why not?

Mr. LEWIS. We like to have pictures on identification and some legal papers, you might say; insurance and driver's license.

Mr. HUBERT. Driver's license?

Mr. LEWIS. Driver's license; yes.

Mr. HUBERT. Did you ask for that?

Mr. LEWIS. I asked for it, and he didn't have any.

Mr. HUBERT. Did he say he didn't drive?
Mr. LEWIS. He didn't make comment. He said he didn't have any license.
Mr. HUBERT. You think it was about a half hour after the first episode that he returned with the other identification?
Mr. LEWIS. Yes, sir.
Mr. HUBERT. Was the Latin American looking person with him on both occasions?
Mr. LEWIS. Both occasions; yes.
Mr. HUBERT. All right, sir, have you anything to add?
Mr. LEWIS. No, sir.
Mr. HUBERT. I think you made reference to the fact that the check from the Western Union, which was the subject of this whole episode, had been purchased by someone and payable to the payee involved at the Cotton Exchange branch?
Mr. LEWIS. Cotton Exchange branch.
Mr. HUBERT. Is that in Dallas?
Mr. LEWIS. Yes, sir; it is in the Cotton Exchange Building. I think it is on North Ervay.*
Mr. HUBERT. All right, sir, I ask you whether you concur with me that since I have met you today, which was the first time we ever met, there has been no conversation between us other than that which has been covered in the deposition in one way or another, is that correct?
Mr. LEWIS. That's correct.
Mr. HUBERT. Thank you very much, sir.
Mr. LEWIS. Thank you, sir.

TESTIMONY OF DEAN ADAMS ANDREWS, JR.

The testimony of Dean Adams Andrews, Jr., was taken on July 21, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Dean Andrews, having been first duly sworn, was examined and testified as follows:

Mr. LIEBELER. Mr. Andrews, as you know by now, I am an attorney on the staff of the President's Commission. I have been authorized to take your deposition pursuant to authority granted to the Commission by Executive Order No. 11130, dated November 29, 1963, and joint resolution of Congress, No. 137.

I understand that the Secret Service served a subpoena on you last week to be here today, so you have had the requisite notice for the proceeding.

As you are a member of the bar—as you know, of course, you are entitled to counsel, but you can probably forego that if you want to. You also know that you have all the usual privileges not to answer questions on the grounds of incrimination and whatever other privileges you might have and want to exercise.

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

Mr. ANDREWS. Dean, and the middle initial is A, A for Adams, Andrews, Jr.

Mr. LIEBELER. I am correct, am I not, that you are a member of the Bar of Louisiana?

Mr. ANDREWS. I am a member of the bar of the State of Louisiana.

Mr. LIEBELER. And you regularly practice law in the city of New Orleans?

Mr. ANDREWS. That's my office; yes.

Mr. LIEBELER. Where do you live?

Mr. ANDREWS. 207 Metairie Lawn Drive. That's in Metairie, La.

Mr. LIEBELER. Metairie Lawn Drive in Metairie?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Where do you maintain your offices?

Mr. ANDREWS. 627 Maison Blanche Building, New Orleans.

*608 North St. Paul, one block from Ervay and YMCA.

Mr. LIEBELER. I am advised by the FBI that you told them that Lee Harvey Oswald came into your office some time during the summer of 1963. Would you tell us in your own words just what happened as far as that is concerned?

Mr. ANDREWS. I don't recall the dates, but briefly, it is this: Oswald came in the office accompanied by some gay kids. They were Mexicanos. He wanted to find out what could be done in connection with a discharge, a yellow paper discharge, so I explained to him he would have to advance the funds to transcribe whatever records they had up in the Adjutant General's office. When he brought the money, I would do the work, and we saw him three or four times subsequent to that, not in the company of the gay kids. He had this Mexicano with him. I assume he is a Mex because the Latins do not wear a butch haircut.

Mr. LIEBELER. The first time he came in he was with these Mexicans, and there were also some gay kids. By that, of course, you mean people that appeared to you to be homosexuals?

Mr. ANDREWS. Well, they swish. What they are, I don't know. We call them gay kids.

Mr. LIEBELER. Had you ever seen any of those kids before?

Mr. ANDREWS. None of them.

Mr. LIEBELER. Have you seen any of them since?

Mr. ANDREWS. Since the first time they came in?

Mr. LIEBELER. Since the first time they came in?

Mr. ANDREWS. Yes.

Mr. LIEBELER. You have?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Did they ever come back with Oswald?

Mr. ANDREWS. No; Mexicanos came back.

Mr. LIEBELER. Where did you see these gay kids after the first time?

Mr. ANDREWS. First district precinct. Police picked them up for wearing clothes of the opposite sex.

Mr. LIEBELER. How many of them were there?

Mr. ANDREWS. About 50.

Mr. LIEBELER. They weren't all with Oswald, were they?

Mr. ANDREWS. No; Oswald—you see, they made what they call a scoop and put them all in the pokey. I went down for the ones I represented. They were in the holding pavilion. I paroled them and got them out.

Mr. LIEBELER. You do represent from time to time some of these gay kids, is that correct?

Mr. ANDREWS. Yes.

Mr. LIEBELER. You say that some of the gay kids that you saw at the time the police arrested this large group of them for wearing clothes of the opposite sex were the ones that had been with Oswald?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Were you able to identify them by name?

Mr. ANDREWS. No; you see, they just—we don't even open up files on them. We don't open a file. We mark what we call a working file. We make a few notes and put it in the general week's work. If you come back and the office is retained, we make a permanent file and—but these kids come and go like—you know.

Mr. LIEBELER. When were these people picked up by the police as you have told us?

Mr. ANDREWS. Let me think. Some time in May. I went and checked the records. I couldn't find nothing on it. I believe it's May of 1963.

Mr. LIEBELER. They were picked up in May of 1963?

Mr. ANDREWS. On Friday.

Mr. LIEBELER. That was after Oswald had been in your office?

Mr. ANDREWS. After Oswald's initial contact. I think he had come back with this Mexicano one more time.

Mr. LIEBELER. Before these people were arrested?

Mr. ANDREWS. Yes; then the second time he came back, we talked about the yellow paper discharge, about his status as a citizen, and about his wife's status.

Mr. LIEBELER. Now before we get into that, let me try and pin down how long

it was after the first time Oswald came in that these kids all got arrested. All 50 of them for wearing these clothes?

Mr. ANDREWS. I don't know it was 50. That I can't remember.

Mr. LIEBELER. Was it a month? Two months? A week?

Mr. ANDREWS. No; it wasn't that. Ten days at the most.

Mr. LIEBELER. I suppose the New Orleans Police Department files would reflect the dates these people were picked up?

Mr. ANDREWS. I checked the first district's blotter and the people are there, but I just can't get their names. You see, they wear names just like you and I wear clothes. Today their name is Candy; tomorrow it is Butsie; next day it is Mary. You never know what they are. Names are a very improbable method of identification. More sight. Like you see a dog. He is black and white. That's your dog. You know them by sight mostly.

Mr. LIEBELER. Do you remember what date it was that that large arrest was made?

Mr. ANDREWS. No; every Friday is arrest day in New Orleans. They clean them all up. The shotgun squad keeps the riots, the mugging, and all the humbug out. They have been doing that very effectively. You can pick just any Friday.

Mr. LIEBELER. This was on a Friday?

Mr. ANDREWS. It had to be a Friday or Saturday.

Mr. LIEBELER. In May of 1963?

Mr. ANDREWS. Yes.

Mr. LIEBELER. After you saw these kids at this big pickup on Friday or Saturday, did you ever see any of them again after that?

Mr. ANDREWS. No; still looking for them. They owe me a fee.

Mr. LIEBELER. They are always the hardest ones to find.

Mr. ANDREWS. They usually pay. They are screwed in.

Mr. LIEBELER. What did Oswald say to you about his own citizenship status? You say that he mentioned that the second time he came back. What did he talk to you about in that regard?

Mr. ANDREWS. They came in usually after hours, about 5, 5:15, and as I recall, he had alleged that he had abandoned his citizenship. He didn't say how; he didn't say where. I assumed that he was one of the people who wanted to join The Free World and—I represented one or two of them. They had belonged to The World Citizenship—I explained to him there are certain steps he had to do, such as taking an oath of loyalty to a foreign power, voting in a foreign country election, or some method that is recognized defectively as loss of citizenship. Then I told him, "Your presence in the United States is proof you are a citizen. Otherwise, you would be an alien with an alien registration with a green card, form 990."

Mr. LIEBELER. Had he told you he had been out of the country?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Did he tell you where he had gone?

Mr. ANDREWS. No.

Mr. LIEBELER. Since he had been out of the country, the fact that he was back and didn't have an alien card was proof he was a citizen?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Do you remember any other part of the conversation?

Mr. ANDREWS. When he asked the questions—I don't know which visit it was—about citizenship of his wife, I asked the birthplace or origin cited for citizenship purposes—that's what counts—and he said Russia, so I just assumed he had met someone somewhere, some place, either in Russia or in Europe, married them, and brought them over here as a GI, a GI bride, and wanted to go through the routine of naturalization, which is 3 years after lawful admission into the United States if you are married, and five years if you are not, maintain the status here in the States cumulatively for 5 years.

Mr. LIEBELER. Did he indicate that he wanted to institute citizenship proceedings for his wife?

Mr. ANDREWS. Yes; I told him to go to Immigration and get the forms. Cost him \$10. All he had to do was execute them. He didn't need a lawyer. That was the end of that.

Mr. LIEBELER. How many times did he come into your office?

Mr. ANDREWS. Minimum of three, maximum of five, counting initial visit.

Mr. LIEBELER. And did you talk about different subjects at different times? As I understand it, the first time he came there, he was primarily concerned about his discharge, is that correct?

Mr. ANDREWS. Well, I may have the subject matter of the visits reversed because with the company he kept and the conversation—he could talk fairly well—I figured that this was another one of what we call in my office free alley clients, so we didn't maintain the normalcy with the file that—might have scratched a few notes on a piece of pad, and 2 days later threw the whole thing away. Didn't pay too much attention to him. Only time I really paid attention to this boy, he was in the front of the Maison Blanche Building giving out these kooky Castro things.

Mr. LIEBELER. When was this, approximately?

Mr. ANDREWS. I don't remember. I was coming from the NBC building, and I walked past him. You know how you see somebody, recognize him. So I turned around, came back, and asked him what he was doing giving that junk out. He said it was a job. I reminded him of the \$25 he owed the office. He said he would come over there, but he never did.

Mr. LIEBELER. Did he tell you that he was getting paid to hand out this literature?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Did he tell you how much?

Mr. ANDREWS. No.

Mr. LIEBELER. Do you remember telling the FBI that he told you that he was being paid \$25 a day for handing out these leaflets?

Mr. ANDREWS. I could have told them that. I know I reminded him of the \$25. I may have it confused, the \$25. What I do recall, he said it was a job. I guess I asked him how much he was making. They were little square chits a little bit smaller than the picture you have of him over there [indicating].

Mr. LIEBELER. He was handing out these leaflets?

Mr. ANDREWS. They were black-and-white pamphlets extolling the virtues of Castro, which around here doesn't do too good. They have a lot of guys, Mexicanos and Cubanos, that will tear your head off if they see you fooling with these things.

Mr. LIEBELER. What were they like?

Mr. ANDREWS. They were pamphlets, single-sheet pamphlets.

Mr. LIEBELER. Just one sheet? It wasn't a booklet?

Mr. ANDREWS. No.

Mr. LIEBELER. What color were the pamphlets? You say it was white paper?

Mr. ANDREWS. White paper offset with black.

Mr. LIEBELER. Could it have been yellow paper?

Mr. ANDREWS. I am totally colorblind. I wouldn't know. But I think it is black and white.

Mr. LIEBELER. You are colorblind?

Mr. ANDREWS. Yes. Most of them wanted it around there. You give it to them, the people look at it and they drop it, right now.

Mr. LIEBELER. Do you remember what day of the week this was that you saw him handing this stuff out?

Mr. ANDREWS. It was in the middle of the week, around Tuesday or Wednesday.

Mr. LIEBELER. Where is the Maison Blanche Building? What street is it on?

Mr. ANDREWS. 921 Canal Street. It is on this side. It is bounded by Dauphine and Burgundy.

Mr. LIEBELER. How far is it from the International Trade Mart?

Mr. ANDREWS. It depends on what route you take. If you come up Camp Street, it would be two blocks to Canal and four blocks toward the cemetery; so it would be about six blocks. It would be six blocks no matter which way you went, but you would walk four blocks on Common Street or Gravier, and then two blocks over the other way.

Mr. LIEBELER [handing picture to witness]. I show you a picture that has

been marked as "Garner Exhibit No. 1," and ask you if you recognize the individual in that picture and the street scene, if you are familiar with it.

Mr. ANDREWS. This is Oswald.

Mr. LIEBELER. That's the fellow who was in your office?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Do you have any doubt about that in your mind?

Mr. ANDREWS. I don't believe; no. This is him. I just can't place it. This isn't where I saw him. This is probably around the vicinity of the International Trade Mart.

Mr. LIEBELER [handing picture to witness]. I show you another picture that has been marked for identification as "Bringuier Exhibit No. 1," and ask you if you recognize anybody in that picture and the street scene.

Mr. ANDREWS. Oswald is marked with an X, and a client of mine is over here on the right-hand side.

Mr. LIEBELER. Is that a paying client or what?

Mr. ANDREWS. No; paying client [indicating]. And this dress belongs to a girl friend.

Mr. LIEBELER. Which one is your client?

Mr. ANDREWS. It should be three. There's two sisters and this young lady [indicating].

Mr. LIEBELER. What's her name?

Mr. ANDREWS. I don't remember.

Mr. LIEBELER. You are referring to the woman that appears on the far right-hand side of the picture with a handbag on her arm?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Now you say Oswald is marked with an X, and you identify that as the man that you saw in your office and the same man you saw passing out pamphlets?

Mr. ANDREWS. Yes.

Mr. LIEBELER. I call your attention specifically to the second man who is standing behind Oswald to his right and facing toward the front wearing a white, short-sleeved shirt and necktie, who also appears to have some leaflets in his hand. Have you ever seen that man before?

Mr. ANDREWS. The Mexicano that I associate Oswald with is approximately the same height, with the exception that he has a pronounced short butch haircut. He is stocky, well built.

Mr. LIEBELER. The fellow that I have indicated to you on "Bringuier Exhibit No. 1" is too slightly built to be associated with Oswald; is that correct?

Mr. ANDREWS. He is stocky. Has what they call an athletic build.

Mr. LIEBELER. Was this other fellow taller than Oswald or shorter than Oswald?

Mr. ANDREWS. Very close. Not taller. Probably same height; maybe a little smaller.

Mr. LIEBELER. How much would you say the Mexican weighed, approximately?

Mr. ANDREWS. About 160, 165.

Mr. LIEBELER. You say he was of medium build or heavy build?

Mr. ANDREWS. Well, stocky. He could go to "Fist City" pretty good if he had to.

Mr. LIEBELER. How old would you say he was?

Mr. ANDREWS. About 26. Hard to tell.

Mr. LIEBELER. Do you remember what he was wearing when he came into the office with Oswald on these different occasions?

Mr. ANDREWS. Normally, different colored silk pongee shirts, which are pretty rare, you know, for the heat, or what appeared to be pongee material.

Mr. LIEBELER. Did you ever talk to this other fellow?

Mr. ANDREWS. Well, he talked Spanish, and all I told him was poco poco. That was it.

Mr. LIEBELER. Do you speak Spanish?

Mr. ANDREWS. I can understand a little. I can if you speak it. I can read it. That's about all.

Mr. LIEBELER [handing picture to witness]. I show you a picture which has been marked "Frank Pizzo Exhibit No. 453-C," and ask you if that is the same

man that was in your office and the same man you say was passing out literature in the street.

Mr. ANDREWS. It appears to be.

Mr. LIEBELER. Would you recognize this Mexican again if you saw him?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Do you remember telling the FBI that you wouldn't be able to recognize him again if you saw him?

Mr. ANDREWS. Probably did. Been a long time. There's three people I am going to find: One of them is the real guy that killed the President; the Mexican; and Clay Bertrand.

Mr. LIEBELER. Do you mean to suggest by that statement that you have considerable doubt in your mind that Oswald killed the President?

Mr. ANDREWS. I know good and well he did not. With that weapon, he couldn't have been capable of making three controlled shots in that short time.

Mr. LIEBELER. You are basing your opinion on reports that you have received over news media as to how many shots were fired in what period of time; is that correct?

Mr. ANDREWS. I am basing my opinion on five years as an ordnanceman in the Navy. You can lean into those things, and with throwing the bolts—if I couldn't do it myself, 8 hours a day, doing this for a living, constantly on the range, I know this civilian couldn't do it. He might have been a sharp marksman at one time, but if you don't lean into that rifle and don't squeeze and control consistently, your brain can tell you how to do it, but you don't have the capability.

Mr. LIEBELER. You have used a pronoun in this last series of statements, the pronoun "it." You are making certain assumptions as to what actually happened, or you have a certain notion in your mind as to what happened based on material you read in the newspaper?

Mr. ANDREWS. It doesn't make any difference. What you have to do is lean into a weapon, and, to fire three shots controlled with accuracy, this boy couldn't do it. Forget the President.

Mr. LIEBELER. You base that judgment on the fact that, in your own experience, it is difficult to do that sort of thing?

Mr. ANDREWS. You have to stay with it. You just don't pick up a rifle or a pistol or whatever weapon you are using and stay proficient with it. You have to know what you are doing. You have to be a conniver. This boy could have connived the deal, but I think he is a patsy. Somebody else pulled the trigger.

Mr. LIEBELER. However, as we have indicated, it is your opinion. You don't have any evidence other than what you have already told us about your surmise and opinions about the rifle on which to base that statement; is that correct? If you do, I want to know what it is.

Mr. ANDREWS. If I did, I would give it to you. It's just taking the 5 years and thinking about it a bit. I have fired as much as 40,000 rounds of ammo a day for 7 days a week. You get pretty good with it as long as you keep firing. Then I have gone back after 2 weeks. I used to be able to take a shotgun, go on a skeet, and pop 100 out of 100. After 2 weeks, I could only pop 60 of them. I would have to start shooting again, same way with the rifle and machineguns. Every other person I knew, same thing happened to them. You just have to stay at it.

Mr. LIEBELER. Now, did you see Oswald at any time subsequent to that time you saw him in the street handing out literature?

Mr. ANDREWS. I have never seen him since.

Mr. LIEBELER. Can you tell us what month that was, approximately?

Mr. ANDREWS. Summertime. Before July. I think the last time would be around—the last could have been, I guess, around the 10th of July.

Mr. LIEBELER. Around the 10th of July?

Mr. ANDREWS. I don't believe it was after that. It could have been before, but not after.

Mr. LIEBELER. Now, you mentioned this Mexican that accompanied Oswald to your office. Have you seen him at any time subsequent to the last time Oswald came into your office?

Mr. ANDREWS. No.

Mr. LIEBELER. Can you tell us approximately how long a period of time elapsed

from the last time Oswald came into your office to the last time you saw him in the street handing out literature?

Mr. ANDREWS. I would say about 6 weeks, just guessing.

Mr. LIEBELER. And you have never seen the Mexican at any other time since then?

Mr. ANDREWS. No. He just couldn't have disappeared because the Mexican community here is pretty small. You can squeeze it pretty good, the Latin community. He is not known around here.

Mr. LIEBELER. Have you made an attempt to find him since the assassination?

Mr. ANDREWS. Yes.

Mr. LIEBELER. And you haven't had any success?

Mr. ANDREWS. No. Not too many places they can go not being noticed.

Mr. LIEBELER. Was there anybody else with Oswald that day you saw him handing out literature?

Mr. ANDREWS. Oh, people standing there with him. Whether they were with him or not, I wouldn't know.

Mr. LIEBELER. Did it appear that there was anybody else helping him hand out literature?

Mr. ANDREWS. There was one person, but they had no literature. They weren't giving anything out. Let me see that picture of that little bitty guy, that weasel before.

Mr. LIEBELER. [handing picture to witness]. This is Bringuier Exhibit No. 1.

Mr. ANDREWS. No; he resembled this boy, but it is not him. It is a pale face instead of a Latin.

Mr. LIEBELER. When you talked to Oswald on the street that day, did he give you any idea who was paying him to hand this stuff out?

Mr. ANDREWS. No; he just said, "It's a job."

Mr. LIEBELER. My understanding is, of course, that you are here under subpoena and subpoena duces tecum, asking you to bring with you any records that you might have in your office indicating or reflecting Oswald's visit, and my understanding is that you indicated that you were unable to find any such records.

Mr. ANDREWS. Right. My office was rifled shortly after I got out of the hospital, and I talked with the FBI people. We couldn't find anything prior to it. Whoever was kind enough to mess my office up, going through it, we haven't found anything since.

Mr. LIEBELER. You have caused a thorough search to be made of your office for these records?

Mr. ANDREWS. Yes.

Mr. LIEBELER. You haven't been able to come up with anything?

Mr. ANDREWS. No.

Mr. LIEBELER. Did there come a time after the assassination when you had some further involvement with Oswald, or at least an apparent involvement with Oswald; as I understand it?

Mr. ANDREWS. No; nothing at all with Oswald. I was in Hotel Dieu, and the phone rang and a voice I recognized as Clay Bertrand asked me if I would go to Dallas and Houston—I think—Dallas, I guess, wherever it was that this boy was being held—and defend him. I told him I was sick in the hospital. If I couldn't go, I would find somebody that could go.

Mr. LIEBELER. You told him you were sick in the hospital and what?

Mr. ANDREWS. That's where I was when the call came through. It came through the hospital switchboard. I said that I wasn't in shape enough to go to Dallas and defend him and I would see what I could do.

Mr. LIEBELER. Now what can you tell us about this Clay Bertrand? You met him prior to that time?

Mr. ANDREWS. I had seen Clay Bertrand once some time ago, probably a couple of years. He's the one who calls in behalf of gay kids normally, either to obtain bond or parole for them. I would assume that he was the one that originally sent Oswald and the gay kids, these Mexicanos, to the office because I had never seen those people before at all. They were just walk-ins.

Mr. LIEBELER. You say that you think you saw Clay Bertrand some time about 2 years prior to the time you received this telephone call that you have just told us about?

Mr. ANDREWS. Yes ; he is mostly a voice on the phone.

Mr. LIEBELER. What day did you receive the telephone call from Clay Bertrand asking you to defend Oswald?

Mr. ANDREWS. I don't remember. It was a Friday or a Saturday.

Mr. LIEBELER. Immediately following the assassination?

Mr. ANDREWS. I don't know about that. I didn't know. Yes ; I did. I guess I did because I was—they told me I was squirrely in the hospital.

Mr. LIEBELER. You had pneumonia ; is that right?

Mr. ANDREWS. Yes.

Mr. LIEBELER. And as I understand it, you were under heavy sedation at that time in connection with your treatment for pneumonia?

Mr. ANDREWS. Yes ; this is what happened : After I got the call, I called my secretary at her home and asked her if she had remembered Lee Harvey Oswald's file. Of course, she didn't remember, and I had to tell her about all the kooky kids. She thought we had a file in the office. I would assume that he would have called subsequent to this boy's arrest. I am pretty sure it was before the assassination. I don't know.

Mr. LIEBELER. You don't mean before the assassination—don't you mean before Oswald had been shot? After the assassination and before Oswald had been shot?

Mr. ANDREWS. After Oswald's arrest and prior to his——

Mr. LIEBELER. His death?

Mr. ANDREWS. His death.

Mr. LIEBELER. Now my recollection from reviewing reports from the FBI is that you first advised the FBI of this, telling them that you recall that Clay Bertrand had called you at some time between 6 o'clock and 9 o'clock in the evening and spoke to you about this matter. Do you remember telling the FBI about that?

Mr. ANDREWS. I remember speaking with them. The exact words, I do not, but that's probably correct.

Mr. LIEBELER. Do you remember what time approximately that Clay Bertrand did call you?

Mr. ANDREWS. I will tell you : They feed around 4:30. By the time I got fed, it was about 5 o'clock. They picked the tray up. So that's about the right time. It's around that time.

Mr. LIEBELER. Now you said that after Clay Bertrand called you, you called your secretary and asked her if she remembered the Oswald file : is that correct?

Mr. ANDREWS. Yes ; she didn't remember Oswald at all. She knows that occasionally these people walk in and out of the office and she had remembered something, but nothing of any value.

Mr. LIEBELER. And do you remember that after you got out of the hospital, you discussed with your secretary the telephone call that you made to her at home?

Mr. ANDREWS. Yes.

Mr. LIEBELER. And do you recall that she said that she remembered that you called her at approximately 4 o'clock on the afternoon of November 23, 1963?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Now have you—let's take it one step further : Do you also recall the fact that your private investigator spent most of that afternoon with you in your hospital room?

Mr. ANDREWS. Yes ; he was there.

Mr. LIEBELER. He was there with you?

Mr. ANDREWS. Yes ; Preston M. Davis.

Mr. LIEBELER. Do you remember approximately what time he left?

Mr. ANDREWS. No.

Mr. LIEBELER. Would it have been before you called your secretary or afterwards?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Before you called?

Mr. ANDREWS. No ; after.

Mr. LIEBELER. After you called your secretary?

Mr. ANDREWS. Let's see. He wasn't there when I made the phone call. He

wasn't there when Clay Bertrand called me, I am pretty sure, because he would have remembered it if I didn't.

Mr. LIEBELER. You discussed it and he doesn't, in fact, remember that you received the telephone call from Clay Bertrand?

Mr. ANDREWS. He wasn't there. While he was there, we received no call from Clay Bertrand or no call concerning the office or business because I would have talked to him about it.

Mr. LIEBELER. You say that he left before you called your secretary?

Mr. ANDREWS. I think he left around chow time, which, I think, is around 4 o'clock. I could be wrong.

Mr. LIEBELER. Now after giving this time sequence that we have talked about here the consideration that I am sure you have after discussing it with the FBI, have you come up with any solution in your own mind to the apparent problems that exist here? That is to say, that your recollection is that you called your secretary after you received the call from Clay Bertrand and you called your secretary at 4 o'clock, which would indicate that you must have received the call from Clay Bertrand prior to 4 o'clock, but you did not receive the call from Mr. Bertrand while Mr. Davis was there, and he left at approximately 4 o'clock or shortly before you called your secretary, in addition to which, you first recall receiving the call from Clay Bertrand some time between 6 o'clock and 9 o'clock in the evening.

Mr. ANDREWS. Well, the time factor I can't help you with. It is impossible. But I feel this: I wouldn't have called my secretary—if I couldn't get her to verify it, I would tell you that I was smoking weed. You know, sailing out on cloud 9.

Mr. LIEBELER. But, in fact, she did verify the fact that you did call her?

Mr. ANDREWS. Yes; I often thought it was a nightmare or a dream, but it isn't. It's just that I can't place—other than what I told Regis Kennedy and John Rice, the exact time I can't help you on. But if it hadn't been for calling her and asking her—

Mr. LIEBELER. To look up the Oswald file or if she remembered the Oswald file?

Mr. ANDREWS. Yes; I would just say I have a pretty vivid imagination and let's just forget it. Anything other than the law practice—I would say that what Regis suspects is that I was full of that dope, but I normally take certain steps, and this is the way I would have done it is what I did. I called her. Had Davis been there when the call came in, Davis would have been told, and he would have left the hospital, went down to the office, and shook the office down for the file, and called me from there before he went home. I know it couldn't have come in while he was there. The only media of time that I can use is either medication or food. Of course, being fat, I like food. I wasn't much interested in food. They weren't feeding me too much, and I am pretty sure it was after medication and food and the tray had been picked up that the call came in.

Mr. LIEBELER. Of course, they fed you more than once up there?

Mr. ANDREWS. They feed three times a day, but they don't feed you enough to keep a sparrow alive.

Mr. LIEBELER. Well, in any event, you are not able to clarify for us the sequence of what happened?

Mr. ANDREWS. Well, the sequence of events had to be this: Davis spent Saturday afternoon with me. He probably left just before chow, and then I ate, and the phone call came in some time after chow. I am positive it wasn't as late as 9 o'clock. I think the latest it could have been is 6, but Miss Springer says I called her some time around 4, 4:30—I don't know which.

Mr. LIEBELER. Miss Springer is your secretary?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Now do you recall talking to an FBI agent, Regis L. Kennedy, and Carl L. Schlaeger on November 25?

Mr. ANDREWS. I don't remember—Kennedy, yes; Schlaeger, no. I don't even know if he was in the same room. I don't think I have even seen him, much less talk to him.

Mr. LIEBELER. Kennedy was; yes?

Mr. ANDREWS. Yes.

Mr. LIEBELER. They usually go around in pairs?

Mr. ANDREWS. Well, they work in teams, so he's got to have been there.

Mr. LIEBELER. Now Kennedy came and visited you at the hospital; is that correct?

Mr. ANDREWS. Right.

Mr. LIEBELER. Now——

Mr. ANDREWS. I remember that pretty good because I called the Feebees, and the guy says to put the phone, you know, and nothing happened.

Mr. LIEBELER. The Feebees?

Mr. ANDREWS. That's what we call the Federal guys. All of a sudden, like a big hurricane, here they come.

Mr. LIEBELER. Do you remember telling him at that time that you thought that Clay Bertrand had come into the office with Oswald when Oswald had been in the office earlier last spring?

Mr. ANDREWS. No; I don't remember.

Mr. LIEBELER. Was Bertrand ever in the office with Oswald?

Mr. ANDREWS. Not that I remember.

Mr. LIEBELER. Do you have a picture in your mind of this Clay Bertrand?

Mr. ANDREWS. Oh, I ran up on that rat about 6 weeks ago and he spooked, ran in the street. I would have beat him with a chain if I had caught him.

Mr. LIEBELER. Let me ask you this: When I was down here in April, before I talked to you about this thing, and I was going to take your deposition at that time, but we didn't make arrangements, in your continuing discussions with the FBI, you finally came to the conclusion that Clay Bertrand was a figment of your imagination?

Mr. ANDREWS. That's what the Feebees put on. I know that the two Feebees are going to put these people on the street looking, and I can't find the guy, and I am not going to tie up all the agents on something that isn't that solid. I told them, "Write what you want, that I am nuts. I don't care." They were running on the time factor, and the hills were shook up plenty to get it, get it, get it. I couldn't give it to them. I have been playing cops and robbers with them. You can tell when the steam is on. They are on you like the plague. They never leave. They are like cancer. Eternal.

Mr. LIEBELER. That was the description of the situation?

Mr. ANDREWS. It was my decision if they were to stay there. If I decide yes, they stay. If I decide no, they go. So I told them, "Close your file and go some place else." That's the real reason why it was done. I don't know what they wrote in the report, but that's the real reason.

Mr. LIEBELER. Now subsequent to that time, however, you actually ran into Clay Bertrand in the street?

Mr. ANDREWS. About 6 weeks ago. I am trying to think of the name of this bar. That's where this rascal bums out. I was trying to get past him so I could get a nickel in the phone and call the Feebees or John Rice, but he saw me and spooked and ran. I haven't seen him since.

Mr. LIEBELER. Did you talk to him that day?

Mr. ANDREWS. No; if I would have got close enough to talk to him. I would have grabbed him.

Mr. LIEBELER. What does this guy look like?

Mr. ANDREWS. He is about 5 feet 8 inches. Got sandy hair, blue eyes, ruddy complexion. Must weigh about 165, 170, 175. He really took off, that rascal.

Mr. LIEBELER. He recognized you?

Mr. ANDREWS. He had to because if he would have let me get to that phone and make the call, he would be in custody.

Mr. LIEBELER. You wanted to get hold of this guy and make him available to the FBI for interview, or Mr. Rice of the Secret Service?

Mr. ANDREWS. What I wanted to do and should have done is crack him in the head with a bottle, but I figured I would be a good, law-abiding citizen and call them and let them grab him, but I made the biggest mistake of the century. I should have grabbed him right there. I probably will never find him again. He has been bugging me ever since this happened.

Mr. LIEBELER. Now before you ran into Clay Bertrand in the street on this day, did you have a notion in your mind what he looked like?

Mr. ANDREWS. I had seen him before one time to recognize him.

Mr. LIEBELER. When you saw him that day, he appeared to you as he had before when you recognized him?

Mr. ANDREWS. He hasn't changed any appearance, I don't think. Maybe a little fatter, maybe a little skinnier.

Mr. LIEBELER. Now I have a rather lengthy report of an interview that Mr. Kennedy had with you on December 5, 1963, in which he reports you as stating that you had a mental picture of Clay Bertrand as being approximately 6 feet 1 inch to 6 feet 2 inches in height, brown hair, and well dressed.

Mr. ANDREWS. Yes.

Mr. LIEBELER. Now this description is different, at least in terms of height of the man, than the one you have just given us of Clay Bertrand.

Mr. ANDREWS. But, you know, I don't play Boy Scouts and measure them. I have only seen this fellow twice in my life. I don't think there is that much in the description. There may be some to some artist, but to me, there isn't that much difference. Might be for you all.

Mr. LIEBELER. I think you said he was 5 feet 8 inches before.

Mr. ANDREWS. Well, I can't give you any better because this time I was looking for the fellow, he was sitting down. I am just estimating. You meet a guy 2 years ago, you meet him, period.

Mr. LIEBELER. Which time was he sitting down?

Mr. ANDREWS. He was standing up first time.

Mr. LIEBELER. I thought you met him on the street the second time when you—

Mr. ANDREWS. No, he was in a barroom.

Mr. LIEBELER. He was sitting in a bar when you saw him 6 weeks ago?

Mr. ANDREWS. A table at the right-hand side. I go there every now and then spooking for him.

Mr. LIEBELER. What's the name of the bar you saw him in that day, do you remember?

Mr. ANDREWS. Cosimo's, used to be. Little freaky joint.

Mr. LIEBELER. Well, now, if you didn't see him standing up on that day—

Mr. ANDREWS. No.

Mr. LIEBELER. So that you didn't have any basis on which to change your mental picture of this man in regard to his height from the first one that you had?

Mr. ANDREWS. No.

Mr. LIEBELER. I am at a loss to understand why you told Agent Kennedy on December 5 that he was 6 feet 1 to 6 feet 2 and now you have told us that he was 5 feet 8 when at no time did you see the man standing up.

Mr. ANDREWS. Because, I guess, the first time—and I am guessing now—

Mr. LIEBELER. Is this fellow a homosexual, do you say?

Mr. ANDREWS. Bisexual. What they call a swinging cat.

Mr. LIEBELER. And you haven't seen him at any time since that day?

Mr. ANDREWS. I haven't seen him since.

Mr. LIEBELER. Now have you had your office searched for any records relating to Clay Bertrand?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Have you found anything?

Mr. ANDREWS. No; nothing.

Mr. LIEBELER. Has this fellow Bertrand sent you business in the past?

Mr. ANDREWS. Prior to—I guess the last time would be February of 1963.

Mr. LIEBELER. And mostly he refers, I think you said, these gay kids, is that right?

Mr. ANDREWS. Right.

Mr. LIEBELER. In discussing this matter with your private detective, Mr. Davis, and Miss Springer, your secretary, have you asked them whether or not they have any recollection of ever having seen Oswald in the office?

Mr. ANDREWS. Davis does; Springer doesn't.

Mr. LIEBELER. Davis does have a recollection?

Mr. ANDREWS. Yes; he recalls. He usually stays with me until about closing time. We review whatever he is doing, and he remembers them as a group.

Mr. LIEBELER. So he was there then the first time they were there? The only time that he was with a group is the first time, is that right?

Mr. ANDREWS. Right.

Mr. LIEBELER. Have you discussed with Miss Springer and Mr. Davis the whereabouts or any recollection they might have about Clay Bertrand?

Mr. ANDREWS. They weren't with me, I believe, at the time I knew Bertrand.

Mr. LIEBELER. Have you discussed it with them?

Mr. ANDREWS. Yes; but they weren't employed by me at the time I knew him.

Mr. LIEBELER. So they have no recollection of Bertrand?

Mr. ANDREWS. No.

Mr. LIEBELER. When Oswald came into your office, of course, he told you what his name was, didn't he?

Mr. ANDREWS. Lee Oswald. I don't know whether that's his name or not.

Mr. LIEBELER. But that's what he told you?

Mr. ANDREWS. That's what he told me.

Mr. LIEBELER. Do you remember discussing or mentioning his name to Davis at any time prior to November 23, 1963?

Mr. ANDREWS. What the procedure is—I am in a different office now than I was then, and it was a very small office, and they would come into it—well, what I would call my office—and they just had the reception room out in the front, and Davis would go out there, and on those matters, it's not a matter that he would be discussing, but probably some words passed as to the swishing and the characteristics that they had, but other than that in the business, unless something is assigned to him, he knows nothing in that office unless it is assigned to him.

Mr. LIEBELER. So you say you probably did not mention Oswald's name to Davis?

Mr. ANDREWS. I probably did not, other than we commented on the group in general, but none of the business that was involved or any names.

Mr. LIEBELER. Is it an extraordinary thing for a bunch of gay kids to come into your office like that, or did they come from time to time?

Mr. ANDREWS. Well, let's see. Last week there were six of them in there. Depends on how bad the police are rousing them. They shoo them in. My best customers are the police. They shoo them into the office. God bless the police.

Mr. LIEBELER. Did you ever know a man by the name of Kerry Thornley as one of these gay kids?

Mr. ANDREWS. No.

Mr. LIEBELER. Have you ever heard of Thornley?

Mr. ANDREWS. No; I represent them and that's about all there is to it. When they owe me money, I know where to go grab them, and that's about as far as it goes. Is he supposed to be down here?

Mr. LIEBELER. Thornley?

Mr. ANDREWS. Yes; I can find out if he ever made the scene here real easy.

Mr. LIEBELER. No; he is not in New Orleans, I don't think, at the moment. When Oswald told you about his discharge, did he tell you what branch of the service he had been in?

Mr. ANDREWS. No.

Mr. LIEBELER. Did he tell you why he got discharged?

Mr. ANDREWS. No.

Mr. LIEBELER. Did he tell you what kind of a discharge he had?

Mr. ANDREWS. He told me he was dishonorably discharged. That's what I call a yellow sheet discharge. I told him I needed his serial number, the service he was in, the approximate time he got discharged, and, I think, \$15 or \$25, I forget which, and to take the service, his rate or rank, the serial number, and to write to the Adjutant General for the transcript of the proceedings that washed him out so that they could be examined and see if there was any method of reopening or reconsideration on the file.

Mr. LIEBELER. But he did not tell you any of those things?

Mr. ANDREWS. No; he said he would come back, and he came back, but I still didn't get his serial number and I still didn't get the money.

Mr. LIEBELER. Do you remember specifically that he stated he had a dishonorable discharge as opposed to some other kind of discharge? Do you have a specific recollection on that?

Mr. ANDREWS. We call them in the Navy, B.C.D.'s and I associated that. He never mentioned the specific type discharge. It was one that was other than honorable, as we would put it in the legal sense. I just assumed it was a B.C.D. if he was in the Marines or Navy. If he was in the Army, it's a yellow discharge.

Mr. LIEBELER. Did he tell you if he was working at that time or if he had a job when he first came into your office?

Mr. ANDREWS. Never asked him.

Mr. LIEBELER. Did he associate his other than honorable discharge with difficulty in obtaining employment?

Mr. ANDREWS. I just don't remember. He had a reason why he wanted it reopened. What, I don't recall. He had a reason. I don't recall. He mentioned a reason, but I don't recall. I was trying to remember where they were seated to see if that would help, but no.

Mr. LIEBELER. Tell me approximately how tall Oswald was.

Mr. ANDREWS. Oh, about 5 feet 6 inches, 5 feet 7 inches, I guess.

Mr. LIEBELER. And about how much did he weigh?

Mr. ANDREWS. About 135, 140.

Mr. LIEBELER. I don't think I have any more questions. Do you have anything else that you would like to add?

Mr. ANDREWS. I wish I could be more specific, that's all. This is my impression, for whatever it is worth, of Clay Bertrand: His connections with Oswald I don't know at all. I think he is a lawyer without a brief case. That's my opinion. He sends the kids different places. Whether this boy is associated with Lee Oswald or not, I don't know, but I would say, when I met him about 6 weeks ago when I ran up on him and he ran away from me, he could be running because he owes me money, or he could be running because they have been squeezing the quarter pretty good looking for him while I was in the hospital, and somebody might have passed the word he was hot and I was looking for him, but I have never been able to figure out the reason why he would call me, and the only other part of this thing that I understand, but apparently I haven't been able to communicate, is I called Monk Zelden on a Sunday at the N.O.A.C. and asked Monk if he would go over—be interested in a retainer and go over to Dallas and see about that boy. I thought I called Monk once. Monk says we talked twice. I don't remember the second. It's all one conversation with me. Only thing I do remember about it, while I was talking with Monk, he said, "Don't worry about it. Your client just got shot." That was the end of the case. Even if he was a bona fide client, I never did get to him; somebody else got to him before I did. Other than that, that's the whole thing, but this boy Bertrand has been bugging me ever since. I will find him sooner or later.

Mr. LIEBELER. Does Bertrand owe you money?

Mr. ANDREWS. Yes; I ain't looking for him for that, I want to find out why he called me on behalf of this boy after the President was assassinated.

Mr. LIEBELER. How come Bertrand owes you money?

Mr. ANDREWS. I have done him some legal work that he has failed to pay the office for.

Mr. LIEBELER. When was that?

Mr. ANDREWS. That's in a period of years that I have—like you are Bertrand. You call up and ask me to go down and get Mr. X out. If Mr. X doesn't pay on those kinds of calls, Bertrand has a guarantee for the payment of appearance. One or two of these kids had skipped. I had to go pay the penalty, which was a lot of trouble.

Mr. LIEBELER. You were going to hold Bertrand for that?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Did Oswald appear to you to be gay?

Mr. ANDREWS. You can't tell. I couldn't say. He swang with the kids. He didn't swish, but birds of a feather flock together. I don't know any squares that run with them. They may go down to look.

Mr. LIEBELER. When you say he didn't swish, what do you mean by that?

Mr. ANDREWS. He is not effeminate; his voice isn't squeaky; he didn't walk like or talk like a girl; he walks and talks like a man.

Mr. LIEBELER. Did you notice anything about the way he walked? Was there anything striking about the way he carried himself?

Mr. ANDREWS. I never paid attention. I never watched him walk other than into and out of the office. There's nothing that would draw my attention to anything out of the ordinary, but I just assumed that he knew these people and was running with them. They had no reason to come. The three gay kids he was with, they were ostentatious. They were what we call swishers. You can just look at them. All they had to do was open their mouth. That was it. Walk, they can swing better than Sammy Kaye. They do real good. With those pronounced ones, you never know what the relationship is with anyone else with them, but I have no way of telling whether he is gay or not, other than he came in with what they call here queens. That's about it.

Mr. LIEBELER. You have never seen any of these people since that first day they came into your office with Oswald, that first day and when you saw them down at the police station?

Mr. ANDREWS. The three queens? The three gay boys? No; I have never seen them.

Mr. LIEBELER. There were just three of them?

Mr. ANDREWS. The Latin type. Mexicanos will crop their hair and a Latin won't, so I assume he is a Mex.

Mr. LIEBELER. So altogether there were five of them that came into the office?

Mr. ANDREWS. Five. The only other thing that shook me to my toes—you have the other part—the Secret Service brought me some things. They don't have the complete photograph. They have another photograph with the two Realpey sisters. They are actually in the office, and that shook me down to my toes pretty good.

Mr. LIEBELER [handing picture to witness]. The picture you refer to might be Pizzo Exhibit No. 453-B. Is that the one?

Mr. ANDREWS. Yes, this is it. Victoria Realpey-Plaza and her sister Marguerite Realpey-Plaza, and I can't recall this young lady's name here at all [indicating].

Mr. LIEBELER. You are pointing to the three women who are standing—

Mr. ANDREWS. The one facing, standing as you look at it.

Mr. LIEBELER. That's the one you can't identify?

Mr. ANDREWS. Yes; I have her file in the office. Uncle is a warden at the Parish Prison here in New Orleans.

Mr. LIEBELER. And you are referring to the three women that are standing at the right side of Pizzo Exhibit No. 453-B?

Mr. ANDREWS. The girl carrying the pocketbook.

Mr. LIEBELER. That's the one whose name you can't remember at the moment?

Mr. ANDREWS. Right.

Mr. LIEBELER. Now this little fellow standing on the far left side of the picture, have you ever seen him before? Is he one of those gay boys who were in the office?

Mr. ANDREWS. No; these were all Americanos, these boys. He may be, but he is Latin looking.

Mr. LIEBELER. He looks like a Latin?

Mr. ANDREWS. Right. This boy should be able to be found. I wanted to look for him, but I didn't have a picture of him.

Mr. LIEBELER. Who is that?

Mr. ANDREWS. The one you just asked me about. If you put some circulars around to have the Latin American people squeezed gently, he has got to be found. They are very clannish. There are only certain places they go. Somebody has to remember him. He can't just come into New Orleans and disappear. As long as he walks the street, he has to eat and he has to have some place to sleep and—but I didn't have a picture of him, and nobody—you just can't do it. But a lot of water has run under the stream. He may or may not be here, but it wouldn't be too hard to locate him, you know, with the proper identification.

Mr. LIEBELER. Well, your friends down the street have been trying to find him and haven't come up with him yet.

Mr. ANDREWS. Debrueys?

Mr. LIEBELER. Yes.

Mr. ANDREWS. Sometimes the stools on that are not too good. They need Latin stools for that boy.

Mr. LIEBELER. Off the record.

(Discussion off the record.)

Mr. LIEBELER. Did you just indicate that you would like to find Mr. Bertrand and he did run off? Did you see him run off?

Mr. ANDREWS. Yes; I chased him, but I couldn't go.

Mr. LIEBELER. This was when you saw him 6 weeks ago?

Mr. ANDREWS. Yes; this barroom is right adjacent to—the street—as you go in, there are two entrances, one on the block side and one on the corner. I had no more idea of finding him than jumping off the bridge. I went in there hoping, and the hope came through. I was so surprised to see him there. I kept working my way there to go to the front when he recognized me and he sprinted out the door on the side of the street and was gone. I had to go past him to go to the phone. I should have conked him with the beer bottle.

Mr. LIEBELER. He took off as soon as he saw you?

Mr. ANDREWS. No; but I was moving to go to the phone. He thought I was moving towards him.

Mr. LIEBELER [handing picture to witness]. I show you Pizzo Exhibit No. 453-A, and ask you if you can recognize anybody in that picture.

Mr. ANDREWS. The one that has a brief case under his arm, full face towards the looker, appears to be Lee Oswald. This boy back here [indicating] appears to be familiar, but I would have to blow his face up to be sure. He is in between. See, this one here [indicating]? I have never seen this picture before.

Mr. LIEBELER. Between Oswald, who has the cross mark over his head, and the man who has the arrow over his head?

Mr. ANDREWS. He is a local boy here, a face I recall. It would take me a while to place it, but the face appears to be familiar.

Mr. LIEBELER. You haven't seen this picture before, is that correct?

Mr. ANDREWS. I don't believe.

Mr. LIEBELER. The Secret Service and the FBI have shown you various pictures, but you don't recall this one?

Mr. ANDREWS. I don't recall seeing that one. There was one of a series where—one of an attorney in town was there—where we all knew him. They may have shown me this, but I don't remember. We used to have a club back in 1946 called Lock (?) Fraternity, and he resembles a boy that was a member.

Mr. LIEBELER. I don't think I have any more questions, Mr. Andrews. I want to thank you very much for coming in and I appreciate the cooperation you have given us.

Mr. ANDREWS. I only wish I could do better.

TESTIMONY OF EVARISTO RODRIGUEZ

The testimony of Evaristo Rodriguez, was taken on July 21, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission. Special Agent Richard E. Logan, interpreter, Federal Bureau of Investigation, was present.

Evaristo Rodriguez, having been first duly sworn, was examined and testified, through the interpreter, Mr. Logan, as follows:

Mr. LIEBELER. I am an attorney on the staff of the President's Commission investigating the assassination of President Kennedy. I have been authorized to take your testimony by the Commission pursuant to authority granted to it by

Executive Order No. 11130, dated November 29, 1963, and joint resolution of Congress No. 137.

You are entitled under the rules of the Commission to have an attorney present during your questioning. You are not required to answer questions that you think might be harmful to yourself to answer. You may state the reasons why you don't want to answer them if you wish to do that. You are entitled to 3-days' notice under the rules. I assume you are prepared to proceed with the testimony at this time since you are here, and I assume that since you do not have an attorney, you are prepared to go ahead without one.

Mr. RODRIGUEZ. I am ready to answer all the questions. I have been advised of my rights as you have stated them to me, and I am ready to answer any questions that I can help you with.

Mr. LIEBELER. Where were you born, Evaristo?

Mr. RODRIGUEZ [writing]. Gibara, Oriente, Cuba. That's the province, Oriente, and the city is Gibara.

Mr. LIEBELER. When were you born?

Mr. RODRIGUEZ. July 26, 1941.

Mr. LIEBELER. Where do you live now?

Mr. RODRIGUEZ. 1239 Chartres Street.

Mr. LIEBELER. Are you still a citizen of Cuba?

Mr. RODRIGUEZ. Yes.

Mr. LIEBELER. How long have you lived in the United States?

Mr. RODRIGUEZ. I came here in 1962 on a boat. I was first here in 1962. I was on a boat. And I went to Costa Rica and a few other countries. I came back here in January of 1963. I have been here since January of 1963.

Mr. LIEBELER. When did you leave Cuba?

Mr. RODRIGUEZ. December of 1961.

Mr. LIEBELER. How did you come to leave Cuba?

Mr. RODRIGUEZ. I left Cuba because they were about to put me in the Armed Forces. I didn't care to. I wasn't in agreement with the present government, so I took off.

Mr. LIEBELER. How did you get out?

Mr. RODRIGUEZ. On a boat. I came out on a small boat, a small merchant ship.

Mr. LIEBELER. Did you work on that boat then or where did you go?

Mr. RODRIGUEZ. I had been working on this boat for about 3 years and 2 months.

Mr. LIEBELER. Is that the boat that sunk?

Mr. RODRIGUEZ. It's not the same boat that sunk, but it was a boat of the same company, Barcelona Co., that sunk.

Mr. LIEBELER. Eventually, one of your boats did sink and you came then here to New Orleans, is that correct, and that's when you stayed in the United States? (Discussion between witness and interpreter.)

Mr. LOGAN. I am going to have to ask him a couple of things on this because as I get it in my mind, it seems that he was on a boat.

(Discussion between witness and interpreter.)

Mr. RODRIGUEZ. First of all, I was on this boat called the *Barcelona* in the Pacific, and this boat sunk, and we were transferred to another boat, the *San Jose*, that first traveled to some other countries, and then when I got to New Orleans, this is where I asked for my political asylum.

Mr. LIEBELER. Off the record.

(Discussion off the record.)

Mr. LIEBELER. Where do you work?

Mr. RODRIGUEZ. I am a bartender at nights at the Habana Bar at 117 Decatur Street.

Mr. LIEBELER. How long have you worked there?

Mr. RODRIGUEZ. About 1 year and 3 months. I have worked there about 1 year and 3 months.

Mr. LIEBELER. Do you know Orest Pena?

Mr. RODRIGUEZ. Yes.

Mr. LIEBELER. Ruperto Pena?

Mr. RODRIGUEZ [answering directly]. Yes.

Mr. LIEBELER. Carlos Bringuier?

Mr. RODRIGUEZ [answering directly]. Yes.

Mr. LIEBELER. We have information that you saw a man whom you believe to be Lee Harvey Oswald in the bar some time in 1963. Would you tell us all about that?

Mr. RODRIGUEZ. These men came into the bar, two men came into the bar, one of them which I learned later through TV and pictures and newspapers was Oswald. These men came into the bar. One of them spoke Spanish and the one who spoke Spanish ordered the tequila, so I told him that the price of the tequila was 50 cents. I brought him the tequila and a little water. The man protested at the price, thought it was too high, and he made some statement to the effect that he was a Cuban, but an American citizen, and that surely—words to the effect that surely the owner of this bar must be a capitalist, and we had a little debate about the price, but that passed over. Then the man who I later learned was Oswald ordered a lemonade. Now I didn't know what to give him because we don't have lemonades in the bar. So I asked Orest Pena how I should fix a lemonade. Orest told me to take a little of this lemon flavoring, squirt in some water, and charge him 25 cents for the lemonade, and that's the incident surrounding that situation.

Mr. LIEBELER. You did not know the names of these men at that time, did you?

Mr. RODRIGUEZ. I didn't know the names of them then; no.

Mr. LIEBELER. Did both of the men speak Spanish or just one of them?

Mr. RODRIGUEZ. Only the man that appeared to be a Latin or Cuban spoke Spanish.

Mr. LIEBELER. So the man who you later thought to be Oswald did not speak Spanish; is that right?

Mr. RODRIGUEZ. No; the man I later learned to be Oswald did not speak Spanish.

Mr. LIEBELER. What time of the day did this happen?

Mr. RODRIGUEZ. This happened about 2:30 or between 2:30 and 3 o'clock in the morning. I am not certain of the exact hour, but that's the best of my recollection.

Mr. LIEBELER. Were either of these men drunk?

Mr. RODRIGUEZ. The man I later learned to be Oswald had his arm around the Latin-appearing man, and Oswald appeared to be somewhat drunk.

Mr. LIEBELER. You mentioned previously that someone was a Cuban but an American citizen. Were you referring to the man that was with Oswald, or Orest Pena, the owner of the bar?

Mr. RODRIGUEZ. What I did was, the Latin-appearing man asked me if the owner of the bar was a Cuban, and I told him that he was a Cuban, but an American citizen. That's the way that was.

Mr. LIEBELER. Are you able to say the nationality of the man that was with Oswald?

Mr. RODRIGUEZ. I am not able to state what his exact nationality was, but he appeared to be a Latin, and that's about as far as I can go. He could have been a Mexican; he could have been a Cuban, but at this point, I don't recall.

Mr. LIEBELER. What did this man look like?

Mr. LOGAN. You want a description of him?

Mr. LIEBELER. Yes; how old?

Mr. RODRIGUEZ. He was a man about 28 years old, very hairy arms, dark hair on his arms.

Mr. LIEBELER. About how tall was he?

Mr. LOGAN. He says he was about my height. That's about 5 feet 8. He is about the same build of man as I am, short and rather stocky, wide. He was a stocky man with broad shoulders, about 5 feet 8 inches.

Mr. LIEBELER. Do you know how much he weighed approximately?

Mr. LOGAN. He probably hit around 155. He doesn't remember the exact weight, but he would guess around the same weight as I appear to be.

Mr. LIEBELER. So he weighed about 155 pounds or so?

Mr. RODRIGUEZ. Yes.

Mr. LIEBELER. Was he taller or shorter than Oswald?

Mr. RODRIGUEZ. Just a little taller than Oswald.

Mr. LIEBELER. Was he heavier than Oswald or lighter?

Mr. RODRIGUEZ. He was huskier and appeared to weigh more than Oswald.

Mr. LIEBELER. Do you remember what color his hair was?

Mr. RODRIGUEZ. He had a high forehead, you might say. He had this back here, the hairline was right back in here like this [indicating].

Mr. LIEBELER. He had a receding hairline in the front?

Mr. LOGAN. He says it's not like yours and mine; it's rather receding on the sides toward—at the front.

Mr. LIEBELER. Off the record.

(Discussion off the record.)

Mr. LIEBELER. Now how tall would you estimate Oswald was?

Mr. RODRIGUEZ. I didn't get a good look of Oswald standing up straight because Oswald was drunk and he was more or less in a sagging position most of the time. Therefore, I wasn't able to get a good look, but he was a little shorter than 5 feet 8, the height of the other man. He was a little shorter than that, maybe 5 feet 7 or 5 feet 6, but I couldn't tell for sure because Oswald wasn't standing up too straight at the time. In fact, Oswald came in and draped over the table after he sat down.

Mr. LIEBELER. Did Oswald become sick?

Mr. RODRIGUEZ. He became sick on the table and on the floor.

Mr. LIEBELER. Then did he go in the street and continue being sick?

Mr. RODRIGUEZ. The Latin-appearing man helped him to the street where he continued to be sick.

Mr. LIEBELER. What was Oswald wearing?

Mr. RODRIGUEZ. Oswald as I recall, had on a dark pair of pants and a short-sleeved white shirt.

Mr. LIEBELER. Did he have a tie on?

Mr. RODRIGUEZ. Oswald had what appeared to be a small bow tie.

Mr. LIEBELER. Are you sure?

Mr. RODRIGUEZ. But the thing is, Oswald's collar was open and this thing was hanging from one side of it.

Mr. LIEBELER. It was a clip-on bow tie?

Mr. RODRIGUEZ. It was a clip-on thing as I recall.

Mr. LIEBELER. When did this happen; what month?

Mr. RODRIGUEZ. I can't remember exactly, but I know it was just about 1 year ago, and I presume it was in August.

Mr. LIEBELER. Do you remember when Orest Pena went to Puerto Rico?

Mr. RODRIGUEZ. I don't remember when Orest went to Puerto Rico. I don't recall when Orest went to Puerto Rico.

Mr. LIEBELER. Was Oswald in the bar before Orest went to Puerto Rico or afterward or while he was gone? Do you remember specifically? Do you remember that he did go to Puerto Rico?

(Discussion between witness and interpreter.)

Mr. RODRIGUEZ. Orest just said he was going on vacation and didn't tell me where he was going.

Mr. LIEBELER. Do you remember when he went on vacation? Think of it in comparison to the time that Oswald was in the bar. Was Oswald in the bar before Orest went on vacation or afterward or while he was on vacation.

Mr. RODRIGUEZ. Orest was in the bar when Oswald was there.

Mr. LIEBELER. So he couldn't have been on vacation at the time?

Mr. RODRIGUEZ. Orest was in the bar when Oswald was because at that time, I recall I had to ask Orest how to make the lemonade for Oswald, so—

Mr. LIEBELER. Now think again, and think if this was before Orest went on vacation or afterward.

Mr. LOGAN. The incident, you mean, in the bar?

Mr. LIEBELER. Yes.

Mr. RODRIGUEZ. I don't remember whether it was before or after.

Mr. LIEBELER. Do you remember when Carlos Bringuier was arrested and went to jail?

Mr. RODRIGUEZ. I remember him being arrested, but I don't remember—I remember when Carlos Bringuier was arrested, but—I was on the street and I saw Carlos. I saw Carlos Bringuier talking to the policeman at the time that

he was arrested, but I didn't see him get into the police car because I took off. I left because I thought I might be following the same path.

Mr. LIEBELER. Were you walking when you saw Carlos arrested?

Mr. RODRIGUEZ. I was in a car passing in the street when I saw Carlos talking with the police.

Mr. LIEBELER. Who was with you in the car?

Mr. RODRIGUEZ. Orest Pena had driven me to the doctor, and this is how we happened to be in the car together when we passed going to the Habana Bar when we saw Carlos.

Mr. LIEBELER. Off the record.

(Discussion off the record.)

Mr. LIEBELER. Did Orest see Bringuier that day?

Mr. RODRIGUEZ. I don't know whether Orest saw him or not. Orest was doing the driving. I am not sure whether he saw him or not.

Mr. LIEBELER. Was Oswald in the bar before or after you saw Carlos in the street with the policeman?

Mr. RODRIGUEZ. I am not sure, but it was either a couple of days before Oswald was in the bar or a couple of days after, but I can't remember well enough to be exact.

Mr. LIEBELER. But it was about that time that you saw Oswald in the bar: is that right?

Mr. RODRIGUEZ. Yes; it was about the same time, same time in relation to days, you know, that same period.

Mr. LIEBELER. Yes. Do you remember whether you and Orest saw Carlos in the street before Orest went on vacation or afterward?

Mr. RODRIGUEZ. I don't remember whether it was before Orest went on vacation or after that I saw Carlos in the street.

Mr. LIEBELER. Orest was in the bar when Oswald was there? That's right, is it not?

Mr. RODRIGUEZ. Yes. He was in the bar when Oswald was there.

Mr. LOGAN. He says he is trying to remember the best he can.

Mr. LIEBELER. He is doing very well.

Mr. LOGAN. He is saying that the time passes and it is hard for him to remember everything, but he is trying to remember the best he can.

Mr. LIEBELER. Did Orest see Oswald?

Mr. RODRIGUEZ. I didn't see, I don't believe, that Orest saw Oswald. Orest was in the back part of the bar near the telephone, and Oswald and his friend were sitting at a table near the cigarette machine, which is in the right-hand side of the front part of the bar, and Oswald's back was to the place where Orest was at the time.

Mr. LIEBELER. Did Orest come up and talk to them when you had this argument about the lemonade and tequila?

Mr. RODRIGUEZ. No; Orest never talked to Oswald or the other man during this altercation about the tequila.

Mr. LIEBELER. To the best of your knowledge, Orest never came up or looked at them or saw them while they were there?

Mr. RODRIGUEZ. To the best of my recollection, Orest Pena never saw these two men up close, and, as a matter of fact, Orest was talking on the telephone, and when I asked him about the lemonade, he just told me what to do and didn't pay any more attention to it than that.

Mr. LIEBELER. Did you see anybody else with Carlos and the policeman at the time you saw Carlos on the street with the policeman as you have already told us?

Mr. RODRIGUEZ. At the time I saw Carlos Bringuier on the street with the police, I didn't see anybody being put into the police car, but I remember slightly that there were probably three other people in the police car at the time, but I don't know who they were, and I was passing in a car, of course, and didn't have an opportunity to pay any attention to that.

Mr. LIEBELER. You didn't see Oswald there?

Mr. RODRIGUEZ. I didn't see Oswald at that time.

Mr. LIEBELER. Do you know Celso Hernandez?

Mr. RODRIGUEZ. I don't know him. I am acquainted with Bringuier.

Mr. LIEBELER. When did you first think that the man you saw in the bar, as you have told us, was Oswald?

Mr. LOGAN. I am going to have to break this down for him.

Mr. LIEBELER. What did he say so far?

Mr. LOGAN. He is answering an entirely different question, something about Bringuier.

Mr. LIEBELER. I think we should put this on the record.

Mr. LOGAN. Let me find out if he understood the question first because the thing is, I think he has got something else in mind.

Mr. LIEBELER. Yes; that is the problem.

Mr. LOGAN. I will get that out of him, too, the part you want.

(Discussion between witness and interpreter.)

Mr. LOGAN. No, no. He doesn't get the message, and I am sure I am saying it plain enough.

Mr. LIEBELER. When did you first become aware of the name of this man?

Mr. RODRIGUEZ. The first time that I knew that the man in the bar was Oswald was—the first time that I realized that the man in the bar was Oswald was after President Kennedy had been assassinated and I saw Oswald's picture in the paper with his name and so forth, and that's how I first became aware or first came to realize that the man who had been in the bar with the Latin-appearing man was the same person as Oswald.

Mr. LIEBELER. Did you discuss this with Orest Pena after you became aware that the man in the bar was the same man as the man whom we think shot President Kennedy? And specifically, I want to ask you if Orest Pena recognized Oswald's picture independently from you or if he only became aware that it was Oswald that was in the bar after you called it to his attention.

Mr. LOGAN. All right. I will ask him the first one and then I will ask him the second one.

Mr. RODRIGUEZ. The first question is that I actually heard the news of the President's death on the radio, and they still hadn't given out the name of the assassin, who they thought it was. So later on when it came out in the newspaper, I saw the picture in the newspaper of Oswald, and then I pointed out to Orest that this was the fellow who was in the bar and had the argument about the lemonade or about the tequila, rather, and not in the bar at the time because the other fellow argued about the tequila.

Mr. LOGAN. Now what was that number two again?

Mr. LIEBELER. Did Orest mention it to you first by himself? Did he know that that man had been in the bar, or did he only come to think that after you had pointed out to him it was the same man that you thought had bought the lemonade?

Mr. RODRIGUEZ. No; Orest had never seen this man whose picture was in the paper that I recognized as being the man in the bar and who the paper described as Lee Harvey Oswald.

Mr. LIEBELER. Did you ever tell Bringuier that the man that was in the bar with Oswald was being sought by the FBI, being looked for by the FBI?

Mr. RODRIGUEZ. I told Bringuier that Oswald had been in the bar. This is after, of course, I discovered that it was Oswald. But I don't remember ever telling Bringuier that the FBI was looking for these people or either one of them.

Mr. LIEBELER. So to the best of your recollection, you did not tell Bringuier that the FBI was looking for this man that was with Oswald?

Mr. RODRIGUEZ. I never told Bringuier that the FBI was looking for the man that was with Oswald. I only mentioned to Bringuier that Oswald was the same one that had been in there that had been drinking lemonade in that bar previously.

Mr. LIEBELER. Am I correct in saying that the only times that you have been in New Orleans are, one, the period of time beginning in January of 1963 to the present time, and once before at one prior time, the exact date of which I do not recall, but you tell me. Those two times. Are there any other times you have been in New Orleans? Let me rephrase the question: You came to New Orleans in January of 1963 and have been here ever since, and you were in New Orleans at least once prior to that time. Tell me when that was.

Mr. RODRIGUEZ. I got on a boat in Cuba. We went to Mexico. Then we went to New York with sugar. Then we went to Norfolk, and from Norfolk, we went to Bermuda, and then to the Dominican Republic.

Mr. LOGAN. Unless you want that. I just told him that whole route was not important if he could come down to the exact month he was in New Orleans. Here's the thing: He says now that the very first time he was ever in New Orleans was on a boat that came from Cuba in April of 1959. He was working on a boat that landed in New Orleans in April of 1959. Now he doesn't remember the exact month in 1961 that he was in New Orleans.

Mr. LIEBELER. Were you ever in New Orleans in 1962?

Mr. RODRIGUEZ. To the best of my recollection, I was here in May of 1962 where I caught the ship *Barcelona*.

Mr. LIEBELER. Did you know Orest Pena at that time?

(Discussion between witness and interpreter.)

Mr. LOGAN. As I get it, he knew Orest not well, but he knew him. Had seen him at the bar, around the bars.

Mr. LIEBELER. Do you remember talking to him in May of 1962 in his bar here in New Orleans?

Mr. LOGAN. He remembers probably he talked to Orest during May of 1962. I asked him what they talked about. He said, "Like small talk about boats, about this, about that. Nothing in particular."

Mr. LIEBELER. Were you in the bar in May of 1962 with Orest Pena at any time when Orest Pena got into a fight or big argument with another man?

Mr. RODRIGUEZ. I don't remember Orest being in a fight with anybody in the bar in 1962, in May of 1962.

Mr. LIEBELER. Did Orest Pena ever say to you in words or in substance that Castro should have been notified about something as soon as possible, and particularly, in May of 1962?

Mr. RODRIGUEZ. I don't remember him saying anything like that.

Mr. LOGAN. What he was telling me in all this flurry was that Orest, as far as political situations, is happy with his life here in the United States, and I have asked him three times if he remembers Orest making any statement like that, that Castro should have been notified immediately, and he says he has never heard him say anything like that. He doesn't remember.

Mr. LIEBELER. And you don't remember any fight that Orest got into with another man?

Mr. RODRIGUEZ. I don't remember anything about a fight or a discussion.

Mr. LIEBELER. All right [handing picture to witness]. I show you a picture that has been marked "Bringuier Exhibit No. 1," and ask you if you can identify anybody in that picture.

Mr. RODRIGUEZ. I identify Oswald as the man with the X on him.

Mr. LIEBELER. Anybody else?

Mr. RODRIGUEZ. No.

Mr. LIEBELER. I draw your attention particularly to the man standing to Oswald's right, and the second man behind him, who appears to have leaflets in his hand, wearing a tie and short-sleeved white shirt, and facing directly into the camera.

Mr. RODRIGUEZ. The only one that I am able to identify in that picture is Oswald himself.

Mr. LIEBELER. Is that the man that was in the bar?

Mr. RODRIGUEZ. The same man that was in the bar as previously mentioned.

Mr. LIEBELER. Do you have any question about that in your mind?

Mr. RODRIGUEZ. I am positive of this.

Mr. LIEBELER [handing picture to witness]. I show you a photograph that has been marked "Garner Exhibit No. 1," and ask you if you recognize that man.

Mr. RODRIGUEZ. The man appears to be Oswald, but the first picture is a much better photograph in my mind for identifying Oswald. In other words, I was able to tell in the first photograph that the man was Oswald. In this photograph, the second photograph that I have been shown—

Mr. LIEBELER. "Garner Exhibit No. 1."

Mr. RODRIGUEZ. The man appears to be Oswald, but—

Mr. LIEBELER. The witness indicates that he is clear in his mind that the man

with the X in "Bringuier Exhibit No. 1" is the man who was in the bar and who he identifies as Lee Harvey Oswald more than he is about the man shown in "Garner Exhibit No. 1."

Do you have any question that that man was in your bar, referring to the man portrayed in "Garner Exhibit No. 1?"

Mr. RODRIGUEZ. As far as this "Exhibit No. 1," a man appears to be Oswald as I recognize him from newspaper pictures of Oswald.

Mr. LIEBELER. Referring to "Garner Exhibit No. 1." But the man in "Bringuier Exhibit No. 1" looks more like the man who was in the bar?

Mr. RODRIGUEZ. The man in "Bringuier Exhibit No. 1" I have identified as the man who I learned later was Oswald.

Mr. LIEBELER [handing picture to witness]. I show you a picture which has been marked "Pizzo Exhibit No. 453-C," and ask you if that looks like the man who was in the bar.

Mr. RODRIGUEZ. This appears to me that this is the man. It looks somewhat like the man that was in the bar with Oswald, but—

Mr. LIEBELER. Like the man that was in the bar with Oswald?

Mr. RODRIGUEZ. Yes.

Mr. LIEBELER. That's what he said?

Mr. LOGAN. Now he says no. He says that this—how do you want to call it?

Mr. LIEBELER. "Pizzo Exhibit No. 453-C."

Mr. LOGAN. "Pizzo Exhibit No. 453-C" does not appear like the man in bar. The other man was more of a Latin-appearing man.

Mr. LIEBELER. Well, now, have you ever seen this man, set forth in "Pizzo Exhibit No. 453-C," in the bar at all; at any time?

Mr. LIEBELER. What is he saying?

Mr. LOGAN. He is saying that this reminds him of Oswald because of these—the eye part here [indicating], the sagging eyes, like, you know—I don't know how you want to say that—like he has puffy eyelids.

Mr. LIEBELER. He has an area around the eyes—

Mr. LOGAN. That reminds him of Oswald.

Mr. LIEBELER. Does he identify this man as Oswald?

Mr. LOGAN. He says that the man in this exhibit appears to him to be Oswald, but, of course, he says it has been a long time since he saw him and he is not ready to be positive on that. That's as close as you can come to it, I guess.

Mr. LIEBELER. You are not sure that this was the man that was in the bar?

Mr. LOGAN. Now he says it is him.

Mr. LIEBELER. It is or isn't?

Mr. LOGAN. In his mind, "Bringuier Exhibit No. 1" which has the man with the X on him is the man who was in the bar and who he later learned was Oswald. This picture stands out in his mind the best, reminds him of the man the best; this one—

Mr. LIEBELER. "Pizzo Exhibit No. 453-C."

Mr. LOGAN. Appears to him to be Oswald, but he still says that the other photograph is the one that he can best identify him as the man who was in the bar. What we have got going here is the fact that this looks like Oswald, but he is—probably since the other photograph reminds him distinctly of the fact that that was the man that was in the bar, he is a little reluctant to say that.

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

TESTIMONY OF OREST PENA

The testimony of Orest Pena was taken on July 21, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebler, assistant counsel of the President's Commission.

Orest Pena, having first been duly sworn, was examined and testified as follows:

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

Mr. PENA. Orest Pena.

Mr. LIEBELER. That's O-r-e-s-t P-e-n-a ; is that correct?

Mr. PENA. Yes.

Mr. LIEBELER. What is your address?

Mr. PENA. 117 Decatur.

Mr. LIEBELER. Is that your place of business or is that your residence?

Mr. PENA. No ; that's my place of business. On the ground floor is my place of business. On the second floor, in the rear of the second floor I live.

Mr. LIEBELER. I am an attorney for the President's Commission. I understand that the Secret Service served a subpoena on you last week and you are here under that subpoena at this time. The rules of the Commission entitle you to have your lawyer present if you wish.

Mr. PENA. I don't think I need him.

Mr. LIEBELER. You have the right under our rules not to answer any question that you don't want to answer in the first instance, specifying the reasons if you do refuse to answer any questions.

I am here under the authority granted to the Commission by Executive Order No. 11130, dated November 29, 1963, and joint resolution of Congress No. 137. I understand that attached to the subpoena are copies of the Executive order that I have referred to and rules of the Commission ; is that correct?

(The witness handed document to counsel.)

Mr. LIEBELER. Yes ; they are attached.

Where were you born, Mr. Pena?

Mr. PENA. In Colon, Cuba.

Mr. LIEBELER. When?

Mr. PENA. August 15, 1923.

Mr. LIEBELER. Are you a citizen of the United States?

Mr. PENA. Yes, sir.

Mr. LIEBELER. When did you become a citizen?

Mr. PENA. I became a citizen May 5, 1956.

Mr. LIEBELER. And you became a citizen through naturalization ; is that correct?

Mr. PENA. Yes.

Mr. LIEBELER. The place of business that you have at 117 Decatur Street is a bar and lounge?

Mr. PENA. Yes, sir.

Mr. LIEBELER. What is the name of it?

Mr. PENA. Habana Bar and Lounge.

Mr. LIEBELER. Am I correct in understanding that you have a brother by the name of Ruperto Pena?

Mr. PENA. Yes.

Mr. LIEBELER. Does he work with you in the bar and lounge?

Mr. PENA. Yes, sir.

Mr. LIEBELER. Am I also correct in understanding that one of the bartenders is named Evaristo Rodriguez?

Mr. PENA. Yes.

Mr. LIEBELER. Do you know Carlos Bringuiet?

Mr. PENA. Yes, sir.

Mr. LIEBELER. Is Mr. Bringuiet connected with a clothing store located close to your bar and lounge?

Mr. PENA. Yes, sir.

Mr. LIEBELER. When did you first meet Mr. Bringuiet?

Mr. PENA. When he came to the—if I am not wrong, I believe I met him when he started the store.

Mr. LIEBELER. Approximately how long ago was it that you met Mr. Bringuiet?

Mr. PENA. I don't know exactly. Might be a year and a half or 2 years.

Mr. LIEBELER. Mr. Bringuiet is active in anti-Castro Cuban affairs ; is that correct?

Mr. PENA. Yes.

Mr. LIEBELER. Have you ever had any connection with Cuban politics?

Mr. PENA. Not with him, but with something else here in New Orleans, an organization, about 4 years ago, more or less.

Mr. LIEBELER. What organization was that?

Mr. PENA. I don't know. The FBI know very well because a person from the FBI was there all the time. I don't remember exactly the name of the organization right now, but the organization was in the Balter Building, I think, in the second floor.

Mr. LIEBELER. Whatever the organization's name was, was it an anti-Castro Cuban organization?

Mr. PENA. It was in the Balter Building, the only one there.

Mr. LIEBELER. Is that the organization sometimes known as Jure, J-u-r-e?

Mr. PENA. I don't know.

Mr. LIEBELER. *Junta Revolucionaria Cubana*?

Mr. PENA. The chief or the boss of that organization, who was in Miami, Barrona. He was the boss of that organization.

Mr. LIEBELER. Barrona?

Mr. PENA. Yes. He was the boss of that organization.

Mr. LIEBELER. When did you leave Cuba?

Mr. PENA. I left Cuba in September 1946.

Mr. LIEBELER. Have you been back to Cuba since that time?

Mr. PENA. Yes.

Mr. LIEBELER. Would you tell us when?

Mr. PENA. Oh, many times I went to Cuba. My last time I went to Cuba was about 8 months, I believe, after Castro took over, but before, I used to go very often because all my family is in Cuba, my mother, my father—before my father died, I used to go to Cuba many times. I was a seaman, too. I used to ship out with the United Fruit Co. and the Lykes Brothers Co. That's before Castro took over.

Mr. LIEBELER. When did you stop working as a seaman?

Mr. PENA. Just before I went in business, in—I went in business 1958. I stop in 1957.

Mr. LIEBELER. You stopped working as a seaman in 1957?

Mr. PENA. Yes.

Mr. LIEBELER. Were you in Cuba in April or May of 1959?

Mr. PENA. I think that's the last time I was in Cuba.

Mr. LIEBELER. What was the purpose of your trip to Cuba at that time?

Mr. PENA. I went to Cuba—I don't know. I went to have an operation. Yes.

Mr. LIEBELER. While you were in Cuba, did you have any contact with any officials in the Castro government?

Mr. PENA. No; not any.

Mr. LIEBELER. Have you ever expressed a favorable attitude toward the Castro regime?

Mr. PENA. No; I never was for—I was against Batista, but I never was even—I didn't even know Castro.

Mr. LIEBELER. You had nothing to do with Castro?

Mr. PENA. No.

Mr. LIEBELER. Now after you came back to the United States from Cuba in 1959—

Mr. PENA. Yes.

Mr. LIEBELER. Did you go directly back to the United States?

Mr. PENA. Yes, sir.

Mr. LIEBELER. Did you go anywhere else—

Mr. PENA. No.

Mr. LIEBELER. Except to Cuba on that trip?

Mr. PENA. No; I came back to—I went from here to—directly from here to Havana and from Havana to New Orleans.

Mr. LIEBELER. After your trip to Cuba in 1959, when was the next time that you were out of the United States?

Mr. PENA. It was last summer. I went on vacation to Mexico.

Mr. LIEBELER. How long were you there?

Mr. PENA. Nine days. I plan 2 weeks, but I got sick to my stomach, so I came back.

Mr. LIEBELER. Was that strictly a vacation trip?

Mr. PENA. Yes.

Mr. LIEBELER. It had nothing to do with politics or anything like that?

Mr. PENA. No.

Mr. LIEBELER. Do you have your passport here, Mr. Pena?

Mr. PENA. Yes [handing document to counsel].

Mr. LIEBELER. The witness has handed me his passport, which is numbered D-0092577, and issued on June 25, 1963. It carries the name of Orest Pena and indicates a birth date of August 15, 1923, that the birthplace is Cuba, that he is 5 feet 8 inches tall, has black hair and brown eyes.

After you went to Mexico in May of 1963, when did you next leave the United States?

Mr. PENA. About 1 or 2 months after that vacation I went to Puerto Rico for 1 week and to the Dominican Republic for 1 week.

Mr. LIEBELER. Can you tell us exactly when it was that you left New Orleans at that time to go to Puerto Rico?

Mr. PENA. I don't remember, but you have it there, the date I entered the Dominican Republic. I went 1 week before that by Delta Co., directly from New Orleans to San Juan, P.R., by Delta Airlines.

Mr. LIEBELER. Are you indicating a visa stamp on page 6 of the passport, which is difficult to read?

Mr. PENA. The 22d of August; yes.

Mr. LIEBELER. August 22?

Mr. PENA. But then I got to Puerto Rico about the 14th.

Mr. LIEBELER. Fourteenth or fifteenth of August?

Mr. PENA. Fourteenth or fifteenth, something like that, of August.

Mr. LIEBELER. When did you leave New Orleans?

Mr. PENA. You leave New Orleans around 12 o'clock. About 3 hours later you are in San Juan, P.R.

Mr. LIEBELER. That would have been August 13 or 14?

Mr. PENA. The 13th or 14th of August I left New Orleans. Then, after I got to Puerto Rico, 1 week after that I went to the Dominican Republic.

Mr. LIEBELER. Now, Mr. Pena, I would like to make arrangements with the Secret Service agent who is here to make photographic copies of this passport and to mark it in connection with our deposition. Would it be agreeable with you to deliver it to him now?

Mr. PENA. Yes. You can get the exact date by Delta Airlines I went to Puerto Rico.

Mr. LIEBELER. It seems from the visa that if you went to Puerto Rico a week before you went to the Dominican Republic, the stamp here shows it would have been around the 13th or 14th of August 1963, and that's close enough.

(Whereupon, a brief recess was taken.)

TESTIMONY OF OREST PENA RESUMED

Mr. LIEBELER. What was the purpose of your trip to Puerto Rico and the Dominican Republic in August?

Mr. PENA. Just a vacation.

Mr. LIEBELER. You did not go to Cuba at that time?

Mr. PENA. No.

Mr. LIEBELER. Did you have any contact with any representatives of the Cuban Government while you were in Puerto Rico or the Dominican Republic?

Mr. PENA. No.

Mr. LIEBELER. Have you had any contact with any such representatives at any time during 1963?

Mr. PENA. No.

Mr. LIEBELER. Now, in May of 1964, you took a trip to Europe; is that correct?

Mr. PENA. Yes.

Mr. LIEBELER. You then went to London?

Mr. PENA. Yes.

Mr. LIEBELER. Paris?

Mr. PENA. Yes.

Mr. LIEBELER. Madrid?

Mr. PENA. Yes.

Mr. LIEBELER. Rome?

Mr. PENA. Yes.

Mr. LIEBELER. Munich?

Mr. PENA. Yes.

Mr. LIEBELER. Berlin?

Mr. PENA. No; I did not go to Munich.

Mr. LIEBELER. You did not go to Munich?

Mr. PENA. No.

Mr. LIEBELER. Did your plane land in Munich on the way to Berlin?

Mr. PENA. No. From Rome, I went to Frankfurt, Germany, and I stayed there about—I think about an hour and a half, something like that, to make connections on the next plane to Berlin, and then coming back from Berlin, fly from Berlin to Frankfurt again, from Frankfurt took Lufthansa, and directly to New York, and from New York, I wait about 3 hours and took the Eastern Airlines, a night trip, to New Orleans straight again.

Mr. LIEBELER. What was the purpose of that trip?

Mr. PENA. Just a vacation.

Mr. LIEBELER. You had no contact with any agents of any foreign government at any time other than the custom officials and that sort of thing?

Mr. PENA. Oh, when I went to Berlin; I went for—when I was in Berlin, I took a tour for 4 hours to East Berlin.

Mr. LIEBELER. On December 5, 1963, you were interviewed by two agents of the Federal Bureau of Investigation, Mr. Steinmeyer and Mr. Logan. Do you remember that?

Mr. PENA. I have been interviewed by the FBI so many times I don't remember. Something. But it might be true. You tell me about what to refresh my mind, and I can tell you about whether that is true or not.

Mr. LIEBELER. Well, let me come back to that in just a moment. Do you remember being interviewed by two FBI agents on June 9, 1964, when you and Mr. Tamberella went to the FBI office here in New Orleans?

Mr. PENA. That's about 2 weeks ago?

Mr. LIEBELER. Yes.

Mr. PENA. Yes.

Mr. LIEBELER. Do you remember generally what you told them at that time?

Mr. PENA. Yes.

Mr. LIEBELER. Would you tell us?

Mr. PENA. What, approximately, I can remember?

Mr. LIEBELER. Would you tell us now what you told them at that time?

Mr. PENA. Well, they asked me in connection with the—Mr. Kennedy, the late President Kennedy's assassination, and also if I know anything about it. I told them I didn't know anything about it. They asked me if I saw Oswald; so I said I saw him once. He went to my place of business with one or two friends. I don't know exactly. My bar is a very long bar, so to me it looked like he was with two friends. My bartender, Evaristo Rodriguez, said he was with only one man, so I don't know exactly. It was something that happened in my place of business; a customer asking for a lemonade; a man. They don't usually do that. That was the first time in 7 years I have been in business that a customer asked for a lemonade. So my bartender—he learned to be a bartender at my place of business; he was a seaman before—he came to me and said, "The customer wants a lemonade. Do we do that?" I said, "Sure." He didn't know how to make it, so I said, "Take a glass of water, couple of spoons of sugar, some lemon." He says, "How much should I charge?" I said, "Twenty-five cents." He went back and made a lemonade and put it to Oswald. Then Oswald got mad. Said 25 cents was too much for the lemonade, and then he asked for a tequila for his friend.

Mr. LIEBELER. Did Oswald ask for the tequila or did his friend?

Mr. PENA. I don't know exactly. I was away from there. I didn't pay any attention. They got mad about the 25 cents for the lemonade and 50 cents for the tequila, so they asked my bartender, Evaristo, why I charge so much

for the drinks and I was a capitalist charging too much for the drinks. He went and came to me and told me about it. I said, "Don't worry about it. They pay you already?" "Yes." "Don't worry about it." If you are going to worry about all the customers, you are going to go crazy. Then I don't know whether he left or something, but he vomited after that; Oswald did. I don't know anything but they walked away; that's all. When the assassination happened, they put the pictures over on the television, so I saw Oswald and I said, "That's the man who came to my place one time, the man who ordered the lemonade." Evaristo came and said, "Look! That's the man that assassinated Mr. Kennedy is the one that was here one time."

Mr. LIEBELER. You told this to Rodriguez?

Mr. PENA. No; he told me. I identified to him by the television. I saw him that day.

Mr. LIEBELER. You recognized Oswald yourself even before Rodriguez came to you and told you about that; is that right?

Mr. PENA. Yes. When he told me about the lemonade, I took a look at the customer; took a look and forget about it. No sense in going about there and discuss with him, and then all of that was forgotten. After the assassination, we were speaking about that man was here one time. We used to go to Bringuier's place about the incident that we got with Oswald, and Bringuier is very much interested. He called—my brother called Bringuier. We didn't pay any attention until the FBI came one time and asked me.

Mr. LIEBELER. The FBI did come and ask you about this?

Mr. PENA. Yes; so when the—

Mr. LIEBELER. Was that shortly after the assassination?

Mr. PENA. Yes. So I told him just like I tell you. Then they start coming, and over and over and over, and then I told the same thing what I knew about, and that's all I know about.

Mr. LIEBELER. Now did you ever see Oswald at any other time?

Mr. PENA. No; I didn't.

Mr. LIEBELER. Did you ever see the man who was with him at any other time?

Mr. PENA. The man that was with him looked Spanish; more Cuban than anything else. You are American. You might know your people. I am Cuban. I can sight them. I don't think I am being mistaken about him, about Cuban people. I can spot them when I see them that they might be a Cuban.

Mr. LIEBELER. You thought this man might be a Cuban?

Mr. PENA. To me, I thought he was a Cuban. I can tell that is true. I wasn't even too close to him.

Mr. LIEBELER. You were never too close to this man?

Mr. PENA. No.

Mr. LIEBELER. Did you see Oswald clearly enough to be absolutely sure in your mind that it was Oswald in the bar?

Mr. PENA. Yes.

Mr. LIEBELER. Did you ever see this Cuban-looking man that was with him at any other time or any other place?

Mr. PENA. No. See, after—that was before the assassination of Mr. Kennedy—there was an incident in my place. Two guys came. They said they were Mexican. They didn't look like Mexicans. They looked more like Cubans. They came to my place. I got a bongo with a chain. I got two bongoes for the people to play that with the music. I got a chain because I lose one of them one time. Maybe some guy was drunk. That's why I put a chain on it so they can't take it away. I was fixing the bongo on that day and they came in. They came to see me. They said, "That's what you have to have here in this country, a chain?" I was mad because one of the customers broke the bongo. I said, "What you mean by that?" When I got mad, I got a little bit—I don't know—aggressive by the way I speak. So I told them, "What you mean by that?" They said, "Well, in this country you have to put a chain?" I said, "That's so they don't take the bongo away." They said, "This is a democratic country?" I said, "Where you come from?" He said, "I come from Mexico." I said, "Don't tell me about Mexico; you take a car to Mexico, they steal the four wheels away." So right away they saw me mad, so they left, so I called the—I think I called the FBI and told them about it. I told them where they

walk, which way they walked. They say, "If they come back to your place, call us again." I just forgot about it. I never saw them no more.

Mr. LIEBELER. Did you call the FBI yourself, do you remember that?

Mr. PENA. Yes, sir.

Mr. LIEBELER. Why did you call the FBI about these men?

Mr. PENA. I don't like it, the way they were, the way they spoke about the country here, so—I didn't like it, so I called the FBI.

Mr. LIEBELER. And the FBI told you if they came back—

Mr. PENA. If they came back, to please call them back.

Mr. LIEBELER. Do you remember who you talked to at the FBI?

Mr. PENA. I don't know exactly. See, I used to call De Brueys. You are from Washington, huh?

Mr. LIEBELER. Yes.

Mr. PENA. I am going to talk to you about De Brueys and the FBI agency in New Orleans, in Louisiana.

Mr. LIEBELER. Do you think you talked to De Brueys at this time?

Mr. PENA. I don't know exactly. Sometimes you call there and they tell you he is not in there and you talk to somebody else if you want to give the message in the FBI, see, because De Brueys isn't there.

Mr. LIEBELER. Now, these two Mexicans that came into your bar and with whom you had the discussion about the bongo drums, were they the same men or the same man that was with Oswald when he was in the bar?

Mr. PENA. No; I don't believe so.

Mr. LIEBELER. Did they appear to you to have been entirely different people?

Mr. PENA. Well, I know it was not Oswald.

Mr. LIEBELER. Was Oswald there at the time you had the argument with the men about the bongo drums?

Mr. PENA. No.

Mr. LIEBELER. Do you know whether or not either of the men who argued with you about the bongo drums had been with Oswald when he was in the bar?

Mr. PENA. See, the man was over—I can't identify him. I can't. Oswald I did because of the lemonade. I looked to him, that's all, but the other guy I can't identify. He looked like a Cuban, but I can't say that exactly. Maybe if I would see him again I would say, "Well, that's the man."

Mr. LIEBELER. But you aren't able to say whether the two men who argued with you about the bongo drums had any connection with Oswald or had been with Oswald when he was in the bar?

Mr. PENA. I can't say that.

Mr. LIEBELER. You didn't recognize either of these two men that argued with you about the bongo drums as the men that had been with Oswald before?

Mr. PENA. No.

Mr. LIEBELER. Had you ever seen these Mexicans before they argued with you about the bongo drums?

Mr. PENA. I don't think they were Mexicans. They speak very, very different, and they looked like Cubans. They spoke something like Cubans.

Mr. LIEBELER. Did you ever see them again after that time?

Mr. PENA. No.

Mr. LIEBELER. You never saw them before that time, to the best of your knowledge?

Mr. PENA. No.

Mr. LIEBELER. Is this the story that you told to the FBI after the assassination, that you had seen Oswald in the bar and Rodriguez had seen him in the bar?

Mr. PENA. More or less.

Mr. LIEBELER. When you talked to the FBI 2 weeks ago, did they ask you about this again?

Mr. PENA. Yes; they asked me about this more than a dozen times.

Mr. LIEBELER. They asked you more than a dozen times about this?

Mr. PENA. Yes.

Mr. LIEBELER. And did they come to your bar to ask you about this?

Mr. PENA. They come to my bar. They been calling me to come to the FBI office. That's why sometimes—one time I went down and got a lawyer. I don't

need a lawyer about for this. I just tell you the truth. When I finish with him—you are from Washington. I tell you, Bringuier hates the United States as much as he hates Russia.

Mr. LIEBELER. Bringuier does?

Mr. PENA. The day Mr. Kennedy put a blockade in Cuba—you remember, about a year and a half, more or less—Mr. Carlos Bringuier was telling me—excuse me—(obscenity) in Spanish more than a dozen times, and I couldn't stand that. I have never done anything against the United States. I said, "No." Anyway, anything you want to ask me—and you can ask Mr. Bringuier is that true or not, and let him and me take a lie detector test to see who is right on it.

Mr. LIEBELER. You say that you have never done anything against the interests of the United States?

Mr. PENA. No; I have not ever.

Mr. LIEBELER. Well, I have no reason whatsoever not to believe that statement, Mr. Pena.

Mr. PENA. Okay.

Mr. LIEBELER. Why do you say that Mr. Bringuier hates the United States more than he does Russia?

Mr. PENA. Because he does as much.

Mr. LIEBELER. As much?

Mr. PENA. Yes.

Mr. LIEBELER. Why does he dislike the United States? Has he ever told you?

Mr. PENA. No; but the way he talks, that the United States didn't help to overthrow Castro, and he can go over there and take over.

Mr. LIEBELER. Is that the basis for Mr. Bringuier's bad feeling towards the United States, that we haven't done anything to overcome the Castro regime?

Mr. PENA. Well, the way he talks to me, he hates the United States as much as he hates Russia. That's what I told you, what he said, more than a dozen times. And if that is not true, let him take a lie detector test and find out whether that is true or not true.

Mr. LIEBELER. Did you tell Mr. Bringuier about having seen Oswald in the bar?

Mr. PENA. Yes; we was talking about that day. You see, I did like very, very much Mr. Kennedy.

Mr. LIEBELER. You did or did not?

Mr. PENA. I did. Very, very much. So I was hurt when he got killed. So when I saw the man there—I saw the man—so I went around and told most of my customers that I saw Oswald came to my place.

Mr. LIEBELER. When you talked to the FBI on June 9, 1964, you told them, did you not, that you had never told anybody that Oswald had been in the bar?

Mr. PENA. That I never told anybody?

Mr. LIEBELER. Yes.

Mr. PENA. That's not true.

Mr. LIEBELER. Didn't you tell that to the FBI?

Mr. PENA. I don't think that's so. That I never told anybody?

Mr. LIEBELER. Yes.

Mr. PENA. I didn't told anybody before?

Mr. LIEBELER. I have a report before me, Mr. Pena, of an interview of you in the presence of your attorney, Mr. Tamberella, which was made by Mr. De Bueys and Mr. Wall. That was in the FBI office on June 9, and on page 2 of this particular report, which is page 14 of the larger report, it says, and I quote: "Orest Pena specifically stated he had never told anyone, including Carlos Bringuier, that Oswald had been in the Habana Bar with a Mexican prior to the assassination of President Kennedy. He also said he never heard his brother, Ruperto Pena, say that Oswald had been in the bar with a Mexican. He also stated that he had no information that the FBI was ever looking for a Mexican who had ever patronized his bar." Did you tell the FBI that?

Mr. PENA. I don't think so.

Mr. LIEBELER. In fact, you did tell Bringuier that you had seen Oswald in the bar?

Mr. PENA. When we were talking after the assassination, we were talking about it.

Mr. LIEBELER. Did you tell the FBI agents back in December that Oswald had been in the bar and that you had seen him?

Mr. PENA. Yes.

Mr. LIEBELER. And that Rodriguez had seen him there, too?

Mr. PENA. Yes; that's the first time they interviewed me about Oswald.

Mr. LIEBELER. On December 5, as far as I can tell. I have only two reports.

Mr. PENA. Last year, you mean?

Mr. LIEBELER. In 1963. I have a report dated December 5, 1963, of an interview with you in which you told the FBI that you had seen Oswald in the bar and then I have a report of the interview on June 9, 1964, a month ago, which says that you told them that you never told anybody that Oswald had been in the bar and, of course, that's one of the reasons why we called you in and wanted to talk to you because there is an apparent conflict between the two FBI reports that we have on that question. Now let me ask you this: You have a good deal of hostility toward the FBI, do you not?

Mr. PENA. We got to talk about something else before I tell about the FBI in New Orleans, so you let me know so I tell about the FBI, what I think about it, if I can express myself well enough to put my point of view about some of the agents of the FBI in New Orleans. Anyway, I will tell you. See if you can understand my view.

Mr. LIEBELER. Very well. Let's get to that later. Regardless of what it says in this FBI report, the fact is, you did see Oswald in the bar and you did tell Bringuier, didn't you?

Mr. PENA. We was talking about—I know we was talking about it with so many people around there, I can't tell you exactly. I know he knew because we was talking about it.

Mr. LIEBELER. Right. Did you actually see the man who ordered the lemonade in the bar?

Mr. PENA. Yes, sir.

Mr. LIEBELER. Can you tell me approximately when it was that you saw Oswald in the bar? Now in this connection, let me help your thinking about it by reminding you that you went to Puerto Rico on about August 13 or 14, 1963. Was it before that or after that that you saw Oswald?

Mr. PENA. I don't remember exactly.

Mr. LIEBELER. You can't remember?

Mr. PENA. No; it wasn't easy then. There was nothing in the incident. He had money to pay for it and we just forgot about it.

Mr. LIEBELER. You can't remember whether it was before you went to Puerto Rico and the Dominican Republic or afterward?

Mr. PENA. No; I can't.

Mr. LIEBELER. Did your brother, Ruperto, ever tell you that the two men who had given you a hard time about the bongo drums had come back to the bar?

Mr. PENA. He told me something about that he saw the men passing by in a car and he called Bringuier and so Bringuier called the FBI, so they said that they called the FBI.

Mr. LIEBELER. Was Ruperto in the bar when you had the argument with the fellow about the bongo drums?

Mr. PENA. I don't know exactly.

Mr. LIEBELER. But you say that Ruperto saw these two men later on driving past the bar; is that correct?

Mr. PENA. I wasn't there that date. I wasn't around there that date. He saw the two men and the FBI told me if I see them coming to my place, to call them. He saw the two men sitting in a car and—I don't know exactly. He went to Bringuier and told Bringuier, so Bringuier called the FBI. That's what they said. I don't know.

Mr. LIEBELER. You have no personal knowledge of any of that?

Mr. PENA. No. I believe my brother told me he saw the men or something, but I didn't pay no attention about it.

Mr. LIEBELER. There's no connection between these two men that your brother, Ruperto, saw and the man who was in the bar with Oswald as far as you know?

Mr. PENA. No.

Mr. LIEBELER. Do you remember whether Ruperto was in the bar when Oswald was there?

Mr. PENA. I don't believe he was there. I don't believe so.

Mr. LIEBELER. Was Evaristo Rodriguez there?

Mr. PENA. When Oswald was there?

Mr. LIEBELER. Yes.

Mr. PENA. He was the one who was serving Oswald.

Mr. LIEBELER [handing picture to witness]. I show you a picture that has previously been marked as "Bringuier Exhibit No. 1," and I ask you if you recognize anybody in that picture.

Mr. PENA. Yes, Oswald; I recognize him.

Mr. LIEBELER. Which one is Oswald?

Mr. PENA. Oswald is marked in some way.

Mr. LIEBELER. He has an "X" on him, is that correct?

Mr. PENA. Yes.

Mr. LIEBELER. Do you recognize the place where this picture was taken?

Mr. PENA. I know about it now because I seen in the FBI. They have a place. Put it on the television. That's the International Trade Mart, I believe so.

Mr. LIEBELER. The FBI put this picture on television?

Mr. PENA. I don't know exactly if that picture or another picture, but they got Oswald and a group—I don't know if this group—handing out propaganda to other people. I got in an argument with the FBI about that, too. I told them if they had that propaganda paper, why don't they find out the printing, where they printing that propaganda, and that would be easy to find the other people. See, I —

Mr. LIEBELER. Why, because if they found the place where the propaganda was printed, they would—

Mr. PENA. Yes. Those people might know Oswald and many other people in connection with Oswald.

Mr. LIEBELER. Would it surprise you if I told you we do know who printed the handbills?

Mr. PENA. Well—you say you do know?

Mr. LIEBELER. Yes.

Mr. PENA. Okay. I took two courses in investigation work, one from the International Detective School, and one from the Applied Sciences of Chicago. The big man there is an ex-FBI man, Mr. Dickerson Cook. So I took that course, too. After I finished, he sent me a letter. I like investigation very much.

Mr. LIEBELER. Let me point out to you a young man in this picture. He is the second man to Oswald's right and behind. He is standing there with some leaflets in his hand. He has a white, short-sleeved shirt on and a tie, and he appears to be handing out leaflets. Did you ever see that man before?

Mr. PENA. I don't believe so.

Mr. LIEBELER. Could he have been the man who was with Oswald in the bar?

Mr. PENA. I couldn't say.

Mr. LIEBELER. You don't recognize anybody else in that picture except Oswald, is that correct?

Mr. PENA. Yes.

Mr. LIEBELER [handing picture to witness]. I show you a picture which has been previously identified as "Pizzo Exhibit No. 453-A," and ask you if you recognize anybody in that picture.

Mr. PENA. I recognize Oswald there [indicating].

Mr. LIEBELER. He has a green "X" line over his head?

Mr. PENA. Yes.

Mr. LIEBELER. Do you recognize anyone else in the picture?

Mr. PENA. No.

Mr. LIEBELER [handing picture to witness]. I ask you the same question with respect to "Pizzo Exhibit No. 453-B."

Mr. PENA. I recognize him [indicating].

Mr. LIEBELER. With the green marking over his head?

Mr. PENA. Yes.

Mr. LIEBELER. And no one else?

Mr. PENA. No.

Mr. LIEBELER [handing picture to witness]. I show you a picture which has been previously identified as "Garner Exhibit No. 1," and ask you if you recognize that man.

Mr. PENA. Yes; that's Oswald.

Mr. LIEBELER. Do you recognize him as the same man who was in the bar?

Mr. PENA. Yes.

Mr. LIEBELER [handing picture to witness]. I show you a picture that has been marked "Pizzo Exhibit No. 453-C," and ask you if you can identify that man.

Mr. PENA. Yes; that's Oswald.

Mr. LIEBELER. That's the same man who was in your bar?

Mr. PENA. Yes.

Mr. LIEBELER. Do you have any doubt in your mind that it was Oswald who was in your bar?

Mr. PENA. He was there.

Mr. LIEBELER. He was there?

Mr. PENA. Yes.

Mr. LIEBELER. Am I correct in my understanding of your previous testimony that after you saw the picture of Oswald on television after the assassination, you, yourself, recognized that as the man that had been in the bar, even before Rodriguez mentioned it to you?

Mr. PENA. Well, I seen it and I came down. I was talking about it, and I recognized him right away.

Mr. LIEBELER. Even before Rodriguez spoke to you about it, or was it after Rodriguez spoke to you about it?

Mr. PENA. I was talking about it, and the man was in my place, you know. Then Rodriguez came over and said, "You remember that man who was drinking that lemonade?" Then my mind got clear. He just run from his house to my house to tell me about it.

Mr. LIEBELER. You had seen Oswald on television before Rodriguez told you about it and you thought you recognized him as having been in the place?

Mr. PENA. Yes.

Mr. LIEBELER. Then Rodriguez reminded you of the lemonade and then it became clear in your mind that Oswald was the man who had ordered the lemonade and had been in your place?

Mr. PENA. Yes.

Mr. LIEBELER. Rodriguez told the FBI that shortly after Oswald had been in the bar, after the lemonade incident, that he went to a doctor's office with you and this was just before you went to Puerto Rico and the Dominican Republic. Do you have any recollection of that?

Mr. PENA. We went to a doctor's office?

Mr. LIEBELER. Yes. To be more specific, Rodriguez said that while he was riding back in the car with you, he saw Bringuier in the street with some policemen. Do you know anything about that?

Mr. PENA. Oh, yes. They got some kind of trouble. I went out. Yes. And they got some group, or two or three people was giving propaganda away, and Bringuier and one or two more guys went and started an argument with the guy who was giving the propaganda away in Canal Street. Then the police came down and they arrested him, Bringuier, and one or two more Cubans, and one more guy. I don't know the guy. I have seen him, but I don't know the guy. And they put them in jail in the first district, and they was calling Bringuier's brother-in-law. His name is—it is—

Mr. LIEBELER. Hernandez? Is that Celso Hernandez?

Mr. PENA. No. They called me up there. I say, "Well—" so I went over there and put a bond, \$25, so they can come out.

Mr. LIEBELER. You actually went to the police station and put up bond for Bringuier?

Mr. PENA. Yes, sir.

Mr. LIEBELER. That was so that Bringuier could get out?

Mr. PENA. Yes. One or two more guys.

Mr. LIEBELER. Do you remember seeing the incident in the street as you drove by?

Mr. PENA. No.

Mr. LIEBELER. Did Rodriguez tell you about it later on? He told you that he had seen it?

Mr. PENA. Yes.

Mr. LIEBELER. Did he tell you that when he was with you at that time? Did he mention it after the doctor's appointment where you had been together?

Mr. PENA. What you mean?

Mr. LIEBELER. Did Rodriguez tell you that he had seen Bringuier in the street on the way back from the doctor's appointment when he was with you?

Mr. PENA. I don't remember that.

Mr. LIEBELER. In any event, you, yourself, did not see Bringuier in the street with the policemen at that time, and later on, after Bringuier had been arrested, you went over to the police station and put the bond up for Bringuier?

Mr. PENA. His brother-in-law in the store told me about it. He says, "I can't leave the store by myself." I said, "How much would the bond be?" Then I said, "Okay, I put the bond. Then you give it back to me."

Mr. LIEBELER. Now that was shortly before you went to Puerto Rico; is that correct?

Mr. PENA. I don't know exactly.

Mr. LIEBELER. Do you remember whether the incident with regard to the bond was about the time that Oswald was in the bar and ordered the lemonade, or was it not about at that time? Do you remember?

Mr. PENA. I don't remember.

Mr. LIEBELER. Do you remember one time about in May or so of 1962 that you got into a fight in your bar with some man who was standing there listening to you talk to some of your friends?

Mr. PENA. I got so many fights in my place I don't know which one it is.

Mr. LIEBELER. Do you know a man by the name of Garcia?

Mr. PENA. I don't know.

Mr. LIEBELER. Hector José Garcia?

Mr. PENA. Hector José Garcia?

Mr. LIEBELER. We have a report that there was a man in your bar who heard you talking to two merchant seamen, and you are reported to have said: "Castro should have been notified about that as soon as possible." Do you remember saying anything about that?

Mr. PENA. That Castro should be notified about it?

Mr. LIEBELER. That Castro should have been notified about that as soon as possible.

Mr. PENA. No.

Mr. LIEBELER. Have you ever had anything to do with Castro?

Mr. PENA. No; not ever.

Mr. LIEBELER. You say that Rodriguez had worked as a merchant seaman prior to the time he went to work as a bartender, is that correct?

Mr. PENA. Yes.

Mr. LIEBELER. About what time did he start working as a bartender?

Mr. PENA. When he came. His ship sunk and—somewhere in Costa Rica—and they was transferred to New Orleans, and the company—agency that he worked for bring him to New Orleans, bring a whole bunch to New Orleans. They know I got room up in the house on the third floor. They ask me if I got rooms, so I rent rooms to those guys, so—Evaristo, too—so in that time, I put Evaristo to work for me.

Mr. LIEBELER. About how long ago was that?

Mr. PENA. I don't know exactly. I know it's over a year.

Mr. LIEBELER. Over a year?

Mr. PENA. Yes.

Mr. LIEBELER. You do have a lot of fights and difficulties in your bar, is that correct?

Mr. PENA. Yes. Arguments. You know, a barroom.

Mr. LIEBELER. Was the anti-Castro organization that you worked with called the Cuban Revolutionary Council?

Mr. PENA. Yes.

Mr. LIEBELER. That was the name of it?

Mr. PENA. And the delegate here was Serrgio Arcacha. He was the boss of the organization.

Mr. LIEBELER. Do you remember having your picture in the paper at one time—

Mr. PENA. Yes.

Mr. LIEBELER. In connection with this, on the front page?

Mr. PENA. Yes.

Mr. LIEBELER. That would have been some time in late December of 1960 approximately?

Mr. PENA. I don't know exactly.

Mr. LIEBELER. Do you remember that when you talked to the FBI just last month, they asked you when you went to Puerto Rico and the Dominican Republic in August of 1963, and they asked you the days?

Mr. PENA. Yes.

Mr. LIEBELER. And did you subsequently discuss that with your attorney, Mr. Tamberella?

Mr. PENA. Yes. Well, see, why, the reason I took Tamberella with me was because from my point of view, the FBI of New Orleans ask me about the same things so many times that somehow I was mad, so I said—about 10, 15 times they ask me the same thing over and over and over, and Tamberella is my lawyer, so I went to Tamberella and said, "Look! They look silly to me." They say the same thing so much, so I want to see if I can't stop this. If they come around asking me something else, that's okay, but for the same thing, I can't tell no more about that. He said, "Okay, I go with you."

Mr. LIEBELER. Now my reports indicate that Mr. Tamberella called the FBI office back after your interview and told the FBI that you had left for Puerto Rico on August 8, 1963.

Mr. PENA. August 8?

Mr. LIEBELER. Yes. That you were not able to tell them the exact date at the time of the interview, but later, Mr. Tamberella told them that. That does not appear to be correct, does it?

Mr. PENA. I don't know exactly. It wasn't in the passport, the date?

Mr. LIEBELER. Well, the date was August 22 in the passport.

Mr. PENA. The date in the passport was the date I came out of the Dominican Republic, the 22d. I came back on my way back to New Orleans the 22d of August.

Mr. LIEBELER. Let me ask you this—

Mr. PENA. Yes; might be the day I came out of the Dominican Republic. I don't know exactly. Might be the 8th because I spent 1 week—if that date, August 22, is the date I left the Dominican Republic, might be the 8th because I spent 2 weeks between the two places. Delta Airlines can give you the date of the flight to Puerto Rico exactly.

Mr. LIEBELER. The only way that you and Mr. Tamberella were able to fix the date was by looking at the stamp on the passport; is that correct?

Mr. PENA. Yes.

Mr. LIEBELER. If the visa stamp is the date that you left the Dominican Republic—

Mr. PENA. It would be 14 days before that. I went 1 week in Puerto Rico and 1 week in the Dominican Republic.

Mr. LIEBELER. If the date on the stamp was the day you went into the Dominican Republic—

Mr. PENA. It would be 7 days before.

Mr. LIEBELER. You are absolutely clear in your mind, however, that you were here in New Orleans on the day that Bringuier was arrested in connection with the propaganda demonstration on the street because you put up the bond to get him out. If I told you that that happened on August 9, 1963, that would indicate that you were here in New Orleans at that time and that you must have left some time subsequent to August 9, 1963?

Mr. PENA. I don't know. It might be another time, but the time I placed the bond for him, I was here because I was the one went up to the first precinct to give the money.

Mr. LIEBELER. That was the time Bringuier had gotten into a fight with this man over distributing propaganda leaflets?

Mr. PENA. I didn't see the fight.

Mr. LIEBELER. But he told you about it?

Mr. PENA. Yes.

Mr. LIEBELER. Did he tell you how this fight came about?

Mr. PENA. Some other Cuban, a friend of Bringuier's, one of the Cubans I placed the bond for, came to Bringuier's store—that's what they told me about it, what I hear—and told Bringuier, "Look, Bringuier, there is a man there giving propaganda against the Cuban Society in favor of Castro." So Bringuier came out, but the two men got away, and how they—I don't know what happened, what was the argument, but they got arrested by the policemen.

Mr. LIEBELER. That was the time when you put up the bond to get him out?

Mr. PENA. Yes; if that's the same time. I don't know if he got in some other trouble like that a different time. I don't know. I put bond for him one time. I don't know if it was—I don't remember exactly.

Mr. LIEBELER. Well, the description of the incident that you have given us about the propaganda sounds very much like the one that occurred on August 9, and the man who was handing out the literature was Oswald, and Bringuier was arrested along with two other men along with Oswald. That would seem to place you here in the United States at that time. We can always check what the procedure is on that visa stamp so we can figure out when you left the United States.

Mr. PENA. You don't need a visa to go to Puerto Rico when you are an American citizen, but the Delta Airlines, if they keep records, can give you the exact date and the hour I left New Orleans to go to San Juan, P.R., last summer. I know it was in August because in August is my birthday.

Mr. LIEBELER. You went to Puerto Rico on your birthday?

Mr. PENA. Well, I stay there on my birthday.

Mr. LIEBELER. When is your birthday?

Mr. PENA. August 15.

Mr. LIEBELER. August 16?

Mr. PENA. Fifteen.

Mr. LIEBELER. I show you a photographic copy of a passport application dated June 24, 1963, and ask you if that is a copy of the passport application that you filled out on or about that day [handing document to witness].

Mr. PENA. Yes.

Mr. LIEBELER. That is a copy of your passport application, is it?

Mr. PENA. I believe so.

Mr. LIEBELER. I would like to mark that as "Orest Pena Exhibit No. 1," and I will just write it on here if I may.

(Whereupon, the document offered by counsel was duly marked for identification as "Orest Pena Exhibit No. 1.")

Mr. LIEBELER. I have marked this "Orest Pena Exhibit No. 1," New Orleans, July 21, 1964, and I have placed my initials on it. Would you initial it below my initials just so we know we are talking about the same document.

Mr. PENA. Over here [indicating]?

Mr. LIEBELER. Yes; just put your initials on it.

(Witness complying.)

Mr. LIEBELER. Now this application also has a part 2, which is required to be filled out by naturalized citizens. That is also a part of your application; is it not? [Handing document to witness.] Is that a part of your application, too, Mr. Pena?

Mr. PENA. I don't know. Might be. Something wrong here. How—went to Mexico? I don't know exactly.

Mr. LIEBELER. What's the problem?

Mr. PENA. I don't know. Says here I was in Mexico. I don't know when I went to Mexico. When I got my passport, I don't remember exactly. I believe I got my passport—when I went to Mexico? How come it says here I went to Mexico?

Mr. LIEBELER. You told us you went to Mexico in May of 1963, if I am not mistaken. Is that right?

Mr. PENA. I know I went to Mexico last year.

Mr. LIEBELER. Well, this passport application, the one that we have already marked, is dated June 24, and the part, the supplement to it, or what purports to be a supplement to it indicates that you went to Mexico for 8 days in May of 1963. Now this part that we are looking at is not signed by you at any point.

Mr. PENA. You mean that's when I applied for my passport?

Mr. LIEBELER. No; you applied for your passport on June 24, 1963. That was after you came back from Mexico. You didn't need your passport to go to Mexico. I don't think you did, anyway.

Mr. PENA. Yes; I believe so. I got my citizen papers; yes.

Mr. LIEBELER. But the information that is set forth on this second part of the application, to the extent that it indicates that you went to Cuba in 1959 in May and April, is correct, is it not?

Mr. PENA. Well, I don't know the exact date, but it was around there, somewhere around there.

Mr. LIEBELER. The information that you came to the United States in October of 1946 is correct, is it not? That's correct approximately?

Mr. PENA. Yes; around.

Mr. LIEBELER. And you lived at 223 West 105th Street in New York City, did you not, for a time?

Mr. PENA. Yes; I lived in that place.

Mr. LIEBELER. Now on the application, the original application that we have marked as "Exhibit No. 1," which you signed, it indicates, does it not, that you were going to go to Spain and that you planned to go to Spain for a vacation trip of approximately 2 weeks.

Mr. PENA. Yes.

Mr. LIEBELER. Now in fact, you didn't go to Spain at that time; is that right?

Mr. PENA. Yes.

Mr. LIEBELER. You went to Puerto Rico and the Dominican Republic?

Mr. PENA. Yes.

Mr. LIEBELER. What made you change your mind about that?

Mr. PENA. I don't know; I just changed my mind. I postponed the trip to Europe for this year.

Mr. LIEBELER. Do you recall that you did plan to go to Spain on vacation?

Mr. PENA. What?

Mr. LIEBELER. Do you recall that you did plan to go to Spain on vacation?

Mr. PENA. Yes, sir. That's where I did take my passport. You also use a passport.

Mr. LIEBELER. Where did you fill this application out?

Mr. PENA. Right here in New Orleans at 701 Loyola Street, if I am not wrong, the new Federal building.

Mr. LIEBELER. At 701 Loyola Street, the new Federal building?

Mr. PENA. Yes, sir.

Mr. LIEBELER. Did you see Lee Harvey Oswald at the passport office on the day you applied for this passport?

Mr. PENA. I don't believe he was there.

Mr. LIEBELER. He applied for a passport on the same day.

Mr. PENA. He applied for the passport on the same day?

Mr. LIEBELER. Yes.

Mr. PENA. I don't remember seeing him there. I remember the day I applied for my passport there were a lot of people from—I don't know from where, India or Africa. You know, colored people. There were some people there. They were seamen or something, and one American girl got all of those colored people. She was helping all of them that day. A bunch of people there, colored people.

Mr. LIEBELER. You have no recollection of seeing Oswald there at that time?

Mr. PENA. No.

Mr. LIEBELER. As far as you know, you never saw Oswald at any time other than that time you saw him in your bar?

Mr. PENA. No.

Mr. LIEBELER. He never had any conversation with you; is that correct?

Mr. PENA. Not that I recall.

Mr. LIEBELER. Have any other Federal agencies besides the FBI interviewed you?

Mr. PENA. You see, before, they used to go there and say, "We are from the Federal Bureau," and would just talk to them. I didn't know what agency. I never took no one's name or anything until later my lawyer told me, "Every time you talk to one of these men, get their name, where they come from." That was very, very much later. Before, they would just come around and tell me that they are asking me many things about people that was for Castro. When you got a barroom, especially in Spanish like I got—most of my customers are Spanish seamen, foreign seamen—you hear the way they talk, and before, as I was against Batista—most of the people here for Castro, really for Castro—they was going to my place. So when I joined the organization against Castro in New Orleans, one of the agents of the FBI, De Brueys, started going to my place very, very often asking me about many different people, Spanish people, what I knew, what I thought. I told him what I knew; that some people was for Castro and some people was against. I told him what I saw. I never did ask him what he found out about those people.

Mr. LIEBELER. Sometimes you would call the FBI and give them information, too; is that correct?

Mr. PENA. Yes.

Mr. LIEBELER. Information that you picked up from conversations that took place at your bar and listening to those seamen?

Mr. PENA. Yes.

Mr. LIEBELER. Now I have been provided with what are supposed to be all of the FBI reports about their conversations relating to the Oswald case, and as far as I can tell, the only time the FBI has spoken to you about that was back in December 1963, shortly after the assassination, and then again in June 1964, just a short time ago; when they came to question you again at my request after I had—

Mr. PENA. Just those two times?

Mr. LIEBELER. Yes; just twice.

Mr. PENA. I believe it's very many more times than that.

Mr. LIEBELER. You think it is more times than that?

Mr. PENA. Oh, yes.

Mr. LIEBELER. You are sure these were FBI men?

Mr. PENA. I don't know because, as I told you before, I didn't used to get the names until my lawyer told me, "Look! Every time you talk to one of those people, you better get the name and write it down so you know who you are talking about."

Mr. LIEBELER. You wanted to tell me something about the FBI in New Orleans. Why don't you do that now.

Mr. PENA. You see, I started—like I told you, when that organization moved in New Orleans—

Mr. LIEBELER. This is the anti-Castro organization?

Mr. PENA. Yes. So I went down there and joined the organization. In 1959 when I went to Cuba, my mother told me how everything was going; so she says, "He is even worse than Batista." So when I came back, I joined the organization a little bit after that, the organization here in New Orleans. So I went and joined them and started working for the organization collecting money at my place of business and giving my own money for many things to the organization, you know, a dollar, two dollars. Then De Brueys came to the organization. Maybe—I don't know if sent by the Government or how, but he went to the organization.

Mr. LIEBELER. He joined it?

Mr. PENA. No; he didn't join it, but he was sticking with the organization very, very close.

Mr. LIEBELER. They knew he was an FBI agent?

Mr. PENA. Yes; we knew he was an FBI agent. So from time to time he called me at my place. He went to my place and was asking me about this guy and that guy, different people here in New Orleans. So I told him what I thought about the men. I tell you that and then you find out if I am right or if I am wrong. I never did ask if I was right or wrong. I told him about

people that I am for sure they are for Castro here in New Orleans. So one way or the other, he was interfering with me somehow, Mr. De Brueys, so—

Mr. LIEBELER. De Brueys was interfering with you?

Mr. PENA. Yes. Somehow. So one day I went to the FBI. They called me to the FBI. I don't remember exactly for what they called me. So I told De Brueys—I told De Brueys' or somebody else that I talked to—De Brueys' boss—I didn't ask them who it was. They was FBI. They was in the FBI office—I told the agency there I don't talk to De Brueys. I don't trust him as an American.

Mr. LIEBELER. Did you tell them any reasons why you didn't?

Mr. PENA. Because he was interfering very close with the organization against Castro. So since that day—we got in a little bit of argument there. We was talking about somebody. The FBI asked me about a man that had been in the group before, about somebody—if I knew somebody—if I knew his way for signing. So I asked De Brueys, "Did I told you about this man?" He said, "No." I got mad. I said, "If you said I didn't told you about that man, I don't trust you as an American, to be for an American." So 2 days later he went to my place of business. He said to me at the table, "I want to talk to you." I said, "Okay, let's go." He said not to talk about him any more because what he could do is get me in big trouble. He said, "I am an FBI man. I can get you in big trouble." But he made a mistake. I had a girl that was with me that was here when he was discussing me.

Mr. LIEBELER. Somebody else was there and heard it?

Mr. PENA. Yes. He was discussing me not to talk about it. He was an FBI man and he could get me in big trouble. So I talked to my girl friend and said, "Look, I better pull out of this thing. What the FBI wants me is to pull away from that organization and just keep away from those things, politics," so I pull away, and I never did heard from the FBI any more until Mr. Kennedy got assassinated. They left me alone completely. They never asked me after I pulled out of the organization. After that, I never listened to anybody talking about politics in the place. I tried to keep out of it the most I could. They never did call me any more until Oswald got—and then they started coming here talking to me because we was talking about the incident.

Mr. LIEBELER. So your complaints about the FBI here in New Orleans relate basically to the anti-Castro proposition and not to the investigation of the assassination; is that correct?

Mr. PENA. No, no. That was way before.

Mr. LIEBELER. You don't have any criticism of the FBI as far as the investigation of the Kennedy assassination was concerned except that you just don't like to talk to the FBI any more; is that right?

Mr. PENA. You mean after the assassination?

Mr. LIEBELER. Yes.

Mr. PENA. After the assassination, they came and asked me so many times about the same thing, lemonade, it just looked silly to me. They came over so many times. I said, I better do something about it. I called my lawyer and said, "Look! I don't know anything else about this. I want you to go with me there and put it clear that that's what I know about it and I don't want no more part of that." The thing—I got in an argument with one of the men there, the same thing I told you about the printing and the propaganda. I told him how I feel about that. I don't know whether I was right or wrong. He told me that the United States is a big country and it was hard to find. I told him, "I don't agree with you." I told him that.

Mr. LIEBELER. Who?

Mr. PENA. I talked to the agency about if that propaganda, where they was printing that propaganda, and I said, "Why can't you find that place?" He said, "Because the United States is a big country." I said, "It doesn't matter. Each printing has their own type or letter that can be found somehow."

Mr. LIEBELER. So you told this FBI agent that they should find where the propaganda literature had been printed?

Mr. PENA. The propaganda that Oswald was giving away. They put that on television about 4 or 5 days after the assassination—Oswald giving that propaganda. They knew that Oswald was giving that propaganda away before Mr.

Kennedy was killed. They got all of that propoganda and all of that film taken of Oswald.

Mr. LIEBELER. You think they should find where those leaflets were printed? This is what you told them?

Mr. PENA. The little bit I know about the investigation, they even—let me see how to say it. Let me see—they even keep Oswald from killing Mr. Kennedy. From my point of view as an investigator, if they went all the way from that propoganda, from where it was printed, maybe they can put Oswald in jail. Maybe the President not be killed. That was before Mr. Kennedy was killed.

Mr. LIEBELER. Let me ask you this: Do you have any evidence or do you know of any evidence that would link Oswald to anybody else in a conspiracy to assassinate the President?

Mr. PENA. No.

Mr. LIEBELER. Do you have any information or knowledge that Oswald was involved with pro-Castro people in connection with the assassination?

Mr. PENA. No; I can't tell you that.

Mr. LIEBELER. Do you have any information that this was a pro-Castro or a Castro plot to assassinate President Kennedy?

Mr. PENA. No; I can't say that.

Mr. LIEBELER. Do you know whether anybody else in New Orleans has any information like that?

Mr. PENA. No; I can't say that.

Mr. LIEBELER. What about Bringuier?

Mr. PENA. What I think about Bringuier? He is just trying to get big name, collecting big name to make himself big when he come back to Cuba. Be one of the bosses. That's my point of view. I told you he don't like the United States and what I told you about; you can bring him here and tell him that Orest Pena told you that. I will stand a lie-detector test and invite him to take one, and I invite De Brueys, too, to ask De Brueys if that's true or not true he went to my place and tried to intimidate me. If he say no, I take a lie-detector test and he take a lie-detector test and maybe you will find one Communist in the FBI.

Mr. LIEBELER. You think that Bringuier is using his association with Oswald to give himself a big name in connection with that?

Mr. PENA. That's what it is.

Mr. LIEBELER. As far as you know, Bringuier doesn't have any evidence that there was a pro-Castro plot to assassinate the President.

Mr. PENA. No; I don't know. See, Bringuier know Oswald very well. He told me one time—I don't know if that is true or not—he said that Oswald brought him some kind of manual or a book. I believe he still have the book. And Bringuier has his own organization here. They call it—

Mr. LIEBELER. DRE?

Mr. PENA. Cuban something.

Mr. LIEBELER. Is that the DRE?

Mr. PENA. Yes; something.

Mr. LIEBELER. Cuban Students Directory?

Mr. PENA. He said Oswald came to infiltrate in his organization.

Mr. LIEBELER. And that Oswald came to his store?

Mr. PENA. Yes. That's what he told me. Before, I used to talk to him, go there or he came to my place.

Mr. LIEBELER. You and Mr. Bringuier are not too good friends any more; is that right?

Mr. PENA. We was quite close until—when they started the blockade in Cuba, the way he spoke about President Kennedy. And I pulled a little bit out. I even used to give him sometimes more than \$2. I don't know. He collected to send to Miami, if he don't send it somewhere else. That's what he said.

Mr. LIEBELER. Do you have anything else that you want to tell us at this time, Mr. Pena, that I haven't asked you about that you think we should know about?

Mr. PENA. No.

Mr. LIEBELER. You can't think of anything?

Mr. PENA. I tell you, Bringuier don't do many things that he will tell you. He don't like America. Time will tell. He is one of the guys that—do you

remember when they were saying, "Yankee, go home," in Cuba? He was in Cuba at that time. He was calling, "Yankee, go home."

Mr. LIEBELER. Has he ever favored Castro that you know of?

Mr. PENA. Oh, of course.

Mr. LIEBELER. Who, Bringuier?

Mr. PENA. Yes. He said not?

Mr. LIEBELER. I am asking you did he ever favor Castro.

Mr. PENA. I was in Cuba. I left Cuba very long time ago. I never was involved in any kind of politics. I didn't like Batista, but I wasn't in any organization.

Mr. LIEBELER. You didn't know of any.

Mr. PENA. What I know about people, what I hear in my place, or what I hear other people talking, and what I hear about Bringuier was, when Castro started with his revolution of Cuba, he was one of the Cubans in the revolution calling, "Yankee, go home."

Mr. LIEBELER. You don't think that Bringuier is in favor of Castro at this time?

Mr. PENA. He? No, no. He hate Castro and he hate Russia, but he hates America as much, too. He just want to go back to Cuba and be one of the bosses.

Mr. LIEBELER. Be a big man?

Mr. PENA. Yes.

Mr. LIEBELER. All right, Mr. Pena. I want to thank you very much for coming in.

Mr. PENA. I want you to know something: I love the United States more than many people that are born in this country and I got a place of business and I hear—they don't talk much now. They are very scared, but before, when Castro was started, I learn many people, how much they was against this country, people that was born in this country. I love this country, believe me. Maybe you don't believe me or have a bad report about me, but nobody make me a Communist. Believe that. Believe it or not.

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

TESTIMONY OF RUPERTO PENA

The testimony of Ruperto Pena was taken on July 21, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Ruperto Pena, having been first duly sworn, was examined and testified, through the interpreter, as follows:

Mr. LIEBELER. First, let the record show that this testimony is being taken through an interpreter in the person of Special Agent Richard E. Logan of the Federal Bureau of Investigation.

Mr. PENA, I am an attorney on the staff of the President's Commission investigating the assassination of President John F. Kennedy. I have been authorized to take your testimony pursuant to certain regulations and orders that President Johnson has issued, including Executive Order No. 11130, dated November 29, 1963, and joint resolution of Congress No. 137.

You are entitled to have an attorney. You do not have to answer the questions if you have any objections to them, and you are entitled to 3 days' notice of the hearing.

Mr. LOGAN. I have already explained to him that you are an attorney and about the Commission and authorization. Now I will just tell him about these rights that he has.

(Discussion between witness and interpreter).

Mr. LOGAN. He says as long as he can answer them, that he will.

Mr. LIEBELER. I assume that he will be willing to proceed without an attorney?

Mr. LOGAN. No; he doesn't care.

Mr. LIEBELER. Where were you born, Mr. Pena?

Mr. PENA. Mantanza—that's the province—Colón—that's the city—Cuba.

Mr. LIEBELER. When?

Mr. PENA. March 5, 1927.

Mr. LIEBELER. You are still a citizen of Cuba?

Mr. PENA. Yes.

Mr. LIEBELER. Where do you work?

Mr. PENA. With my brother at the—I help my brother run the bar, the Habana Bar, 117 Decatur Street. The Habana Bar it is called.

Mr. LIEBELER. Do you know Carlos Bringuier?

Mr. PENA (answering directly). Yes.

Mr. LIEBELER. And you are the brother of Orest Pena; is that correct?

Mr. PENA. Yes.

Mr. LIEBELER. Do you know Evaristo Rodriguez?

Mr. PENA (answering directly). Yes.

Mr. LIEBELER. Have you discussed with your brother an incident in the bar where a man ordered a lemonade?

Mr. PENA. I didn't talk with my brother about it. I have discussed it with the bartender.

Mr. LIEBELER. Rodriguez?

Mr. LOGAN. Because his brother, apparently—he wasn't there when the incident happened either. He didn't discuss it with his brother and the bartender. Apparently, he just heard it through talk in the bar about the thing.

Mr. LIEBELER. You were not there at the time this happened?

Mr. PENA. No; I wasn't there.

Mr. LIEBELER (handing picture to witness). I show you a picture which has been marked "Garner Exhibit No. 1," and ask you if you recognize that man

Mr. PENA. I know him from the newspapers, but I have never seen him in person.

(Discussion between witness and interpreter.)

Mr. LOGAN. He knows. Just can't get it out right now. He doesn't remember his name. He knows his face because he has seen it in a lot of photographs and pictures in the newspaper. Never saw him in person, but he knows the photograph of the man from pictures on TV and newspapers.

Mr. LIEBELER. And you know him as the man who assassinated President Kennedy?

Mr. PENA. Yes; I do. I don't right at this second remember his name.

Mr. LIEBELER. Oswald?

Mr. PENA. Oswald is the man.

Mr. LIEBELER (handing picture to witness). I show you a picture that has been marked "Bringuier Exhibit No. 1," and ask you if you have ever seen any of the men in this picture, specifically that man who is handing out leaflets slightly to Oswald's right, the man I point to with my pencil, and, for the purposes of the record, it is the man who stands behind Oswald to his right, and he is the second man from Oswald. He wears a short-sleeved shirt with a tie.

Mr. PENA. I don't know anybody in there. I don't recognize anybody in there.

Mr. LIEBELER. Did you ever tell Carlos Bringuier that you had seen Oswald anywhere?

Mr. PENA. No.

Mr. LIEBELER. Were you in the bar, the Habana Bar, at the time when your brother got into an argument with two Mexicans or Cubans about the bongo drums?

Mr. PENA. It was me that had the argument with them. I had an argument with a couple of them over there over the problem of Cuba, but I was not there when the incident that your question specifically asked about took place.

Mr. LIEBELER. Now, you did have an argument with two Mexicans about Cuba; is that right?

Mr. PENA. The problems of Cuba.

Mr. LIEBELER. And did you call the FBI?

Mr. PENA. Bringuier did.

Mr. LIEBELER. Bringuier called the FBI?

Mr. PENA. Yes.

Mr. LIEBELER. How many times did you see these men?

Mr. PENA. The first time I saw them was in the bar, the two of them. It was in the evening we were having this discussion over the problems of Cuba. The second time was 2 or 3 days later—I am not positive about that—when I saw them pass the bar in a little car.

Mr. LIEBELER. Did you ask Bringuier to call the FBI?

Mr. PENA. Yes. What I did was, when I saw them passing in the car—these two men that I mentioned, passing in a car—I went out and took the license number and I gave this to Bringuier, Carlos Bringuier, and I asked Bringuier to call the FBI because I wasn't able to speak English well enough, and that's it.

Mr. LIEBELER. Had you, yourself, ever called the FBI or any other Government agency about these two men before you told Bringuier to call them?

Mr. PENA. I didn't call anybody before I told Bringuier to call them, the FBI.

Mr. LIEBELER. Are you sure?

Mr. PENA. I am sure. I gave Bringuier the number and told him to call the FBI because I couldn't speak English well enough.

Mr. LIEBELER. Well, do you remember discussing this question with Mr. Logan back in May, and Mr. Logan asked you this question at that time, and don't you remember that you told Mr. Logan that you had called the FBI or the Immigration and Naturalization Service?

Mr. PENA. No; I didn't, but at that time, I just have said that I called one because it mentions there about the telephone. I just can't remember it now.

Mr. LIEBELER. Why did you ask Bringuier to call the FBI, when you saw these men in the car?

Mr. PENA. The night that I had the discussion with these two men, I got the impression that they were pro-Castro and probably Communists, so that's why, when I saw them go by in the car a couple of days later, I asked Bringuier to call the FBI to denounce them, to turn them in or denounce them, or to let them know that they were about.

Mr. LIEBELER. Why didn't you call the FBI when you talked to them the first time?

Mr. PENA. The first reason I did not call the FBI the first time was because this discussion took place at night and that, as soon as the discussion was terminated, these two men left, and so it just sort of ended right there. Then, when I saw them again, I got Bringuier to try to call them.

Mr. LIEBELER. Did Bringuier tell you that he did call the FBI?

Mr. PENA. He called the FBI right in front of me.

Mr. LIEBELER. Were you there when Bringuier called the FBI?

Mr. PENA. Yes. I was right there when he was supposed to have called them.

Mr. LIEBELER. Where did Bringuier call them from?

Mr. PENA. Called them from Bringuier's store. That's the Casa Rocca. That's right down the street from me. It's 107 Decatur. It's the Casa Rocca. It's a store. That's where the call was made from.

Mr. LIEBELER. Did Bringuier tell you who he talked to at the FBI?

Mr. PENA. No.

Mr. LIEBELER. Did these two men have anything to do with Oswald, as far as you know?

Mr. PENA. As far as I know, no.

Mr. LIEBELER. Have you ever seen them again after you saw them in the car?

Mr. PENA. No; never saw them since.

Mr. LIEBELER. Have you ever been in favor of Fidel Castro in the early times?

Mr. PENA. I have never been friendly toward Castro. I am more or less pro-Batista.

Mr. LIEBELER. Do you have any information as to where these two men could be found now?

Mr. PENA. No; I don't have any information. I am under the impression that one was a Cuban and one was a Mexican because of their method of speaking Spanish, which varies from each Spanish country, like a Cuban speaking can recognize a Mexican by his language rather than his appearance.

Mr. LIEBELER. What is the answer to the question?

Mr. PENA. The answer to the question is that I do not have any information as to where these two men can be found now.

Mr. LIEBELER. Did you give Bringuier the license number of the automobile?

Mr. PENA. Yes; I gave it to Bringuier.

Mr. LIEBELER. Did Bringuier give it to the FBI?

Mr. PENA. Bringuier gave it to them, the FBI, over the telephone.

Mr. LIEBELER. You are sure that you were present when Bringuier talked to the FBI?

Mr. PENA. The thing is, I was there when Bringuier made a call supposedly to the FBI, but I can't say and won't say that I know Bringuier was talking to the FBI. Actually, as a matter of fact, he could have been talking to just anybody. That's what he just said.

Mr. LIEBELER. You had that problem because of your difficulty understanding the English language?

Mr. PENA. The idea is that I was there when the call was made, but I don't know. As far as I am concerned, Bringuier was talking to the FBI.

Mr. LIEBELER. It says here in this report that you weren't even there.

(Discussion between witness and interpreter.)

Mr. LOGAN. He is telling me now about all the people that are exiles that are in Cuba. They hollered, "Yankee, no." But that's not pertinent. You want me to ask him again about his being present and see if we can make him remember?

Mr. LIEBELER. Why does he mention this thing about Cuba? He is not one of them?

Mr. LOGAN. I dare say it is part of his nature. He is telling me that we have to be careful of all of these people, which we already know.

Mr. LIEBELER. Now, Mr. Pena, did you tell Mr. Logan and Agent De Brueys that you were not present when Carlos called the FBI?

Mr. PENA. I don't know that I remember telling you that, but I say now that I was present when that call was made.

Mr. LIEBELER. Now Mr. Bringuier said that you told him that one of the two Mexicans had been in the bar with Oswald. Is that correct?

Mr. PENA. I never told Bringuier that.

Mr. LIEBELER. And you couldn't have told Bringuier that because you weren't even in the bar when Oswald was there and you never saw the man who was with Oswald?

Mr. PENA. That's right. I wasn't in the bar when——

Mr. LIEBELER. Do you have any knowledge that Oswald was connected in any way with any conspiracy to assassinate the President?

Mr. PENA. I have no information that Oswald was ever connected with any organization or conspiracy to assassinate the President.

Mr. LIEBELER. Is there anything else that you would like to tell us about this whole affair?

Mr. PENA. I have no further information outside of what I have already said regarding the two Mexicans.

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

TESTIMONY OF SYLVIA ODIO

The testimony of Sylvia Odio was taken at 9 a.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. Would you please rise 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?

Mrs. ODIO. Yes; I do.

Mr. LIEBELER. Please sit down. My name is Wesley J. Liebeler. I am an attorney on the staff of the President's Commission investigating the assassina-

tion of President Kennedy. I have been authorized to take your testimony by the Commission, pursuant to authority granted to the Commission by Executive Order 11130 dated November 29, 1963, and joint resolution of Congress No. 137.

Under the rules of the Commission, you are entitled to have an attorney present, if you wish one. You are also entitled to 3 days' notice of the hearing, and you are not required to answer any question that you think might incriminate you or might violate some other privilege you may have. I think the Secret Service did call you, or Martha Joe Stroud, here in the U.S. attorney's office, called you and gave you notice.

Mrs. ODIO. Yes.

Mr. LIEBELER. Do you wish to have an attorney present?

Mrs. ODIO. No; I don't think so.

Mr. LIEBELER. We want to ask you some questions about the possibility that you saw Lee Harvey Oswald.

Mrs. ODIO. Before you start, let me give you a letter of my father's which he wrote me from prison. You can have it. It was very funny, because at the time he wrote it, the FBI incident happened a week later. I told my father this man had been in my house and he introduced himself as your friend; and he wrote me back in December telling me that such people were not his friends, and he said not to receive anybody in my house, and not any of them were his friends, and he didn't know those people. At the time I did give the names of one or two, and he wrote back, "I actually don't know who they are."

Mr. LIEBELER. Let's come to this during the course of the questioning, but I am glad you brought it up. I do want to get to it, because it may help us determine who these people were.

Mrs. ODIO. Yes.

Mr. LIEBELER. First of all, would you tell us where you were born?

Mrs. ODIO. In Havana, Cuba.

Mr. LIEBELER. Approximately when?

Mrs. ODIO. 1937.

Mr. LIEBELER. How long did you live in Cuba?

Mrs. ODIO. Until, well, I studied in the United States, so I mean—you mean my whole life until—it was 1960.

Mr. LIEBELER. 1960?

Mrs. ODIO. Yes.

Mr. LIEBELER. Then you left Cuba and came to the United States, is that correct?

Mrs. ODIO. Yes.

Mr. LIEBELER. Where did you come to in the United States?

Mrs. ODIO. We first came to Miami, and we stayed there just a few days and left for Ponce, Puerto Rico, and we stayed there 2 years.

Mr. LIEBELER. Then from Ponce, did you come to Dallas?

Mrs. ODIO. From Ponce, I came straight to Dallas last year, March of last year.

Mr. LIEBELER. So that you have been in Dallas since March of 1963, is that correct?

Mrs. ODIO. That's right.

Mr. LIEBELER. You indicated that you had gone to school in the United States. Where?

Mrs. ODIO. Eden Hall Convent of The Sacred Heart, in Philadelphia.

Mr. LIEBELER. How long did you go to school there?

Mrs. ODIO. Three years.

Mr. LIEBELER. That is what, high school?

Mrs. ODIO. That's right. From 1951 to 1954.

Mr. LIEBELER. Was that period of 3 years the only time you were in the United States prior to the time that you came to Dallas in March of 1963? The only time in the United States over any extended period of time?

Mrs. ODIO. Excuse me, when I got married in 1957, I stayed 8 months—9 months in New Orleans.

Mr. LIEBELER. So that you lived in the United States for 9 months in 1956?

Mrs. ODIO. That's right.

Mr. LIEBELER. You had been in Philadelphia for 3 years from 1954 on, is that correct?

Mrs. ODI0. No; from 1951 to 1954, when I graduated.

Mr. LIEBELER. And for the period in New Orleans and when you came to the United States finally?

Mrs. ODI0. In 1960, December 25, 1960.

Mr. LIEBELER. So after you came in December of 1960, you went to Puerto Rico and lived in Puerto Rico for 2 years, and you came to Dallas in 1963 and you have been here ever since?

Mrs. ODI0. That's right.

Mr. LIEBELER. Would you tell us briefly what your educational background is, Mrs. Odi0?

Mrs. ODI0. Well, I had grammar school in Cuba. I started high school in Cuba and then I was sent to the Sacred Heart and I applied for college, and went back and studied law in the University of Villanova. I did not finish because my career was interrupted because of Castro, and I didn't finish law.

Mr. LIEBELER. How much training did you have in law?

Mrs. ODI0. I had almost 3 years.

Mr. LIEBELER. Of law study in Cuba?

Mrs. ODI0. Yes.

Mr. LIEBELER. My record indicates that on December 18, 1963, you were interviewed by two agents of the FBI, Mr. James P. Hosty and Bardwell D. Odum. Do you remember that?

Mrs. ODI0. That's correct.

Mr. LIEBELER. It is my understanding that they interviewed you at your place of work, is that correct?

Mrs. ODI0. Yes.

Mr. LIEBELER. Do you remember approximately what they asked you and what you told them?

Mrs. ODI0. I think I remember. Not exactly, but I think I can recall the conversation.

Mr. LIEBELER. Would you give us the content of that conversation, as best you can recall it?

Mrs. ODI0. They told me they were coming because of the assassination of President Kennedy, that they had news that I knew or I had known Lee Harvey Oswald. And I told them that I had not known him as Lee Harvey Oswald, but that he was introduced to me as Leon Oswald. And they showed me a picture of Oswald and a picture of Ruby. I did not know Ruby, but I did recall Oswald. They asked me about my activities in JURE. That is the Junta Revolutionary, and it is led by Manolo Ray. I told him that I did belong to this organization because my father and mother had belonged in Cuba, and I had seen him (Ray) in Puerto recently, and that I knew him personally, and that I did belong to JURE. They asked me about the members here in Dallas, and I told him a few names of the Cubans here. They asked me to tell the story about what happened in my house.

Mr. LIEBELER. Who was it that you had seen in Puerto Rico?

Mrs. ODI0. Mr. Ray, I had seen. He was a very close friend of my father and mother. He hid in my house several times in Cuba.

So they asked me to tell him how I came to know Oswald, and I told them that it was something very brief and I could not recall the time, exact date. I still can't. We more or less have established that it was the end of September. And, of course, my sister had recognized him at the same time I did, but I did not say anything to her. She came very excited one day and said, "That is the man that was in my house." And I said, "Yes; I remember."

Mr. LIEBELER. Tell us all the circumstances surrounding the event when Oswald came to your house.

Mrs. ODI0. Well, I had been having little groups of Cubans coming to my house who have been asking me to help them in JURE. They were going to open a revolutionary paper here in Dallas. And I told them at the time I was very busy with my four children, and I would help, in other things like selling bonus to help buy arms for Cuba. And I said I would help as much as I could.

Those are my activities before Oswald came. Of course, all the Cubans knew

that I was involved in JURE, but it did not have a lot of sympathy in Dallas and I was criticized because of that.

Mr. LIEBELER. Because of what now?

Mrs. ODIO. Because I was sympathetic with Ray and this movement. Ray has always had the propaganda that he is a leftist and that he is Castro without Castro. So at that time I was planning to move over to Oak Cliff because it was much nearer to my work in Irving. So we were all involved in this moving business, and my sister Annie, who at the time was staying with some American friends, had come over that weekend to babysit for me.

It either was a Thursday or a Friday. It must have been either one of those days, in the last days of September. And I was getting dressed to go out to a friend's house, and she was staying to babysit.

Like I said, the doorbell rang and she went over—she had a housecoat on—she wasn't dressed properly—and came back and said, "Sylvia, there are three men at the door, and one seems to be an American, the other two seem to be Cubans. Do you know them?" So I put a housecoat on and stood at the door. I never opened my door unless I know who they are, because I have had occasions where Cubans have introduced themselves as having arrived from Cuba and known my family, and I never know.

So I went to the door, and he said, "Are you Sarita Odio?" And I said, "I am not. That is my sister studying at the University of Dallas. I am Sylvia." Then he said, "Is she the oldest?" And I said, "No; I am the oldest." And he said, "It is you we are looking for." So he said, "We are members of JURE."

This at the time struck me funny, because their faces did not seem familiar, and I asked them for their names. One of them said his name was Leopoldo. He said that was his war name. In all this underground, everybody has a war name. This was done for safety in Cuba. So when everybody came to exile, everyone was known by their war names.

And the other one did give me his name, but I can't recall. I have been trying to recall. It was something like Angelo. I have never been able to remember, and I couldn't be exact on this name, but the other one I am exact on; I remember perfectly.

Mr. LIEBELER. Let me ask you this before you go ahead with the story. Which one of the men told you that they were members of JURE and did most of the talking? Was it the American?

Mrs. ODIO. The American had not said a word yet.

Mr. LIEBELER. Which one of the Cubans?

Mrs. ODIO. The American was in the middle. They were leaning against the staircase. There was a tall one. Let me tell you, they both looked very greasy like the kind of low Cubans, not educated at all. And one was on the heavier side and had black hair. I recall one of them had glasses, if I remember. We have been trying to establish, my sister and I, the identity of this man. And one of them, the tall one, was the one called Leopoldo.

Mr. LIEBELER. He did most of the talking?

Mrs. ODIO. He did most of the talking. The other one kept quiet, and the American, we will call him Leon, said just a few little words in Spanish, trying to be cute, but very few, like "Hola," like that in Spanish.

Mr. LIEBELER. Did you have a chain on the door, or was the door completely opened?

Mrs. ODIO. I had a chain.

Mr. LIEBELER. Was the chain fastened?

Mrs. ODIO. No; I unfastened it after a little while when they told me they were members of JURE, and were trying to let me have them come into the house. When I said no, one of them said, "We are very good friends of your father." This struck me, because I didn't think my father could have such kind of friends, unless he knew them from anti-Castro activities. He gave me so many details about where they saw my father and what activities he was in. I mean, they gave me almost incredible details about things that somebody who knows him really would or that somebody informed well knows. And after a little while, after they mentioned my father, they started talking about the American.

He said, "You are working in the underground." And I said, "No, I am sorry

to say I am not working in the underground." And he said, "We wanted you to meet this American. His name is Leon Oswald." He repeated it twice. Then my sister Annie by that time was standing near the door. She had come to see what was going on. And they introduced him as an American who was very much interested in the Cuban cause. And let me see, if I recall exactly what they said about him. I don't recall at the time I was at the door things about him.

I recall a telephone call that I had the next day from the so-called Leopoldo, so I cannot remember the conversation at the door about this American.

Mr. LIEBELER. Did your sister hear this man introduced as Leon Oswald?

Mrs. ODIO. She says she doesn't recall. She could not say that it is true. I mean, even though she said she thought I had mentioned the name very clearly, and I had mentioned the names of the three men.

Mr. LIEBELER. But she didn't remember it?

Mrs. ODIO. No; she said I mentioned it, because I made a comment. This I don't recall. I said, "I am going to see Antonio Alentado," which is one of the leaders of the JURE here in Dallas. And I think I just casually said, "I am going to mention these names to him to see if he knows any of them." But I forgot about them.

Mr. LIEBELER. Did your sister see the men?

Mrs. ODIO. She saw the three of them.

Mr. LIEBELER. Have you discussed this with her since that time?

Mrs. ODIO. I just had to discuss it because it was bothering me. I just had to know.

Mr. LIEBELER. Did she think it was Oswald?

Mrs. ODIO. Well, her reaction to it when Oswald came on television, she almost passed out on me, just like I did the day at work when I learned about the assassination of the President. Her reaction was so obvious that it was him, I mean. And my reaction, we remember Oswald the day he came to my house because he had not shaved and he had a kind of a very, I don't know how to express it, but some little hairs like if you haven't shaved, but it is not a thick moustache, but some kind of shadow. That is something I noticed. And he was wearing—the other ones were wearing white dirty shirts, but he was wearing a long sleeved shirt.

Mr. LIEBELER. What kind of shirt was it, a white shirt?

Mrs. ODIO. No; it was either green or blue, and he had it rolled up to here.

Mr. LIEBELER. Almost to his elbows?

Mrs. ODIO. No; less than that, just the ends of the sleeves.

Mr. LIEBELER. Did he have a tie?

Mrs. ODIO. No tie.

Mr. LIEBELER. Was it a sport shirt, or working shirt?

Mrs. ODIO. He had it open. I don't know if he had a collar or not, but it was open. And the other one had a white undershirt. One of them was very hairy. Where was I? I just want to remember everything.

Mr. LIEBELER. You mentioned when your sister saw Oswald's picture on television that she almost passed out. Did she recognize him, do you know, as the man that had been in the apartment?

Mrs. ODIO. She said, "Sylvia, you know that man?" And I said, "Yes," and she said, "I know him." "He was the one that came to our door, and it couldn't be so, could it?"

That was our first interview. We were very much concerned after that. We were concerned and very scared, because I mean, it was such a shock.

This man, the other one, the second Cuban, took out a letter written in Spanish, and the content was something like we represent the revolutionary counsel, and we are making a big movement to buy arms for Cuba and to help overthrow the dictator Castro, and we want you to translate this letter and write it in English and send a whole lot of them to different industries to see if we can get some results.

This same petition had been asked of me by Alentado who was one of the leaders of JURE, here in Dallas. He had made this petition to me, "Sylvia, let's write letters to different industries to see if we can raise some money." I had told him too, I was very busy. So I asked and I said, "Are you sent by Alentado? Is this a petition?"

Mr. LIEBELER. You mentioned this Alentado who was one of the JURE representatives here in Dallas. Is that his full name?

Mrs. ODIO. His name is Antonio.

Mr. LIEBELER. Do you know a man by the name of George Rodriguez Alvareda?

Mrs. ODIO. Yes.

Mr. LIEBELER. Who is he?

Mrs. ODIO. He is another member of JURE. And at the time, a little after that, after December, I was more in contact with him, and I will tell you why later. They are all members of JURE here in Dallas, working hard.

And so I asked him if they were sent by him, and he said, "No". And I said, "Do you know Eugeino?" This is the war name for -- --. That is his war name and everybody underground knows him as Eugenio. So I didn't mention his real name. He didn't know.

Mr. LIEBELER. Who did you ask this?

Mrs. ODIO. I asked these men when they came to the door—I asked if they had been sent by Alentado, because I explained to them that he had already asked me to do the letters and he said no. And I said, "Were you sent by Eugenio," and he said no. And I said, "Were you sent by Ray," and he said no. And I said, "Well, is this on your own?"

And he said, "We have just come from New Orleans and we have been trying to get this organized, this movement organized down there, and this is on our own, but we think we could do some kind of work." This was all talked very fast, not as slow as I am saying it now. You know how fast Cubans talk. And he put the letter back in his pocket when I said no. And then I think I asked something to the American, trying to be nice, "Have you ever been to Cuba?" And he said, "No, I have never been to Cuba."

And I said, "Are you interested in our movement?" And he said, "Yes."

This I had not remembered until lately. I had not spoken much to him and I said, "If you will excuse me, I have to leave," and I repeated, "I am going to write to my father and tell him you have come to visit me."

And he said, "Is he still in the Isle of Pines?" And I think that was the extent of the conversation. They left, and I saw them through the window leaving in a car. I can't recall the car. I have been trying to.

Mr. LIEBELER. Do you know which one of the men was driving?

Mrs. ODIO. The tall one, Leopoldo.

Mr. LIEBELER. Leopoldo?

Mrs. ODIO. Yes; oh, excuse me, I forgot something very important. They kept mentioning that they had come to visit me at such a time of night, it was almost 9 o'clock, because they were leaving for a trip. And two or three times they said the same thing.

They said, "We may stay until tomorrow, or we might leave tomorrow night, but please excuse us for the hour." And he mentioned two or three times they were leaving for a trip. I didn't ask where, and I had the feeling they were leaving for Puerto Rico or Miami.

Mr. LIEBELER. But they did not indicate where they were going?

Mrs. ODIO. The next day Leopoldo called me. I had gotten home from work, so I imagine it must have been Friday. And they had come on Thursday. I have been trying to establish that. He was trying to get fresh with me that night. He was trying to be too nice, telling me that I was pretty, and he started like that. That is the way he started the conversation. Then he said, "What do you think of the American?" And I said, "I didn't think anything."

And he said, "You know our idea is to introduce him to the underground in Cuba, because he is great, he is kind of nuts." This was more or less—I can't repeat the exact words, because he was kind of nuts. He told us we don't have any guts, you Cubans, because President Kennedy should have been assassinated after the Bay of Pigs, and some Cubans should have done that, because he was the one that was holding the freedom of Cuba actually. And I started getting a little upset with the conversation.

And he said, "It is so easy to do it." He has told us. And he (Leopoldo) used two or three bad words, and I wouldn't repeat it in Spanish. And he repeated again they were leaving for a trip and they would like very much to see

me on their return to Dallas. Then he mentioned something more about Oswald. They called him Leon. He never mentioned the name Oswald.

Mr. LIEBELER. He never mentioned the name of Oswald on the telephone?

Mrs. ODIO. He never mentioned his last name. He always referred to the American or Leon.

Mr. LIEBELER. Did he mention his last name the night before?

Mrs. ODIO. Before they left I asked their names again, and he mentioned their names again.

Mr. LIEBELER. But he did not mention Oswald's name except as Leon?

Mrs. ODIO. On the telephone conversation he referred to him as Leon or an American. He said he had been a Marine and he was so interested in helping the Cubans, and he was terrific. That is the words he more or less used, in Spanish, that he was terrific. And I don't remember what else he said, or something that he was coming back or something, and he would see me. It's been a long time and I don't remember too well, that is more or less what he said.

Mr. LIEBELER. Did you have an opinion at that time as to why Leopoldo called you back? What was his purpose in calling you back?

Mrs. ODIO. At first, I thought he was just trying to get fresh with me. The second time, it never occurred to me until I went to my psychiatrist.

I used to go to see Dr. Einspruch in the Southwestern Medical School, and I used to tell him all the events that happened to me during the week. And he relates that I mentioned to him the fact that these men had been at my door, and the fact that these Cubans were trying to get in the underground, and thought I was a good contact for it, they were simply trying to introduce him. Anyhow, I did not know for what purpose.

My father and mother are prisoners, and you never know if they can black-mail you or they are going to get them out of there, if you give them a certain amount of money. You never know what to expect. I expect anything. Later on I did establish opinions, because you can't help but establish opinions.

Mr. LIEBELER. Did you establish that opinion after the assassination or before the assassination?

Mrs. ODIO. This first opinion that I mentioned to my psychiatrist, I did not give it a second thought. I forgot to tell Alentado about it; except 3 days later I wrote to my father after they came, and mentioned the fact that the two men had called themselves friends of his. And later in December, because the letter takes a long time to get here, he writes me back, "I do not know any of these men. Do not get involved with any of them."

Mr. LIEBELER. You have already given us a copy of the letter that you received from your father in which he told you that these people were not his friends, and told you not to get involved with them?

Mrs. ODIO. That's right.

Mr. LIEBELER. Did you tell your father the names of these men when you wrote to him?

Mrs. ODIO. Yes.

Mr. LIEBELER. Your father did not, however, mention their names in his letter, did he?

Mrs. ODIO. He mentioned their war names, because this was the only thing I knew. I probably put an Americano came too, two Cubans with an American, and I gave the names of the Cubans.

Mr. LIEBELER. The copy of the letter that you gave to me this morning, we will mark as Odio Exhibit No. 1.

Mrs. ODIO. He mentioned in the second paragraph, "You are very alone there in Dallas. You don't have anybody, so please do not open your door to anybody that calls themselves my friends."

Mr. LIEBELER. I have initialed the letter and I would like to have you put your initials under my initials for the purpose of identifying the exhibit.

Mrs. ODIO. Yes, okay.

Mr. LIEBELER. The letter is in Spanish, and you have underlined certain parts of it about three-quarters of the way down, in Spanish. Would you read that translation to us?

Mrs. ODIO. "Please tell me again who it is that calls himself my friend. Be careful. I do not have any friends that have been near me lately, not even in

Dallas. So do not establish any friendships until you give me their full names again."

Mr. LIEBELER. Does he say their "full names" in there?

Mrs. ODI0. Their full names again, which means I had given their war names.

Mr. LIEBELER. So you must have given the name Leopold?

Mrs. ODI0. He says, "You are very alone with no man to protect you, and you can be easily fooled." That is more or less what he says. We are 10 brothers and sisters, a big family, and this has been very sad for both of them.

I have little brothers in Dallas in an orphanage. We have been, were a very united family, and he is always worried about us being alone after I divorced. He is still more worried, and he was always thinking that somebody could come in my door. He also had a thought that somebody could come by demanding money or something like that. You can probably have somebody who knows Spanish do a better translation.

Mr. LIEBELER. This letter is dated December 25, 1963, is that correct?

Mrs. ODI0. That's right.

Mr. LIEBELER. And it is dated Nueva Gerona. Where is that?

Mrs. ODI0. The capital of Isle of Pines.

Mr. LIEBELER. Your father is a prisoner there?

Mrs. ODI0. Yes.

Mr. LIEBELER. Are the prisoners permitted to write letters back and forth?

Mrs. ODI0. One letter a month, on one side.

Mr. LIEBELER. I would presume that the letters are read by Castro's men?

Mrs. ODI0. They are all read. That is why I did not given him a lot of details. I managed to write very small so they would have a time reading it, like he does. You can see how perfectly he writes a letter.

Mr. LIEBELER. Now, let me ask you how you managed to establish that these men came in late September. You previously stated that you couldn't remember the date exactly, but you had managed to establish it as being in late September. Would you tell me the procedure that you went through to establish that date in your mind?

Mrs. ODI0. I told you my sister Annie was staying with some American friends. She did not live with me. She had gone to live with the Madlock's. And I called her many times to come and babysit for me during certain weekends, and she would come either on a Thursday or Friday, depending on when I called her.

I told her that day that I was going out, but I wanted her to start packing for me because we were moving over to Oak Cliff. It must have been the last days of September, because we had already packages in the living room. We had already started to pack to go, and we had to move by the first of October since my rent was due that day, you see.

Mr. LIEBELER. Now, you did move?

Mrs. ODI0. We did move the first of October to Oak Cliff.

Mr. LIEBELER. What was the address of the apartment in which you lived before you moved to Oak Cliff?

Mrs. ODI0. Over in, it was, I am almost sure of the number—1024 Magellan Circle. It is the Crestwood Apartments. I am not sure of the number; I think it is.

Mr. LIEBELER. In any event, you were living at the Crestwood Apartments at the time these men came to your apartment?

Mrs. ODI0. That's right. The Crestwood Apartments are full of Cubans.

Mr. LIEBELER. You left the Crestwood Apartments as of the first of October and moved to Oak Cliff?

Mrs. ODI0. That's right exactly.

Mr. LIEBELER. Now, you are absolutely sure that these men came to your apartment before the first of October?

Mrs. ODI0. Before the first of October.

Mr. LIEBELER. It would have been sometime toward the end of September, because you recall that you had already started to pack to move from the Crestwood Apartments to Oak Cliff?

Mrs. ODI0. The packages were in the living room, and Annie was helping me.

She was actually taking things out of the closet when they came. It took a long time to be sure of that, but I am certain of that.

Mr. LIEBELER. Have you discussed this with your sister, Annie?

Mrs. ODIO. We had to, yes, sir; and she was convinced it was in late September. Because she had not come the previous week. For 2 weeks, she had not come, but had come the last week to help me pack and move.

Mr. LIEBELER. Did you have a lease on your apartment, at the Crestwood Apartments?

Mrs. ODIO. No; they don't take you by lease. You give a deposit, and you lose it if you move before 6 months.

Mr. LIEBELER. Had you lived at the Crestwood Apartments 6 months?

Mrs. ODIO. No. I have told you I moved several times, and it is because of reasons of my work, and because my children at the time were in Puerto Rico, and I went down to get them in Puerto Rico June 29th.

That was exactly the day that I saw Ray again. We had been trying to establish a contact in Dallas with Mr. Johnny Martin, who is from Uruguay. He is from there, and he had heard that I was involved in this movement. And he said that he had a lot of contacts in Latin America to buy arms, particularly in Brazil, and that if he were in contact with one of our chief leaders of the underground, he would be able to sell him second-hand arms that we could use in our revolution.

I don't know if this is legal or illegal, I have no idea. But when he mentioned this fact, I jumped at the possibility that something could be done, because you kind of get desperate when you see your father and mother in prison, and you want to do something for them. So I called Eugenio long distance from Dallas.

Mr. LIEBELER. When was that, approximately? Shortly after you came back from Puerto Rico?

Mrs. ODIO. I think I can give you the exact date. This was before I left for Puerto Rico. June 28, Eugenio arrived from Miami to see Johnny Martin.

Mr. LIEBELER. So you say that on June 28 Eugenio arrived from Miami, is that correct?

Mrs. ODIO. He was supposed to have arrived June 14, but he never did, and I called two times to make another appointment with Johnny, and he just arrived in time for me to see him. Then it was a time when we met, not Alentado, the other one, Alvareda—Rodriguez Alvareda.

So they went to my house. Now, I was living at the time at 6140 Oram Street, the day they arrived. But when I went back to Puerto Rico, the same day, June 29, I saw Ray, and I explained to him what Johnny Martin here in Dallas was up to, and then he said that he was planning a trip also to see if something could be worked out. Mr. Ray himself was planning a trip in connection with that. He was going to Washington to be interviewed by some high official.

Mr. LIEBELER. But he was going to come by Dallas first?

Mrs. ODIO. Yes. So I went to Ponce, Puerto Rico, to get my children, which were four of them, and I brought them back to Dallas. And this is when I moved to Magellan Circle to a bigger apartment, to the Crestwood Apartments.

Mr. LIEBELER. You moved there, after you came back from Puerto Rico with your children?

Mrs. ODIO. I moved there exactly the end of July, the end of the month, because I know when I moved, and then it was in August—let's see, I lived there July, August, and to the last day of September in this Magellan Circle, and then I moved to Oak Cliff.

Mr. LIEBELER. You actually did meet with Eugenio here in Dallas before you went to Puerto Rico?

Mrs. ODIO. Oh, yes.

Mr. LIEBELER. Did Eugenio come to Dallas at any other time after that to meet you?

Mrs. ODIO. No.

Mr. LIEBELER. How many times have you met with Eugenio here in Dallas?

Mrs. ODIO. Once.

Mr. LIEBELER. That was in June of 1963?

Mrs. ODIO. That's right.

Mr. LIEBELER. So it was not Eugenio who was with Leon when those men came to your apartment?

Mrs. ODIO. No; I would have known Eugenio. He was a very close friend of my family and he did underground activity with my mother and father.

Mr. LIEBELER. Did you ever tell anybody that it was Eugenio who had come to the apartment with Leon?

Mrs. ODIO. No.

Mr. LIEBELER. Do you know Father McKann?

Mrs. ODIO. Yes.

Mr. LIEBELER. Do you remember that he called you on the telephone?

Mrs. ODIO. Yes; he did call me on the telephone.

Mr. LIEBELER. On April 30, 1964?

Mrs. ODIO. The date, I don't recall. Probably.

Mr. LIEBELER. It was approximately the end of April or early May of 1964 when he called you from New Orleans?

Mrs. ODIO. From New Orleans.

Mr. LIEBELER. Do you remember discussing this whole question with him at that time?

Mrs. ODIO. Yes. He asked me if I was withholding evidence of any kind.

Mr. LIEBELER. What did you tell him?

Mrs. ODIO. I told him that everything that I knew I had already told him, and that I didn't know anything else that I could recall that could be important to you.

Mr. LIEBELER. The only time that you were ever interviewed by anybody in connection with this was when Agent Hosty came to your place of work that day, isn't that correct?

Mrs. ODIO. That's correct. But three times I noticed a car standing in front of my door where I live on Lovers Lane. I don't know if it belonged to the Secret Service or the FBI, but I was kind of concerned about it.

Mr. LIEBELER. Did you tell Father McKann that one of the men—did you tell him the names of the men who were there?

Mrs. ODIO. I told him what I knew, the names of the men that I knew.

Mr. LIEBELER. You told him one was Leopoldo?

Mrs. ODIO. Yes.

Mr. LIEBELER. But you did not tell him that you could identify the other man as Eugenio?

Mrs. ODIO. That's right.

Mr. LIEBELER. You did not tell him that?

Mrs. ODIO. No.

Mr. LIEBELER. Now, I have a report before me of an interview with Father McKann by a representative of the U.S. Secret Service in which it states that Father McKann told this Secret Service agent that you had told him that one of the men was Eugenio. But you indicated now that that is not so?

Mrs. ODIO. No. Perhaps he could have misunderstood me, because he has the same problems with names. Probably I did tell him that the man was not Eugenio.

Mr. LIEBELER. Do you remember discussing with him Eugenio's visit to you in June?

Mrs. ODIO. I think I discussed it with him, yes.

Mr. LIEBELER. During that telephone conversation?

Mrs. ODIO. Yes; I think I discussed it.

Mr. LIEBELER. Did you tell Father McKann that the name Oswald was never used in your presence by any of these men?

Mrs. ODIO. Never was used except to introduce me, and the time when they left. They did not refer to him as Oswald.

Mr. LIEBELER. But they did in fact, introduce him as Leon Oswald?

Mrs. ODIO. And I shook hands with him.

Mr. LIEBELER. That is also what you told Agent Hosty when he interviewed you on December 18, 1963, and that is indicated in his report?

Mrs. ODIO. Oh, yes.

Mr. LIEBELER. Now, a report that we have from Agent Hosty indicates that when you told him about Leopoldo's telephone call to you the following day,

that you told Agent Hosty that Leopoldo told you he was not going to have anything more to do with Leon Oswald since Leon was considered to be loco?

Mrs. ODIO. That's right. He used two tactics with me, and this I have analyzed. He wanted me to introduce this man. He thought that I had something to do with the underground, with the big operation, and I could get men into Cuba. That is what he thought, which is not true.

When I had no reaction to the American, he thought that he would mention that the man was loco and out of his mind and would be the kind of man that could do anything like getting underground in Cuba, like killing Castro. He repeated several times he was an expert shotman. And he said, "We probably won't have anything to do with him. He is kind of loco."

When he mentioned the fact that we should have killed President Kennedy—and this I recall in my conversation—he was trying to play it safe. If I liked him, then he would go along with me, but if I didn't like him, he was kind of retreating to see what my reaction was. It was cleverly done.

Mr. LIEBELER. So he actually played both sides of the fence?

Mrs. ODIO. That's right, both sides of the fence.

Mr. LIEBELER. Did Leopoldo tell you that Leon had been in the Armed Forces?

Mrs. ODIO. Yes.

Mr. LIEBELER. What did he tell you about that?

Mrs. ODIO. He said he had been in the Marines. That is what he said.

Mr. LIEBELER. Did he tell you that Leon could help in the underground activities in which you were presumably engaged?

Mrs. ODIO. That's right.

Mr. LIEBELER. Have you ever talked to Eugenio about this matter since it happened?

Mrs. ODIO. No, I have not even contacted him.

Mr. LIEBELER. Is your sister Annie in Dallas now?

Mrs. ODIO. She is coming now the end of July.

Mr. LIEBELER. She is not here now?

Mrs. ODIO. No, she is coming from Florida. She is coming to live with me. She spent 6 months with my brother.

Mr. LIEBELER. Can you tell us what her address is in Florida?

Mrs. ODIO. Yes. She is in—wait 1 second—Southwest 82d Place, Miami, Fla.

Mr. LIEBELER. How old were these two men that were with Leon?

Mrs. ODIO. One of them must have been—he had a mark on his face like, I can't explain it—his complexion wasn't too soft. He was kind of like as if he had been in the sun. So he must have been about near 40, one of them.

Mr. LIEBELER. Which one was that?

Mrs. ODIO. But the other one was young. That was the tall one.

Mr. LIEBELER. That was not Leopoldo?

Mrs. ODIO. Yes.

Mr. LIEBELER. Alentado was younger?

Mrs. ODIO. Yes.

Mr. LIEBELER. How old was he, would you say?

Mrs. ODIO. About 34, something like that.

Mr. LIEBELER. Now how old would you say Oswald was? Did you form an opinion about that when you saw him at the time?

Mrs. ODIO. No; I have never thought about it. I mean, I never thought how old he was. He seemed to be a young man. I mean, not an old man. I would say he was a young man; yes.

Mr. LIEBELER. Could you say how old you thought he was after you saw him that day in your apartment?

Mrs. ODIO. I can't say that. I can establish in my thoughts; yes, I could establish an age, but I didn't think of it at the time.

Mr. LIEBELER. What age would you establish you thought about it?

Mrs. ODIO. Oh, 34 or 35.

Mr. LIEBELER. Have you read the newspapers and watched television since the assassination and observed Oswald?

Mrs. ODIO. I read some of it.

Mr. LIEBELER. Did you read how old he was?

Mrs. ODIO. I don't even know what age he is.

Mr. LIEBELER. About how tall was he?
Mrs. ODIO. He wasn't too tall. He was maybe 4 inches taller than I am.
Mr. LIEBELER. How tall are you?
Mrs. ODIO. I am 5 feet 6 inches.
Mr. LIEBELER. So you think he was about 5 feet 10?
Mrs. ODIO. Probably.
Mr. LIEBELER. About how was he built? Was he a heavy man or a light man?
Mrs. ODIO. He was kind of a skinny man, because the shirt looked big on him, like it was borrowed.
Mr. LIEBELER. Like it was borrowed from somebody else?
Mrs. ODIO. Yes; that is the impression he gave me, because it kind of hung loose.
Mr. LIEBELER. Didn't fit well?
Mrs. ODIO. It didn't fit.
Mr. LIEBELER. Have you ever had anything to do with the DRE movement here in Dallas?
Mrs. ODIO. Students Revolutionary Council, not at all.
Mr. LIEBELER. Do you know any representatives of the DRE?
Mrs. ODIO. I just knew one.
Mr. LIEBELER. Who was that?
Mrs. ODIO. Sarah Castilo. Now, I have heard about the directorate in New Orleans, because I have family there and they told me about all the incidents about him in New Orleans, about Oswald giving propaganda in the street and how he was down in front of a judge and caused a fight with Carlos Bringuier, and that, of course, this man had been working pro-Castro in this Fair Play for Cuba.
Mr. LIEBELER. Oswald, you mean?
Mrs. ODIO. Oswald.
Mr. LIEBELER. Do you know Carlos?
Mrs. ODIO. Yes; I have met him. I don't think he would remember me, but I know who Carlos Bringuier is. They call him Carlitos.
Mr. LIEBELER. When did you meet him?
Mrs. ODIO. I think it was a long time ago in Cuba, or I was introduced to him.
Mr. LIEBELER. You have never met him here in the United States?
Mrs. ODIO. No.
Mr. LIEBELER. Who in New Orleans told you about this incident between Bringuier and Oswald?
Mrs. ODIO. My family discussed it in New Orleans how he had been handed the propaganda. The other member of the directorate came along, and they had a problem with him, because they were taken in front of a judge. This was true.
Mr. LIEBELER. Have you read about that in the newspapers?
Mrs. ODIO. No; I haven't. This I know from my family, the information we heard from New Orleans.
Mr. LIEBELER. How much of your family are living in New Orleans?
Mrs. ODIO. I have an uncle and a cousin; a married cousin.
Mr. LIEBELER. Which one of them told you about this?
Mrs. ODIO. I think it was my uncle.
Mr. LIEBELER. Were you there at that time?
Mrs. ODIO. Yes.
Mr. LIEBELER. In New Orleans?
Mrs. ODIO. Yes.
Mr. LIEBELER. What is your uncle's name?
Mrs. ODIO. Agustin Guitar.
Mr. LIEBELER. When was this that you discussed this with him?
Mrs. ODIO. February.
Mr. LIEBELER. In February of 1964?
Mrs. ODIO. Yes. I remember that, because I had just come out of an operation.
Mr. LIEBELER. Do you know a man by the name of Joaquin Martinez de Pinillos?
Mrs. ODIO. No.
Mr. LIEBELER. Do you know Emanuel Salvat?

Mrs. ODIO. I have heard about him very much. I know who he is, but I don't know him.

Mr. LIEBELER. Do you associate him with one of the Cuban organizations, Salvat?

Mrs. ODIO. If I have heard something about him, it has been attached to some organization.

Mr. LIEBELER. You don't remember which one?

Mrs. ODIO. No.

Mr. LIEBELER. Would it be the DRE?

Mrs. ODIO. I can't say for sure.

Mr. LIEBELER. Do you know a woman by the name of Anna Silvera?

Mrs. ODIO. I have heard about her, too.

Mr. LIEBELER. Do you have any idea how these three men came to your apartment? Have you ever thought about it and tried to establish any contact that they might have had with someone else that would have told them to come to your apartment?

Mrs. ODIO. They were coming from New Orleans.

Mr. LIEBELER. They came directly from New Orleans to your apartment?

Mrs. ODIO. If it was true. It is very easy to find out any Cubans in Dallas. Either you look in the phone book, or you call the Catholic Relief Service. If you say you are a friend of so and so, they will give you information enough. They will tell you where they live and what their phone number is and how to contact them.

Mr. LIEBELER. But you have no actual knowledge as to how these men came by your address?

Mrs. ODIO. I kind of asked them, and they told me because they knew my family. That is how they established the conversation. They knew him and wanted to help me, and knew I belonged to JURE and all this.

Mr. LIEBELER. Now, can you remember anything else about the incident when Leon and the two men came to your apartment, or about the telephone call that you got from Leopoldo, that you haven't already told me about?

Mrs. ODIO. No. If I have forgotten something, but I think all the important things I have told you, like the trip, that they were leaving for a trip. And this struck me funny, because why would they want to meet me, if they were leaving for some reason or purpose. And it has been a long time. You don't think about these things every day and I am trying real hard to remember everything I can.

Mr. LIEBELER. Now, is there anything else that you think we should know about that we haven't already asked you about in connection with this whole affair?

Mrs. ODIO. No. It would be involving my opinion, but anything that is real facts of the thing, that really happened.

Mr. LIEBELER. Is this the only time you ever saw the man called Leon Oswald?

Mrs. ODIO. The only time.

Mr. LIEBELER. Have you ever told anybody else that you have seen him other times?

Mrs. ODIO. No, I don't think. It would be silly to withhold any information. I mean, the involvement was very slight, and look how much involved you get just from meeting him once. I have a pretty good idea who called the FBI.

Mr. LIEBELER. About what?

Mrs. ODIO. You see, I did not call the FBI to tell them this fact.

Mr. LIEBELER. Why not?

Mrs. ODIO. I was going to, but I had to get around to it to do it myself, because at the time everything was so confused and everybody was so excited about it, and I wanted to wait to see if it was important.

Mr. LIEBELER. Who do you think called the FBI?

Mrs. ODIO. Mrs. Connell, I think.

Mr. LIEBELER. When you were interviewed by the FBI at your place of work, did you have any opinion about the way that interview was conducted?

Mrs. ODIO. Yes. It brought me a lot of problems in my work. The two men were extremely polite and nice, the two gentlemen from the FBI. You know

how people were afraid at the time, and my company, some officials of it were quite concerned that the FBI should have come to see me.

Mr. LIEBELER. Have you discussed with Alentado these two men and how they came to see you?

Mrs. ODIO. I never talked to him about it. I decided not to mention anything after the FBI came to see me, because I thought they were going to contact him. I think I gave them the address and the telephone number.

Mr. LIEBELER. You gave that to the FBI?

Mrs. ODIO. Yes. He actually wouldn't know anything about it.

Mr. LIEBELER. You say that because you asked these men if they had been sent by Alentado and they said no?

Mrs. ODIO. That's right.

Mr. LIEBELER. Mrs. Connell that you refer to is Mrs. C. L. Connell, is that correct?

Mrs. ODIO. Yes.

Mr. LIEBELER. How do you know her?

Mrs. ODIO. It is a strange thing. Everything that has happened to me in the past year has been very strange. But I came from Ponce because I was mentally sick at the time. I was very emotionally disturbed, and they thought that a change from Puerto Rico to Dallas where my sister was would improve me, which it did, of course.

And I was supposed to see Dr. Cowley in Terrell. He is a Cuban psychiatrist, but he was busy at the time and he couldn't help me. Mrs. Connell belonged to the mental health and at the time she had helped the Cuban group some because they had money, and I was introduced by my sister.

Mr. LIEBELER. Which one?

Mrs. ODIO. Sarita. She actually sent part of the money for my trip to come here to Dallas.

Mr. LIEBELER. Mrs. Connell?

Mrs. ODIO. Yes. So I met her. We became very, very close friends, extremely close, and she talked to Dr. Stubblefield and she got me a psychiatrist which was Dr. Einspruch. I was here 4 months before I went to get my children. We were close, like I said.

Mr. LIEBELER. What makes you think she called the FBI about this?

Mrs. ODIO. I am not certain of this, but I did discuss this with her after it happened, because I trusted her completely. I discussed it and told her that I was frightened, I didn't know what to do. I did not know if it was anything of importance that I should tell the FBI. And I was the only person—she was the only person I told.

Mr. LIEBELER. Did you tell Dr. Einspruch about it?

Mrs. ODIO. Yes; but the things you talk with a doctor in an office, he will tell you before that he is going to say it. He would have told me, "I am going to tell the FBI." You have to trust a doctor, especially a psychiatrist. I know they talked to him later, but I don't think it was him that called the FBI.

Mr. LIEBELER. Did you tell Mrs. Connell that you had seen Oswald at some anti-Castro meetings, and that he had made some talks to these groups of refugees, and that he was very brilliant and clever and captivated the people to whom he had spoken?

Mrs. ODIO. No.

Mr. LIEBELER. You are sure you never told her that?

Mrs. ODIO. No.

Mr. LIEBELER. Have you ever seen Oswald at any meetings?

Mrs. ODIO. Never. This is something when you talk to somebody, she probably was referring—we did have some meetings, yes. John Martino spoke, who was an American, who was very clever and brilliant. I am not saying that she is lying at all. When you are excited, you might get all your facts mixed up, and Martino was one of the men who was in Isle of Pines for 3 years. And he mentioned the fact that he knew Mr. Odio, that Mr. Odio's daughters were in Dallas, and she went to that meeting. I did not go, because they kept it quiet from me so I would not get upset about it. I don't know if you know who John Martino is.

Mr. LIEBELER. Is that the same man as Johnny Martin?

Mrs. ODIO. No.

Mr. LIEBELER. A different one?

Mrs. ODIO. Yes.

Mr. LIEBELER. Who is he?

Mrs. ODIO. Martino is one that has written a book called "I was a Prisoner in Castro Cuba," and he was on the Isle of Pines for 3 years. He came to Dallas and gave a talk to the Cubans about conditions in Cuba, and she was one of the ones that went to the meeting.

Mr. LIEBELER. Mrs. Connell?

Mrs. ODIO. Yes; and my sister Annie went, too.

Mr. LIEBELER. Did Dr. Einspruch tell you that he had talked to the FBI?

Mrs. ODIO. Yes.

Mr. LIEBELER. About this?

Mrs. ODIO. Yes.

Mr. LIEBELER. Did he tell you roughly what his conversation with the FBI was?

Mrs. ODIO. He told me that they had asked him if I had hallucinations, that I was a person who was trying to make up some kind of story. That was the context of our story. I trusted Dr. Einspruch very much. He always told me the truth.

Mr. LIEBELER. Did he tell you he had told the FBI that you did not have hallucinations and you had probably not made this up?

Mrs. ODIO. Yes. Other people make it up, but—

Mr. LIEBELER. Did Mr. Einspruch tell you he had discussed this question with some representatives of the President's Commission?

Mrs. ODIO. Yes.

Mr. LIEBELER. Did he tell you what that conversation was about?

Mrs. ODIO. He told me that they had talked about an hour and a half about this whole thing, and he told them that he had already told me the whole facts of the thing, and he said let's not mention it any more. You know what we discussed. Don't be afraid.

Mr. LIEBELER. Are you still seeing Dr. Einspruch?

Mrs. ODIO. No; I am through with therapy. He left.

Mr. LIEBELER. He is no longer in Dallas?

Mrs. ODIO. No; he left for Philadelphia for the U.S. Naval Hospital.

Mr. LIEBELER. Did you tell Dr. Einspruch that you had seen Oswald in more than one anti-Castro Cuban meeting?

Mrs. ODIO. No; I don't think so, because I have never seen him before except the day he came to the door.

Mr. LIEBELER. You have never seen him since?

Mrs. ODIO. No.

Mr. LIEBELER. You told us before that you had a fainting spell after you heard about the assassination. Would you tell us about that, please?

Mrs. ODIO. Well, I had been having fainting spells all the past year. I would pass out for hours, and this was part of my emotional problems. I was doing quite well except that I had come back from lunch, and I cannot deny that the news was a great shock to me, and I did pass out. I was taken in an ambulance to a hospital in Irving.

Mr. LIEBELER. Did you pass out as soon as you had heard that the President had been shot?

Mrs. ODIO. No; when I started thinking about it.

Mr. LIEBELER. Had you heard that Oswald was involved in it before you passed out?

Mrs. ODIO. Can I say something off the record?

Mr. LIEBELER. Yes.

(Witness talks off the record.)

Mr. LIEBELER. At this point, let's go back on the record. You indicated that you thought perhaps the three men who had come to your apartment had something to do with the assassination?

Mrs. ODIO. Yes.

Mr. LIEBELER. And you thought of that before you had the fainting spell?

Mrs. ODIO. Yes. Of course, I have "psychiatric thinking." My psychiatrist says I have psychiatric thinking. I mean, I can perceive things very well.

Mr. LIEBELER. What kind of thinking?

Mrs. ODIO. He says I have tremendous intuition about things and psychiatric thinking, which has helped me many times. So immediately, for some reason, in my mind, I established a connection between the two greasy men that had come to my door and the conversation that the Cubans should have killed President Kennedy, and I couldn't believe it. I was so upset about it. So probably the lunch had something to do with it, too, and I was so upset, but that is probably why I passed out.

Mr. LIEBELER. Had you heard the name Oswald before you passed out?

Mrs. ODIO. No, sir. It was only the connection.

Mr. LIEBELER. You had made the connection in your mind between these three men that came to your apartment, and the assassination?

Mrs. ODIO. Yes.

Mr. LIEBELER. Primarily because of the remarks they had made about how the Cubans should have assassinated President Kennedy because of the Bay of Pigs situation, is that correct?

Mrs. ODIO. That's right.

Mr. LIEBELER. You had not seen any pictures of Oswald or heard his name prior to the time of your passing out?

Mrs. ODIO. No; I don't recall—maybe you could tell me what the exact time they mentioned by the radio the name of the suspect. They spoke of a suspect all the time, but they did not mention any name. And I think I came out about 8 o'clock that night. They gave me a shot, so I did not know any name until that night.

Mr. LIEBELER. What time did you pass out?

Mrs. ODIO. I came back from lunch about 5 minutes before 1 o'clock, because we had to punch the clock at 1, and by 1:30 we knew the President was dead, and we all decided to leave, and it was about 10 minutes to 2 that we walked out of the office, and I think I passed out back in the warehouse.

Mr. LIEBELER. Just after you left the office?

Mrs. ODIO. Yes.

Mr. LIEBELER. So it would have been sometime before 2 o'clock or right after?

Mrs. ODIO. Yes.

Mr. LIEBELER. Did these men indicate that they had all come from New Orleans together?

Mrs. ODIO. I am pretty sure that is what he said. Either that they had been, or that they had just come. I cannot be sure of either one, but they had been in New Orleans, or had just come from New Orleans.

Mr. LIEBELER. Would you recognize these men again if you saw their pictures, do you think?

Mrs. ODIO. I think I could recognize one of them.

Mr. LIEBELER. Do you think they definitely look like Cubans?

Mrs. ODIO. Well, this is my opinion. They looked very much like Mexicans. But I might be wrong at that, because I don't remember any Mexican accent. But the color of Mexicans, when I am referring to greasy, that kind of complexion, that is what I mean.

Mr. LIEBELER. When did you first become aware of the fact that this man who had been at your apartment was the man who had been arrested in connection with the assassination?

Mrs. ODIO. It was immediately.

Mr. LIEBELER. As soon as you saw his picture?

Mrs. ODIO. Immediately; I was so sure.

Mr. LIEBELER. Do you have any doubt about it?

Mrs. ODIO. I don't have any doubts.

Mr. LIEBELER. Did you have any doubt about it then?

Mrs. ODIO. I kept saying it can't be to myself; it just can't be. I mean it couldn't be, but when my sister walked into the hospital and she said, "Sylvia, have you seen the man?" And I said, "Yes." And she said, "That was the man that was at the door of my house." So I had no doubts then.

Mr. LIEBELER. Would you recognize this man's voice?

Mrs. ODIO. I don't know. I am not sure.

Mr. LIEBELER. I show you a photograph that has been marked as Bringuier Exhibit No. 1, and ask you if you can identify anybody in that photograph?

Mrs. ODIO. That is Oswald.

Mr. LIEBELER. With the X?

Mrs. ODIO. Yes.

Mr. LIEBELER. Do you recognize anybody else in the picture?

Mrs. ODIO. No.

Mr. LIEBELER. I specifically call your attention to the man standing to Oswald's right, the second man behind him, who is facing the camera and has in his hand some leaflets.

Mrs. ODIO. Does he have some glasses on?

Mr. LIEBELER. The man that I just described?

Mrs. ODIO. Does he have any glasses?

Mr. LIEBELER. Let me see the picture.

Mrs. ODIO. He has the same build that that man has in the back.

Mr. LIEBELER. He has the same build?

Mrs. ODIO. A lot of hair here [pointing to the right temple].

Mr. LIEBELER. You are pointing to this man here?

Mrs. ODIO. Yes.

Mr. LIEBELER. You say that his hair appeared to be pulled back in some way?

Mrs. ODIO. One of them, Leopoldo, or the other one. One has very thick hair.

Mr. LIEBELER. You are describing Leopoldo?

Mrs. ODIO. He had hair in front, but he has it pushed back in here.

Mr. LIEBELER. Like sort of a bald spot in his front?

Mrs. ODIO. Yes.

Mr. LIEBELER. Excuse me just a minute, I will be back. Now, you have indicated that the individual standing immediately behind Oswald and to his left, actually in front of the door of this building might look something like one of the men that was in your apartment?

Mrs. ODIO. That's right. That height and that tall.

Mr. LIEBELER. Now, what about the man standing immediately next to him, so we have in the picture starting from the right, a head, and then a man standing in the opposite direction from Oswald, and then we have Oswald, and then we have the individual that you have just referred to about his pushed back hair, or the bald spot in the front, and then we have another man who has a group of leaflets in his hand.

Mrs. ODIO. He looks familiar, but I don't think that was one of the men I saw there at the door. I don't know, Cubans sometimes have the same physique and everything, the narrowness of the shoulders. I mean the back looks something like this man I am telling you about.

Mr. LIEBELER. But you are unable to identify positively anybody else in the picture other than Oswald?

Mrs. ODIO. No; that's correct.

Mr. LIEBELER. Now, I show you a picture that has been marked Pizzo Exhibit No. 453-B, which appears to show a front view of the man with the bald spot, and I ask you if you recognize him as one of the men that was with Oswald in the apartment.

Mrs. ODIO. No.

Mr. LIEBELER. Are you sure that it was not, or you are unable to say?

Mrs. ODIO. No; that man was thinner and a little taller than that picture.

Mr. LIEBELER. Now, you are referring—

Mrs. ODIO. I am referring to this man now.

Mr. LIEBELER. You are referring to a man with the white shirt whose back is toward the camera?

Mrs. ODIO. Yes.

Mr. LIEBELER. What about the man immediately behind Oswald?

Mrs. ODIO. No; he was taller than that.

Mr. LIEBELER. Let's refer to this as No. 1. Does it appear to you that the man who is standing sort of sideways to the camera immediately behind Oswald

in Pizzo Exhibit No. 453-B is the same man as this man who is immediately behind Oswald and facing away from the camera in Bringuier Exhibit No. 1?

Mrs. ODIO. No; it seems like a different back to me. Actually, possibly the same person, but for some reason, maybe the picture gives him a slimmer look.

Mr. LIEBELER. You keep referring in Pizzo's exhibit to the man whose back is to the camera with a white shirt?

Mrs. ODIO. Yes; he came with a white shirt.

Mr. LIEBELER. I am having trouble, because I first thought that this man here, who I will mark with the number 1 in Pizzo Exhibit No. 453-B is the same as the man who I will mark as No. 1 in Bringuier's Exhibit No. 1, but it appears that that is not so?

Mrs. ODIO. No; this man is this man in the picture.

Mr. LIEBELER. So we have established that No. 2 in Bringuier's Exhibit No. 1 is the same as the man marked No. 1 in Pizzo's Exhibit No. 453-B?

Mrs. ODIO. Exactly.

Mr. LIEBELER. And the man who we will mark 2 in Pizzo's Exhibit No. 453-B is the man marked 1 in Bringuier's Exhibit No. 1?

Mrs. ODIO. That's right.

Mr. LIEBELER. Now, as far as the man marked No. 1 in Bringuier's Exhibit No. 1 is concerned, you think when you see him there, that might look like the man who was in the apartment?

Mrs. ODIO. He has the same build in the back, and same kind of profile, this side. Here he looks a little broader, and that is not him. It is the same man, but that wasn't the way Leopoldo looked.

Mr. LIEBELER. So the man marked 2 in Exhibit No. 453-B, Pizzo, does not look like the man who was in your apartment?

Mrs. ODIO. No.

Mr. LIEBELER. You cannot in any event recognize the man who we shall mark 3 in both pictures; is that correct?

Mrs. ODIO. Correct. Let me look at that man here [looking]. He wasn't one of them, but he looks so familiar to somebody, this one, the one that has his hand on his face.

Mr. LIEBELER. You indicate that the man who we shall mark 4 in Pizzo's Exhibit No. 453-B looks somewhat familiar?

Mrs. ODIO. Somewhat familiar; yes.

Mr. LIEBELER. Now, I show you Pizzo Exhibit 453-A and ask you if you recognize anybody in that picture?

Mrs. ODIO. Who is this man?

Mr. LIEBELER. You are referring to the man who we shall mark 1 on Exhibit No. 453-A. Does he look familiar to you?

Mrs. ODIO. The color of him looks familiar. That was more or less the color of that short man. He did not look real white.

Mr. LIEBELER. Does it appear to you that the man we have marked 1 in Exhibit No. 453-A is an oriental?

Mrs. ODIO. Is an oriental?

Mr. LIEBELER. I don't know. Does it look like it to you?

Mrs. ODIO. I don't know. I am just talking about the color of his face, the same color. Now he looks more familiar in this picture, you see.

Mr. LIEBELER. When you say this, you point to the man who we will mark 2 in Pizzo Exhibit No. 453-A, and he is the same man who is No. 2 in Pizzo Exhibit No. 453-B, and No. 1 in Bringuier's Exhibit No. 1? They all seem to be the same man, don't they?

Mrs. ODIO. I think they are all the same man, but for some reason in this picture, he is wearing glasses, isn't he?

Mr. LIEBELER. Well, it looks like it; doesn't it?

Mrs. ODIO. Yes.

Mr. LIEBELER. Did this man wear glasses who was in your apartment?

Mrs. ODIO. Yes.

Mr. LIEBELER. He did?

Mrs. ODIO. Didn't wear them all the time.

Mr. LIEBELER. Now, do you recognize Oswald in any of these pictures; in Exhibit No. 453-A?

Mrs. ODIO. [Pointing.]

Mr. LIEBELER. You indicate the man with the green X over his head as being Oswald, and that is the man who was in your apartment?

Mrs. ODIO. He looks a little bit fatter. I don't know if it is the picture. He looked thinner when he was in the apartment, than he looks in this picture. He was kind of drawn when he was there. His face was kind of drawn. But he looks more familiar there. He looks more like he looked that day.

Mr. LIEBELER. In Exhibit No. 453-B, the man with the green line over his head looks more like the man that was in your apartment; is that correct?

Mrs. ODIO. That's correct.

Mr. LIEBELER. Do you have any doubt that that man with the green line over his head in Pizzo Exhibit No. 453-B was the man who was in your apartment?

Mrs. ODIO. Well, if it is not, it is his twin.

Mr. LIEBELER. Now, I show you a photograph that has been marked Garner Exhibit No. 1 and ask you if you recognize that man.

Mrs. ODIO. That is Oswald.

Mr. LIEBELER. Is that the man who was in your apartment?

Mrs. ODIO. Yes.

Mr. LIEBELER. Are you sure?

Mrs. ODIO. He doesn't have the little thing, the little moustache that he had that day. He looks shaved there, and he did not look shaved that day.

Mr. LIEBELER. I show you Pizzo Exhibit No. 453-C and ask you if that looks like the man who was in your apartment?

Mrs. ODIO. That is not the expression he had, but he has the same forehead and everything. But his lips, the only thing that confuses me is the lips that did not look like the same man. It is that unshaved thing that got me that day.

Mr. LIEBELER. Does Pizzo Exhibit No. 453-C appear to you, does the man in that picture appear to be somewhat unshaven, or similar to the one you saw in your apartment?

Mrs. ODIO. I think he was not. The only thing he had not shaved was around where the mouth is, and everything else was shaved. That is way he looked, kind of clothes hanging on him.

Mr. LIEBELER. Do you think this man in Pizzo Exhibit No. 453-C is Lee Harvey Oswald?

Mrs. ODIO. Yes; I think that is him.

Mr. LIEBELER. Do you think that is the man that was in your apartment?

Mrs. ODIO. Well, let me say something. I think this man was the one that was in my apartment. I am not too sure of that picture. He didn't look like this. He was smiling that day. He was more smiling than in this picture.

Mr. LIEBELER. We have to put the pictures down on the record, because when somebody reads the record—you say that he—

Mrs. ODIO. He looks more relaxed in Exhibit No. 453-C. He looks more smiling, like Exhibit No. 453-B, or different countenance.

Mr. LIEBELER. I have some motion pictures of the scene that we have been looking at here in these still pictures. These pictures that have been marked Exhibit Nos. 453-B and 453-C were taken from a movie that was made of that, and we also have on that movie a picture of Lee Oswald as he appeared on the television program in New Orleans on a sound track. I want you to look at those pictures and tell us after you have looked at the pictures if you think that man was the same man who was in your apartment.

I have not yet made arrangements for the projector to be set up, and there is an FBI agent bringing another picture over here from the FBI office that I want you to look at this morning before you leave. But I would like to have you—and I have another witness waiting for me, and I have nine more witnesses. Could you come back later this evening to look at the motion pictures? And in the meantime, I will have the Secret Service set up a projection room to view the films?

Mrs. ODIO. Yes.

Mr. LIEBELER. Why don't we terminate momentarily now, and as soon as the FBI comes over, I will show you this picture, and I will call the Secret Service

and find out when he can set up the viewing of this film, and I will tell you what time to come back.

Mrs. ODIO. Since I am going to be downtown, do you want me to come back any special time?

Mr. LIEBELER. I will tell you as soon as I talk to Mr. Sorrels.

Mrs. ODIO. Before I leave?

Mr. LIEBELER. I can't tell you before you leave. I will see if I can set up a time. When you say that these men came to your apartment in late September of 1963, can you give me your best recollection as to how long before the first of October they came? You moved out of your apartment in the Crestwood Apartments on the very last day of September; is that correct? Or can you remember? Is there any way you can check that by finding out when you moved into your apartment in Oak Cliff?

Mrs. ODIO. The day I moved, I had gone to work, so it must have been on a Monday or Tuesday. This man must have come by the end of the previous weekend.

Mr. LIEBELER. I show you a 1963 calendar and point out to you that the last day of September was Monday.

Mrs. ODIO. That is probably the day I moved.

Mr. LIEBELER. Did you say that you also started working at a new job that same day?

Mrs. ODIO. No, sir.

Mr. LIEBELER. But you had been working on the day that you did move?

Mrs. ODIO. I started working initially the 15th of September, because it was too far away where I lived in Irving. I started the 15th of September, I am almost sure of the 15th or the 9th. Let me see what day was the 9th. It was a Monday. It was the 9th, sir, that I started working at National Chemsearch.

(Special Agent Bardwell O. Odum of the Federal Bureau of Investigation entered the hearing room.)

Mr. LIEBELER. This is Mr. Odum from the FBI. As a matter of fact, Mr. Odum was the man that interviewed you.

Mrs. ODIO. I remember. He looked very familiar.

Mr. ODUM. What is the name?

Mrs. ODIO. Odio.

Mr. ODUM. I interview so many people, it slips my mind at the moment.

(Agent Odum left the hearing room.)

Mr. LIEBELER. Now, you have indicated on the calendar, you circled the 30th of September, and you drew a line around the 26th, 27th, and 28th of September. Can you tell me what you meant by that?

Mrs. ODIO. The 30th was the day I moved. The 26th, 27th, and 28th, it could have been either of those 3 days. It was not on a Sunday.

Mr. LIEBELER. Now you indicated previously that Leopoldo called you the immediately following day after they had been there; is that correct?

Mrs. ODIO. That's correct.

Mr. LIEBELER. And you also testified, according to my recollection, that you had been at work on the day that Leopoldo called you; is that correct?

Mrs. ODIO. Yes; it would be the 26th or the 27th for sure.

Mr. LIEBELER. Would you work on Saturday?

Mrs. ODIO. No; but he could have called me Saturday. But they would have come Thursday or Friday.

Mr. LIEBELER. Thursday or Friday?

Mrs. ODIO. That's right.

Mr. LIEBELER. Because you had been at work on the day they came?

Mrs. ODIO. Yes.

Mr. LIEBELER. Do you remember whether you had been at work on the day that Leopoldo called you?

Mrs. ODIO. I don't recall that.

Mr. LIEBELER. You can't recall that?

Mrs. ODIO. No. I know I was very busy with the kids, but I don't remember.

Mr. LIEBELER. I show you a picture which depicts the same individual that is depicted in an exhibit which has previously been marked Commission Exhibit No. 237, and I ask you if you recognize that man.

Mrs. ODIO. No, sir.

Mr. LIEBELER. That is not the man that was with Leon when he came to your apartment?

Mrs. ODIO. No. I wish I could point him to you. One was very tall and slim, kind of. He had glasses, because he took them off and put them back on before he left, and they were not sunglasses. And the other one was short, very Mexican looking. Have you ever seen a short Mexican with lots of thick hair and a lot of hair on his chest?

Mr. LIEBELER. So there was a shorter one and a tall one, and the shorter one was rather husky?

Mrs. ODIO. He was not as big as this man.

Mr. LIEBELER. Not as big as the man in Exhibit No. 237?

Mrs. ODIO. That's right.

Mr. LIEBELER. Is that the man in Exhibit No. 237 that had a pushed back spot on his head?

Mrs. ODIO. It was different. In the middle of his head it was thick, and it looked like he didn't have any hair, and the other side, I didn't notice that.

Mr. LIEBELER. This was the taller man; is that right? The one known as Leopoldo?

Mrs. ODIO. Yes.

Mr. LIEBELER. About how much did the taller man weigh, could you guess?

Mrs. ODIO. He was thin—about 165 pounds.

Mr. LIEBELER. How tall was he, about?

Mrs. ODIO. He was about 3½ inches, almost 4 inches taller than I was. Excuse me, he couldn't have. Maybe it was just in the position he was standing. I know that made him look taller, and I had no heels on at the time, so he must have been 6 feet; yes.

Mr. LIEBELER. And the shorter man was about how tall, would you say? Was he taller or shorter than Oswald?

Mrs. ODIO. Shorter than Oswald.

Mr. LIEBELER. About how much, could you guess?

Mrs. ODIO. Five feet seven, something like that.

Mr. LIEBELER. So he could have been 2 or 3 inches shorter than Oswald?

Mrs. ODIO. That's right.

Mr. LIEBELER. He weighed about how much, would you say?

Mrs. ODIO. 170 pounds, something like that, because he was short, but he was stocky, and he was the one that had the strange complexion.

Mrs. LIEBELER. Was it pock marked, would you say?

Mrs. ODIO. No; it was like—it wasn't, because he was, oh, it was like he had been in the sun for a long time.

Mr. LIEBELER. Let's terminate now and we will resume when we show the film to you tonight.

TESTIMONY OF SYLVIA ODIO RESUMED

The testimony of Sylvia Odio was taken at 6:30 p.m., on July 22, 1964, at the office of the Secret Service, 505 North Ervay Street, Dallas, Tex., by Mr. Wesley J. Liebler, assistant counsel of the President's Commission. Forrest Sorrels and John Joe Howlett, special agents of the U.S. Secret Service were present.

Mr. LIEBELER. This is the continued deposition of Mrs. Sylvia Odio, which is now being continued in the office of the Secret Service. We have made arrangements in the presence of Agent Forrest Sorrels and Agent Howlett, to show some movie films of some street scenes in the city of New Orleans, and also a television appearance that Lee Harvey Oswald made over station WDSU in New Orleans in August of 1963. I want to ask Mrs. Odio to watch the film, and if you recognize anybody in the film at any time say so as you see him and point the individual out and we will run the film backward and see what it looks like at that time. Please go ahead, John.

Mrs. ODIO [viewing film]. The man from the back with the glasses, I have seen him, the tall thin one. I would like to see the beginning where the man started coming in.

(Film was rerun.)

Mrs. ODIO. You see the one with the glasses, that thin man. He doesn't have a mustache, though.

Mr. LIEBELER. That third man there?

Mrs. ODIO. I will show you the back when he comes. The man over to the right in the white shirt from the back, that looks so familiar.

Mr. LIEBELER. That one right over there?

Mrs. ODIO. Right; he has the same build.

Mr. LIEBELER. Can you back it up, John? Let me ask you this now, Sylvia. Did you recognize Lee Harvey Oswald?

Mrs. ODIO. Oh, yes; definitely. He made a television appearance. He looked much more similar than the pictures from New Orleans. He had the same mustache here.

Mr. LIEBELER. In the television appearance?

Mrs. ODIO. Yes.

Mr. LIEBELER. What about in the pictures that you saw in the police station of him standing against the wall when he walked out of the police station, did that look like the man that was in your apartment?

Mrs. ODIO. Yes.

Mr. LIEBELER. What about his voice? Did you recognize any similarity in his voice?

Mrs. ODIO. No. I don't know if it was because in the television it changed, or something, and he didn't speak too much that day, and it is hard to remember a voice after such a long time.

Mr. LIEBELER. After looking at this picture, are you more convinced, or less convinced, or do you still have about the same feeling that you had before you looked at it that the man who was in your apartment late in September was the same man as Lee Harvey Oswald?

Mrs. ODIO. I have to be careful about that, because I have the same feeling that it was, but at the same time I have been looking at papers for months and months of pictures, and these help you to remember too much. I wish I could isolate the incident without remembering the other pictures. I have a feeling there are certain pictures that do not resemble him. It was not the Oswald that was standing in front of my door. He was kind of tired looking. He had a little smile, but he was sunken in in the face that day. More skinny, I would say.

Mr. LIEBELER. Well, do you have any doubts in your mind after looking at these pictures that the man that was in your apartment was the same man as Lee Harvey Oswald?

Mrs. ODIO. I don't have any doubts.

Mr. LIEBELER. Do you want to run the picture once more, John?

Mrs. ODIO. What I am trying to establish is the man with the bald in the back was similar to the profile, but he seems lighter in this picture. But the men looked like Mexicans. They did not look like Cubans.

Mr. LIEBELER. Now we have here two pictures that have been made from films of this movie.

Mrs. ODIO. In that picture he didn't resemble that at all [pointing].

Mr. LIEBELER. You are referring to Pizzo Exhibit No. 453-B; the man marked with the number 2?

Mrs. ODIO. That's right.

Mr. LIEBELER. That is the same man you have been talking about as looking similar?

Mrs. ODIO. That's right. But in the motion picture he looks thinner and I was trying to give you an idea of the man that I saw that day.

Mr. LIEBELER. Do you think that the man you saw in the motion picture, who is the same man marked number 2 in Pizzo Exhibit No. 453-B, could have been the same man that was in your apartment with Oswald?

Mrs. ODIO. I think he had a mustache, and this man in the apartment does not have any mustache.

Mr. LIEBELER. But otherwise, you think that he looks similar?

Mrs. ODIO. They have the same stature and same build and profile. I can say he was standing to the side in the door, and his hair was pulled back on one side.

Mr. LIEBELER. Do you want to run through it again, please?

(Film was rerun.)

Mrs. ODIO. The picture that resembled most, even though his hair was not so cut that day.

Mr. LIEBELER. You have referred to the individual that was walking out of the police station?

Mrs. ODIO. With his back.

Mr. LIEBELER. He had a mustache, and he had glasses on?

Mrs. ODIO. That day he did not have a mustache. He just had glasses, and he would take them off and on. Lee Oswald—Leon is fatter in this picture than what I actually saw him.

Mr. LIEBELER. You think this man standing on the corner, who is No. 2 in Pizzo Exhibit No. 453-B, is the same man you saw walking out of the police station?

Mrs. ODIO. No.

Mr. LIEBELER. It is a different man?

Mrs. ODIO. That's right. The one that is walking out of the door, kind of thin-looking individual, is darker.

Mr. LIEBELER. Is the man that was walking out of the police station?

Mrs. ODIO. You want me to point it out?

Mr. LIEBELER. Yes. Run it back. I think we should indicate in the record there was a confusion in my mind, because I think it is pretty clear that the man that was walking out of the police station is a different man than is in Pizzo Exhibit No. 453-B.

Mrs. ODIO. He looked greasy looking. I will tell you when [looking at film].

Mr. LIEBELER. Is it that man with the sunglasses that walked out of the door?

Mrs. ODIO. That is the picture I see. That picture is what I mean.

Mr. LIEBELER. Yes. There he is again [indicating individual with mustache leaving police station with Carlos Bringuier and others depicted on film].

Mrs. ODIO. There he is again; big ears, but from the front, he doesn't resemble it. It is the same build from the back, that thin neck.

Mr. LIEBELER. You think that that man we have just seen in the picture resembles one of the men that was in your apartment?

Mrs. ODIO. From the back, because I remember that I put the light on on the porch, and I saw them get in the car. I wanted to be sure they were gone.

Mr. LIEBELER. But it is clearly not the same individual?

Mrs. ODIO. No, sir; clearly not the same. I am trying to see something, to put something in paper that would make me remember. [The film was rerun but the witness did not recognize anyone depicted on it except as indicated above.]

Mr. LIEBELER. Thank you very much, Mrs. Odio.

TESTIMONY OF RUTH HYDE PAINE

The testimony of Ruth Hyde Paine was taken at 11:15 a.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.

Mr. LIEBELER. You are quite familiar with the proceedings of the Commission and with the Commission's rules governing the taking of testimony, since you have given testimony perhaps longer than any other witness we have had, so we won't go through all the rituals of explaining the purposes of why I am here, and I will come right to the point.

In the testimony that you gave before the Commission, Mr. Jenner asked you about the events of the evening of November 21, 1963, as regards the relations

between Lee and Marina. There was also considerable testimony about their whereabouts and about the possibility that Oswald wrapped the rifle up that evening, but I am not particularly concerned about that. I do want to focus on your impression of the relations between Lee and Marina at that time.

As I recall, the preceding Sunday you had called Oswald at his roominghouse and asked for Lee Oswald and, of course, were not able to talk to him because he was living there under the alias of O. H. Lee. As I understand, on the following Monday Oswald called Marina, as was his custom, and they had a considerable discussion over the use of the alias, and after that conversation, or conversations that took place on Monday, Lee did not call Marina again that week; is that correct?

Mrs. PAINE. That's my impression.

Mr. LIEBELER. Do you remember how many times Oswald called Marina on Monday?

Mrs. PAINE. Well, he called nearly every evening while he was working during the week—he usually called around 5:30, just to talk.

Mr. LIEBELER. But specifically, on this Monday following the Sunday on which you called the roominghouse and asked for him, the Monday on which they had the argument about his use of the alias, do you remember how many times he called and talked to Marina on that day?

Mrs. PAINE. On that particular Monday—only once, I think.

Mr. LIEBELER. Only one time?

Mrs. PAINE. Yes.

Mr. LIEBELER. Did Marina tell you, after she talked to him that Monday, what the conversation was about?

Mrs. PAINE. Yes; she did.

Mr. LIEBELER. What did she tell you?

Mrs. PAINE. She said—and I believe I have testified to this—that she was clearly upset. You are asking me what she told me of the conversation?

Mr. LIEBELER. Yes.

Mrs. PAINE. I, of course, could tell that she was upset while talking to him, although I didn't understand much of what she said to him, as I was in the same room. She said that he was living under a different name; was angry that we had tried to call him and she said that this is not the first time she had felt between two fires, and I judge that she meant between a loyalty to him and a feeling that what he was doing was not right.

Mr. LIEBELER. Did she say that this wasn't the first time that she felt between two fires, or did she use an expression that "this isn't the first time I felt 22 fires?"

Mrs. PAINE. "Between two fires," is my memory on that. Twenty-two fires? This is a common expression in Russian; it's like between the Devil and the deep blue sea.

Mr. LIEBELER. Between two fires, you mean?

Mrs. PAINE. Yes.

Mr. LIEBELER. Well, the only problem that I have is that on page 45 of volume 3, of the page proofs your testimony indicates that.

Mrs. PAINE. That's why I would like to read my testimony. That's just incorrect. Between 22 fires—no, no—this is not it. This should be, "This is not the first time I felt between two fires," which, as I say, is like our expression, "Between the Devil and the deep blue sea."

Mr. LIEBELER. I will correct the page proofs to reflect that on your previous testimony.

Mrs. PAINE. It occurs twice there, I see.

Mr. LIEBELER. Yes. Did she tell you of any detail of what the argument was about—what the situation was?

Mrs. PAINE. Well, she said that she felt he should not be using an alias. It wasn't contained in anything that was said, but I got the feeling that she was upset with his doing this or thinking that he should or could do it.

Mr. LIEBELER. Did she tell you whether or not Oswald had told her why he was using the alias?

Mrs. PAINE. She did not tell me anything about why.

Mr. LIEBELER. Did you have any ideas as to why he might be doing it?

Mrs. PAINE. Well, I did suppose the possibility—it is possible that he was worried about it being found out at the School Book Depository that he had a Russian wife. He did ask me to ask Mrs. Randle to ask Frazier not to ask questions, not to discuss the fact that he had a Russian wife with the coworkers at the School Book Depository. I think he felt that, if this was known, it would also become known that he went to Russia and the circumstances of that, and he felt, and this was a sheer guess on my part, and I judge that he felt this would make his job tenure unsure.

Mr. LIEBELER. In other words, you do say, however, that Oswald did ask you to ask Mrs. Randle to ask Wesley Frazier not to talk about Oswald's Russian wife at the School Book Depository; is that correct?

Mrs. PAINE. That's right; so that my impression is supported to that extent.

Mr. LIEBELER. Did you ask Mrs. Randle to ask Mr. Frazier to do that?

Mrs. PAINE. Yes.

Mr. LIEBELER. Do you know whether or not she did?

Mrs. PAINE. She said she had already discussed it and she judged that they would not be talking about it.

Mr. LIEBELER. You don't know whether Mrs. Randle ever specifically mentioned it to Frazier after you talked to her?

Mrs. PAINE. No; I don't know that.

Mr. LIEBELER. Do you remember when Oswald asked you to do that?

Mrs. PAINE. It was very shortly after he got the job—it was in the first week, I would say.

Mr. LIEBELER. Did Marina tell you that she was angry with Oswald for using this alias?

Mrs. PAINE. It was clear that she was angry—on the face of it.

Mr. LIEBELER. This was clear to you on Monday after the conversation she had with Oswald?

Mrs. PAINE. Yes.

Mr. LIEBELER. Oswald, of course, did not call Marina at any time during the rest of that week. Did you and Marina discuss the reasons for this?

Mrs. PAINE. We didn't discuss reasons. She did say on Wednesday, is my recollection, that she said, "He thinks he's punishing me," after I told her the fact that he was not calling as he usually did, and her comment was, "He thinks he's punishing me."

Mr. LIEBELER. Did you think that Marina continued to remain angry with Oswald throughout that week for his use of the alias?

Mrs. PAINE. I don't think she continued to remain angry—no. We did briefly discuss why he came on Thursday, with one another, after his arrival.

Mr. LIEBELER. Before we get to that, what was your impression of the relations, if Marina didn't tell you, between Marina and Oswald prior to the evening of Thursday, November 21?

Mrs. PAINE. They had a good many arguments and occasional heated words, and I felt this was—well, that Marina is not one to maintain a feeling of anger—I don't know about that.

Mr. LIEBELER. What makes you say that Marina is not one to maintain a feeling of anger? What is the basis for that judgment on your part?

Mrs. PAINE. Well, I have very little basis. Perhaps—she did write me during the summer, and you have that correspondence, saying that things were better when she didn't argue, and that may be the outward circumstances that I'm talking about. She certainly was cordial to Lee when he arrived on Thursday, and relations were normal between them, I would say.

Mr. LIEBELER. That's really what I want to come to and I want to ask you about, and you did say that on page 47 of volume 3 in your previous testimony. Mr. Jenner asked you as regards the evening of November 21, "Was there a coolness between them?"

Mrs. PAINE. He went to bed very early. She stayed up and talked with me some, but there was no coolness that I noticed. He was quite friendly on the lawn as we—

Then, Mr. Jenner said, "I mean coolness between himself and—between Lee and Marina."

Mrs. PAINE. I didn't notice any such coolness. Rather, they seemed warm, like a couple making up a small spat. I should interject one thing here, too, that I recall as I entered the house and Lee had just come in. I said to him, "Our President is coming to town."

You indicated specifically here that he was quite friendly on the lawn and that you noticed no coolness between them. Now, what was Marina's response to all this, the best you can recall?

Mrs. PAINE. You recall that he was there when I arrived from the grocery store. They had already met. Her response was really to me, as he had gone on into the house. She mentioned to me her embarrassment that he hadn't called and asked if he could come.

Mr. LIEBELER. What about Marina's response to Lee, did I understand from reading your previous testimony that both you and Marina were of the opinion that Oswald had come home that night to make up the argument that Marina and Lee had had on the telephone on Monday; isn't that correct?

Mrs. PAINE. Yes.

Mr. LIEBELER. And Oswald acted in a manner that led you to believe that he had come home specifically to make up the argument?

Mrs. PAINE. That it was at least conciliatory.

Mr. LIEBELER. What did Oswald do that led you to believe that he wanted to make up the argument? Did he do anything different out of the ordinary?

Mrs. PAINE. No; I would say just the contrary, that he proceeded as he might normally have done on a Friday night coming home or coming to the house for the weekend. I don't think—I would be certain that he made no apology, just from my judgment of the man.

Mr. LIEBELER. At least, you didn't hear him make any apology?

Mrs. PAINE. I certainly didn't.

Mr. LIEBELER. Did you hear him ask Marina to move into Dallas with him?

Mrs. PAINE. No.

Mr. LIEBELER. Do you think that he might have asked her to do that?

Mrs. PAINE. She told me, and it should be there, that he had expressed to her—she told me the night of the 22d that he had expressed to her his wish that they could get together as soon as possible and have their apartment together. The setting in which she told me this left me with the impression that she was confused and hurt that he could be making a gesture toward the re-establishing of their family life when at the same time he must have been thinking about doing something that would necessarily destroy their family life. There was no indication to her, in what she told me, that he meant for her to do it right away. I have since heard this by rumor.

Mr. LIEBELER. Now, I'm going to read some more of the testimony to you momentarily, some of Marina's testimony, and I want to discuss it with you, but there is one bit of it particularly that I am confused about just from reading it and I get from it the possible inference and you also, I believe, indicate on page 49 of your testimony, that on the evening of the 21st you and Marina discussed plans for Christmas?

Mrs. PAINE. Well, I think it was then—I'm not positive that it was that night.

Mr. LIEBELER. Was there any conversation between you and Marina to the effect that Oswald was not to come back to Irving any more until Christmas time?

Mrs. PAINE. Oh, absolutely not.

Mr. LIEBELER. There was no indication that his pattern of coming on weekends was to change in any manner?

Mrs. PAINE. No; we had previously talked in terms of their staying at the house through Christmas and then the Oswalds getting an apartment again when they had saved up a little money, around the first of the year.

Mr. LIEBELER. Let me read to you a part of the testimony that Marina gave.

Mrs. PAINE. Yes.

Mr. LIEBELER. Which, frankly, seems to me somewhat inconsistent with the testimony that you have given about the events of this evening, although perhaps, these things might have happened outside of your presence and you were not aware of them. This appears at page 65 of volume 1 of the hearings.

Mr. RANKIN. Did your husband give any reason for coming home on Thursday?

This, of course, was on Thursday, November 21.

Mrs. OSWALD. He said that he was lonely because he hadn't come the preceding weekend and he wanted to make his peace with me.

Mr. RANKIN. Did you say anything to him then?

Mrs. OSWALD. He tried to talk to me, but I would not answer him and he was very upset.

Mr. RANKIN. Were you upset with him?

Mrs. OSWALD. I was angry, of course. He was not angry, he was upset. I was angry. He tried very hard to please me. He spent quite a bit of time putting away diapers and playing with the children on the street.

Mr. RANKIN. How did you indicate to him that you were angry with him?

Mrs. OSWALD. By not talking to him.

Mr. RANKIN. And how did he show that he was upset?

Mrs. OSWALD. He was upset over the fact that I would not answer him. He tried to start a conversation with me several times, but I would not answer and he said that he didn't want me to be angry at him because this upsets him.

On that day he suggested that we rent an apartment in Dallas. He said that he was tired of living alone and perhaps the reason for my being so angry was the fact that we were not living together, that if I want to, he would rent an apartment in Dallas tomorrow, that he didn't want me to remain with Ruth any longer, but wanted me to live with him in Dallas. He repeated this not once, but several times, but I refused. And he said that once again I was preferring my friends to him and I didn't need him.

Mr. RANKIN. What did you say to that?

Mrs. OSWALD. I said it would be better if I remained with Ruth until the holidays, he would come and that we would all meet together and this was better, because while he was living alone and I stayed with Ruth, we were spending less money and I told him to buy me a washing machine, because with two children it became too difficult to wash by hand.

Mr. RANKIN. What did he say to that?

Mrs. OSWALD. He said he would buy me a washing machine.

Mr. RANKIN. What did you say to that?

Mrs. OSWALD. Thank you, that it would be better if he bought something for himself, that I would manage.

Mrs. PAINE. I want to point out that she referred to his playing with the children on the street, meaning outdoors—the phrase is the same in Russian, that is to say, the translation—it can mean either outdoors or on the street.

When I arrived, he had been there for at least, I will say, 15 minutes. I arrived around 5:30 and a good deal of this might have happened prior to then.

Mr. LIEBELER. Prior to the time you came home?

Mrs. PAINE. Prior to the time I arrived—yes.

Mr. LIEBELER. Now, the next two sentences here I will read to you—two or three sentences more.

Mr. RANKIN. Did this seem to make him more upset when you suggested that he wait about getting an apartment for you to live in?

Mrs. OSWALD. Yes. He then stopped talking and sat down and watched television and then went to bed. I went to bed later. It was about 9 o'clock when he went to sleep. I went to sleep at about 11:30, but it seemed to me that he was not really asleep, but I didn't talk to him.

I suggest that that testimony would indicate that there probably was a considerable degree of coolness between the Oswalds that evening; would it suggest that to you?

Mrs. PAINE. It would suggest that to me.

Mr. LIEBELER. At least that their relations would not be normal.

Mrs. PAINE. Well, I might describe what I think normal is. I said I thought their relations were fairly normal.

Mr. LIEBELER. Well, was there usually a good deal of coolness between them?

Mrs. PAINE. They would often have small arguments—he wanted potatoes, or where was the ketchup level of arguments, which I felt just reflected a tension between them that showed in this way.

Now, very little was said—I don't remember well, but it was not uncommon for him to eat his meal and then leave the table before other people did. I don't remember specifically, but it's possible he did that night and go in to watch the television. In other words, his efforts at being sociable or friendly even was never very great.

Mr. LIEBELER. Well, specifically, the part of your testimony, of course, that I have difficulty in reconciling with the testimony I have just read is when Mr. Jenner asked you if you detected any coolness between Marina and him and you responded, "I didn't notice any such coolness. Rather, they seemed warm like a couple making up a small spat."

How clear and how definite is your recollection of the events of that evening? I can't possibly reconcile in my mind the testimony that Marina gave with the notion that they looked like a couple that were making up from a small spat, and as far as that goes you can't either.

Mrs. PAINE. No; I can't—that may be just my interpretation.

Mr. LIEBELER. After hearing Marina's testimony and reflecting on what happened that night, do you think that this testimony is consistent with what you remember having happened there that night?

Mrs. PAINE. Well, I saw nothing of the argument she describes.

Mr. LIEBELER. Yes; I appreciate that.

Mrs. PAINE. I saw no continuing of it in the sense that they threw barbs at each other later. I don't recall any such altercation, and as I say, I just don't remember well enough whether it was that night as he had on other nights—he ate and left the table without much conversation—or just what happened. It was really my assumption, I would say, that he was there to make up the quarrel over the telephone.

Mr. LIEBELER. And you specifically discussed that with Marina that evening?

Mrs. PAINE. Yes.

Mr. LIEBELER. And you both agreed that that was the reason he came there?

Mrs. PAINE. Yes. No; I don't mean that I specifically recall real warmth being shown, but that his behavior was much as it often was and I judged that he was there to make up for the fight in some way.

Mr. LIEBELER. And you also thought from observing Marina that she was glad to have him make up the spat or that they had made the spat up?

Mrs. PAINE. I didn't see anything opposite to that, at least, so I was left with my assumption unchallenged.

Mr. LIEBELER. So, as far as you know, the events that are described by Marina's testimony that I have just read—could perfectly well have happened.

Mrs. PAINE. It could perfectly well have happened—indeed—yes.

Mr. LIEBELER. After the assassination, did you think about your previous judgment that Oswald had come out there that evening to make up the argument that he had with Marina?

Mrs. PAINE. That's what I thought he must have come for.

Mr. LIEBELER. After hearing this testimony, as it occurred between Marina and Lee that evening, do you think that could have had anything to do with his attitudes and feelings the next day?

Mrs. PAINE. What you read of her testimony is news to me. I had no idea what the tone was of any words that passed between them, and as I say, all I heard that was in any way familiar to me, was that he had asked her to take an apartment—nothing about it being right away. I would say it could certainly have affected his thinking about it the next day. It is conceivable even that he hadn't seriously thought about shooting the President, but that would be sheer conjecture on my part.

Mr. LIEBELER. Did you have a washing machine in your house?

Mrs. PAINE. Yes.

Mr. LIEBELER. Did Marina use it?

Mrs. PAINE. Yes. If I may say—that I am disturbed by what she said. I was concerned all along in this arrangement that Lee not resent my being—

my offering a place for Marina, and what she said would do a good deal to raise resentment in him, I would think.

Mr. LIEBELER. Marina, of course, was aware of the fact that you did not want to conduct yourself in such a manner as to breed resentment on Oswald's part with respect to his relations with Marina?

Mrs. PAINE. We never discussed it explicitly. I probably would have if my Russian had been better. She at one point said to him on a weekend when he came out that my Russian was improving while his was getting worse, and I was embarrassed to have her say this. I may have testified to this, and just pointed out that I was getting more practice than he at that time was, but my feeling was that this was a mistake on her part in terms of his feelings to say that.

Mr. LIEBELER. Did she say that in front of him?

Mrs. PAINE. Yes; that's why I spoke up immediately and said, "Well, you know a lot more vocabulary than I did."

Mr. LIEBELER. Other witnesses have testified that Marina was not always entirely considerate of Oswald's feelings in the presence of others. Would you think that would be a fair statement?

Mrs. PAINE. Well, I seldom saw them in the presence of others.

Mr. LIEBELER. In the presence of others—I mean yourself.

Mrs. PAINE. Yes.

Mr. LIEBELER. In the incident you have just related, of course, is an example.

Mrs. PAINE. I would say that it is an example and I am trying to think of others that I can make a generalization. I can't make a real generalization like that, and the reason I said, "In front of others," is because I do recall also, and I testified to this, that when they first went down to New Orleans he got an apartment for her and I felt he was very anxious that she like it, and her responses to him were just simply not as enthusiastic as it was clear he had hoped. This was not embarrassing in front of someone else in a sense it wasn't that noticeable a thing, but I did feel that she wasn't trying very hard to understand his hope to please her.

Mr. LIEBELER. Would it be a fair statement in your opinion that in point of fact both of these people were more interested in tearing each other down than they were in complementing each other or in trying to accommodate themselves to each other or to work out some sort of sincere relationship between themselves?

Mrs. PAINE. I don't think you can be that curt about it. Marina never did speak to me about wanting to leave him. She spoke, and this appears in her letters too, of wishing to get along and spoke and wrote that she was encouraged that relations seemed better. It seemed to me that she accepted this as a situation a good deal short of ideal but nonetheless the one she was in and one she was to work with.

Mr. LIEBELER. My characterization assumed a continuance of the relationship. A simple solution perhaps to many situations like this, of course, is for people to leave each other. But while they were together—I'm not trying to get you to say that this is so—I have never seen them together, of course.

Mrs. PAINE. Yes.

Mr. LIEBELER. But I have seen other people in whose behavior I might find some similarities to the Oswalds or what I think the Oswalds' situation might have been on the basis of the testimony we have had. But also, you said before there was a general coolness between them—Oswald would argue about the ketchup. You indicated something about the ketchup.

Mrs. PAINE. Yes.

Mr. LIEBELER. Little things like this: Marina made a statement in front of you that your Russian was getting better and Oswald's was getting worse, and of course, the testimony that Marina gave herself about what happened between them—I am wondering if you know Marina Oswald or Oswald well enough to make a judgment about this sort of thing.

Mrs. PAINE. Well, I think I don't, and it's my guess that there was a lot more argument and contention between them than what I saw, just judging from what I have heard other people have said about it. I did see them trade barbs or comments and in that sense the answer was "yes" to your question of did they seem willing or out to hurt one another. I can't remember just how you phrased it. They were certainly not proceeding toward a mature relationship though—

Mr. LIEBELER. Did Marina ever say anything to you about sexual relations between herself and Oswald?

Mrs. PAINE. Yes.

Mr. LIEBELER. Have you testified about that previously?

Mrs. PAINE. No.

Mr. LIEBELER. Would you care to tell us?

Mrs. PAINE. I will say this, that it is part of what convinced me that she was interested in helping the relationship. We talked about going to Planned Parenthood to get contraceptive information there 6 weeks after the birth of Rachel, that is, we were to go then for that. It must have been myself that suggested that she discuss with one of the counselors there her feelings about their sexual relationship.

Mr. LIEBELER. Did she tell you her feelings about the sexual relationship?

Mrs. PAINE. Well, I think I'll answer that simply—I don't think—let me say that I feel that the exposure of her private life has been considerable and should be limited to what is pertinent, and I think what is pertinent is whether she thought she would stay with him or not, and whether she planned to try to.

Mr. LIEBELER. Other witnesses have testified to us that Marina said in front of Oswald and in front of them that Oswald was not a satisfactory man in terms of sexual relations with her and that she did not obtain satisfaction with him and that he was, as far as she was concerned, much less than a man in his sexual relations with her, and I wonder if she told you some of those things.

Mrs. PAINE. Surely nothing was said in his presence and I am shocked to hear that she discussed it in his presence with other people, which sounds like an attempt simply to injure him rather than an attempt to help the situation that needed help. Now, no doubt my own attitudes affect how a person talks to me. She may have sensed that I was interested in a reconciliation, and their feelings, and would have known that I would not have accepted this, or perhaps not wanted to put it that way with respect to the denouncement of him, but it certainly was not put that way.

Mr. LIEBELER. Did she suggest to you that she was not satisfied with her sexual relations with Oswald?

Mrs. PAINE. Yes; she did.

Mr. LIEBELER. Did she ever tell you anything about the separation that occurred between herself and Oswald in the fall of 1962 in November?

Mrs. PAINE. She mentioned that she had once left him.

Mr. LIEBELER. Did she tell you any of the details of it?

Mrs. PAINE. Probably very few of the details—I didn't know to whom she went. She described him as being ashen and shocked when she actually did walk out and then as pleading with her to come back, after a week, which she did, and that he said everything would be different and that she commented that it wasn't different and that was virtually all that was said about it.

Mr. LIEBELER. Did she ever mention George De Mohrenschildt to you?

Mrs. PAINE. Well, that's how I met her.

Mr. LIEBELER. You know De Mohrenschildt yourself?

Mrs. PAINE. I have met him once at a gathering where I first met the Oswalds, so I knew that they knew them—they were the mutual friend between the hosts of the evening party.

Mr. LIEBELER. Mr. Glover?

Mrs. PAINE. And the Oswalds, but that's the only time I have seen the De Mohrenschildts.

Mr. LIEBELER. Did she ever say anything to you about De Mohrenschildt?

Mrs. PAINE. You mean that that might have been to whom she went?

Mr. LIEBELER. I just want to know if she ever discussed De Mohrenschildt with you?

Mrs. PAINE. I recall her discussing a child. Now, this is what I am not sure about, again my understanding of her Russian may have interfered. She talked, I think, Mrs. De Mohrenschildt has a child or it may be his, and that this person is married and has a child, but I never got that straight as to who was married.

Mr. LIEBELER. She never discussed her own feelings about De Mohrenschildt?

Mrs. PAINE. No.

Mr. LIEBELER. Did she ever indicate that De Mohrenschildt was in any way involved or related to the separation that occurred between herself and her husband?

Mrs. PAINE. No.

Mr. LIEBELER. I don't think I have any more questions. However, I would like to ask you one more.

You have previously been questioned about and have heard about a supposed telephone call that was supposed to have been made from Michael Paine's office to your home shortly after the assassination, and I do not represent that I have knowledge of such call—that such call was ever made, but as you know, there were rumors to the effect that this man and woman together in this conversation—that one of them said that he wasn't really responsible for the assassination and they both knew who was and I think both you and Michael have testified about this before and have denied that there was any such telephone conversation between you and anyone.

Was there a telephone conversation of any kind between you and Michael between your residence and Michael's office on November 22 or November 23, 1963?

Mrs. PAINE. I have testified to the fact that Michael called—I don't know whether it was from the cafeteria where he had been eating or more likely from his office, to my home, on the 22d. He had learned of the assassination at lunchtime and called to tell me to find out if I knew it, and this was the entire substance of the conversation. I told him I did know—from watching TV.

Mr. LIEBELER. Was that the only telephone conversation between those two numbers on those 2 days that you know of?

Mrs. PAINE. Yes.

Mr. LIEBELER. Have you ever thought or had reason to believe that Marina Oswald was responsible in any way for Oswald's assassinating the President?

Mrs. PAINE. No.

Mr. LIEBELER. And you never meant to suggest anything or never said anything that would suggest that to Michael or anybody else?

Mrs. PAINE. No—never—that has absolutely not occurred to me.

Mr. LIEBELER. Of course; my question doesn't mean to imply that she is so responsible. Had you and Michael ever discussed Oswald's alleged attack on General Walker?

Mrs. PAINE. You mean since the assassination of President Kennedy—have we discussed it?

Mr. LIEBELER. Yes—at any time.

Mrs. PAINE. I suppose we have—I'm sure we have talked of it.

Mr. LIEBELER. Did Michael ever indicate to you in any way that he had knowledge of Oswald's attack on General Walker prior to November 22, 1963?

Mrs. PAINE. I would be absolutely certain he had not—his indications were such that he had no such information.

Mr. LIEBELER. By that answer you mean to say, one, that he did not indicate to you before the assassination that he did have knowledge, and, two, after the assassination when it became known that Oswald had been involved in the General Walker shooting, Michael didn't indicate then that he had had any prior knowledge of it?

Mrs. PAINE. That's correct. Of course, it wasn't until several days—more than a week after the assassination that something was printed about Oswald there having been involved in an attempt on Walker.

Mr. LIEBELER. But as far as you know, Michael knew nothing about that until he found out about it in the newspaper?

Mrs. PAINE. That's right.

Mr. LIEBELER. When the Dallas police and other authorities came out to your house, they eventually took all of Oswald's personal effects, did they not?

Mrs. PAINE. No; they did not.

Mr. LIEBELER. Did you have anything left in your house that belonged to Oswald?

Mrs. PAINE. No; they were eventually taken by Robert Oswald in company

with John Thorne and Jim Martin. That was probably the first weekend in December, or at least 2 weeks after the assassination—more likely 3.

Mr. LIEBELER. Do you recall what was among these things that Robert Oswald and Mr. Martin took?

Mrs. PAINE. They took the clothes from the closet, boxes and things that I did not look into. I have heard from the police that it also included an old camera which they had to chase later and went up to Robert Oswald's to find it.

Mr. LIEBELER. Were there any newspapers or magazines or anything like that, copies of The Militant or The Worker?

Mrs. PAINE. I did not see—most of what was done was what was put in. I busied myself in the bedroom getting out what was to go—what was the Oswald's property.

Mr. LIEBELER. Oswald did, of course, receive copies of The Worker and The Militant at your address?

Mrs. PAINE. I had seen that he received The Worker. I had never opened The Militant. I noticed on November 23 when I looked at the pile of second class mail and third class mail that was waiting for him to come that weekend that it included a copy of The Militant—that was the first I had noticed. This is after it had been in the newspaper.

Mr. LIEBELER. You don't remember which issue of The Militant that was, do you?

Mrs. PAINE. It must have been the current one.

Mr. LIEBELER. What happened to that?

Mrs. PAINE. I threw it away, along with The Worker and a Russian paper, I guess. It was unopened and still in its jacket.

Mr. LIEBELER. Do you remember when it had come?

Mrs. PAINE. During the week—well, no; it could have been during the 2 weeks since he hadn't been there over the weekend.

Mr. LIEBELER. Of course, he did come up on Thursday night?

Mrs. PAINE. Well, it wasn't discussed and it wasn't pointed out then.

Mr. LIEBELER. Well, how did he usually handle this problem with the mail—he was accustomed to receiving these pieces—the issues of the newspaper, at your address, wasn't he?

Mrs. PAINE. I handed it to him or laid them on the couch for him to look at when he arrived on Friday night.

Mr. LIEBELER. But he hadn't looked at these newspapers that had come during the period from his last visit to Thursday?

Mrs. PAINE. That's right; he had not been there.

Mr. LIEBELER. He didn't look at those on Thursday?

Mrs. PAINE. No.

Mr. LIEBELER. How many newspapers did you throw away, do you remember what they were?

Mrs. PAINE. Well, I recall particularly The Militant and The Worker and it seems to me there was the Russian Minsk paper too, but I'm not certain.

Mr. LIEBELER. Was there just one copy of The Militant?

Mrs. PAINE. Yes.

Mr. LIEBELER. And you don't remember when it had come?

Mrs. PAINE. No.

Mr. LIEBELER. How many copies of The Worker?

Mrs. PAINE. One.

Mr. LIEBELER. I believe that's all. Thank you for coming in.

Mrs. PAINE. All right.

TESTIMONY OF MICHAEL RALPH PAINE

The testimony of Michael Ralph Paine was taken at 12:05 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.

Mr. LIEBELER. Would you raise your right hand and take the oath, please? 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. PAINE. Yes; I do.

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

Mr. PAINE. Michael Ralph Paine.

Mr. LIEBELER. You are familiar with the Commission's procedure and you have testified before the Commission as I have heretofore indicated, isn't that correct?

Mr. PAINE. I have testified before—yes.

Mr. LIEBELER. You testified previously that when you first met Lee Oswald in April 1963, that you discussed to some extent Gen. Edwin A. Walker?

Mr. PAINE. Yes; I think we did discuss him in passing.

Mr. LIEBELER. Did Oswald ever indicate to you in any way that he had been involved in the attempt on General Walker's life?

Mr. PAINE. Not that I remember at all—nothing whatsoever. I think the only thing he did—the only thing that I can remember now, was that he seemed to have a smile in regard to that person. It was inscrutable—I didn't know what he was smiling about—I just thought perhaps it was—the guy assumed it was rapport for a person who was an extreme proponent of a certain kind of patriotism or something.

Mr. LIEBELER. General Walker was?

Mr. PAINE. General Walker was—yes.

Mr. LIEBELER. Now, when you first met Oswald, as I recall, on April 2, I believe it was, of 1963?

Mr. PAINE. You have been keeping up with this—I haven't been thinking about Oswald for a year.

Mr. LIEBELER. You don't have any recollection as to the date at this point?

Mr. PAINE. No.

Mr. LIEBELER. In any event, you did meet Oswald sometime in April, for the first time; do you recall whether it was before or after that Walker had been attacked?

Mr. PAINE. I don't recall now; and as I remember—back in the fall—I wasn't aware then whether it was before or after. It isn't just a lapse of memory now.

Mr. LIEBELER. Do you remember discussing with Oswald the fact that someone had shot at General Walker?

Mr. PAINE. No—I don't. That would have led me to think it was prior to his being shot at.

Mr. LIEBELER. You are referring to this specific date. Now, my question means to comprehend any time—do you remember discussing at any time with Oswald the fact that General Walker had been attacked?

Mr. PAINE. No; I did not. I didn't see him—I saw him that one evening, you see, and then I didn't see him for a space of some time.

Mr. LIEBELER. You didn't see him after that one time in April until after he had returned from New Orleans?

Mr. PAINE. I guess that's right.

Mr. LIEBELER. So, that would have been in October 1963?

Mr. PAINE. Yes.

Mr. LIEBELER. On June 11, 1964, Marina Oswald testified before the Commission at which time the following colloquy occurred, as indicated on page 7368 of the Commission's transcript:

Mr. MCKENZIE. Mrs. Oswald, you say, or you said a few minutes ago, that Mr. Paine knew or knows more about your husband's attitude about the United States than you do. Why did you say that?

Mrs. OSWALD. Because my husband's favorite topic of discussion was politics and whoever he was with, he talked to them politics and Mr. Paine was with him a fair amount and I am not sure they talked about politics.

Apparently it should have been "I am quite sure they talked about politics." But, at any rate, the transcript does read, "I am not sure they talked about politics."

They went to meetings of some kind together. I don't know what kind of meetings.

Mr. MCKENZIE. Do you know where the meetings were?

Mrs. OSWALD. In Dallas. After they came back from some meeting, my husband said to me something about Walker being at this meeting.

Do you remember going at any meeting with Lee Oswald at which Mr. Walker was present?

Mr. PAINE. No—the only meeting I went to was the ACLU meeting, that I recall.

Mr. LIEBELER. Do you recall going to any meeting yourself in October 1963, with or without Oswald, at which General Walker was present?

Mr. PAINE. General Walker was present at the—Oswald mentioned the U.N.—U.S. Day meeting held by the rightists, which occurred a day or two or two nights before the ACLU meeting. He had been to that by himself. I had gone that same evening to a John Birch meeting. We were not together, but they were two things that occurred simultaneously, and that's where Lee, by his report at the ACLU meeting said he was and Walker was there. Maybe that's what Marina had in mind.

Mr. LIEBELER. But you, yourself, don't have any recollection of your ever being at a meeting when he was there?

Mr. PAINE. No; I have never seen General Walker that I can recall.

Mr. LIEBELER. You have never seen Walker?

Mr. PAINE. Unless he was—in a year previous to that I had been to the Indignation Committee meeting—no—that is the answer to your previous question.

Mr. LIEBELER. Do—to the best of your recollection, you don't ever remember seeing General Walker present?

Mr. PAINE. That's right.

Mr. LIEBELER. Or having been at a meeting at which you subsequently learned that he was present, although you didn't see him?

Mr. PAINE. That's right—I can't remember about the previous year, but I don't think that has relevancy.

Mr. LIEBELER. Well, since the time you met Oswald—you were at no meetings at which General Walker was present, to your knowledge?

Mr. PAINE. That's true.

Mr. LIEBELER. Marina Oswald goes on to testify and I will recapitulate part of it, "After they came back from some meeting, my husband said to me something about Walker being at this meeting and he said, 'Paine knows that I shot him.'"

Do you have any reason to believe that—the first question, of course, is and I have already asked you that and you testified you did not know Oswald shot Walker prior to the assassination of President Kennedy; is that correct?

Mr. PAINE. That's right.

Mr. LIEBELER. Now, do you have any reason to believe that Oswald might have thought that you knew that he, Oswald, had shot at General Walker?

Mr. PAINE. I can't see how he would have thought I knew that. I just don't see—he might have said something that revealed that and I didn't catch his meaning, so it never sunk in to me at all, that is, to assume that he wasn't lying and that is the only way I can explain it.

Mr. LIEBELER. So that you think that this testimony that Marina has given is either the result of a misapprehension, or a lie on Oswald's part or on Marina's part?

Mr. PAINE. Yes.

Mr. LIEBELER. And you don't have any doubt about that whatsoever?

Mr. PAINE. I am perfectly certain that I didn't know he shot at Walker.

Mr. LIEBELER. Marina herself goes on to say:

I don't know whether this was the truth or not, I don't know whether it was true or not, but this is what they told me.

And I presume she means that's what Lee had told her.

Mr. PAINE. Now, wait—this is—it would be well to check for that "they"—this is testimony in June, you said, and that "they" could possibly be Martin

and Thorne. I don't know much about Martin and Thorne either, but I had the impression that they were telling her stories.

Mr. LIEBELER. Well, of course, this is what the translator said Marina had said. Marina is going to be here tomorrow and I will ask her about this then and see if she can clarify the record, but the point we want to bring out now at this time is that your testimony is quite clear that you did not know before the assassination that Oswald had shot at General Walker?

Mr. PAINE. Yes.

Mr. LIEBELER. You testified before that Oswald had shown you one of those newspapers of his one day and said you could tell what they wanted you to do by doing some reading between the lines; is that correct?

Mr. PAINE. Yes.

Mr. LIEBELER. And my recollection is that he was specifically referring to a copy of *The Worker* that he showed you at that time?

Mr. PAINE. It was.

Mr. LIEBELER. Did you ever see Oswald reading *The Militant*?

Mr. PAINE. I do not now remember which are the things that I have come to realize later and which I knew at the time. I was not particularly aware of *The Militant*, as I recall. I really have to remember what my feelings were back in the fall when I was questioned on the matter and that, as I recall, the name and quality or the name and nature of *The Militant* wasn't really very familiar to me.

Mr. LIEBELER. Did you ever have any discussion with Oswald about the U.S. policies toward Cuba?

Mr. PAINE. Well, I don't think we did discuss that except in the very brief talk in the car when he was reciting someone else's approval—apparent approval of Castro and citing that he was a Communist.

Mr. LIEBELER. I remember you testified about that before—that it was on the way back home after an ACLU meeting.

Mr. PAINE. That's right.

Mr. LIEBELER. And you told him, or thought if that was what he had to go on to identify anyone as a Communist, that he apparently was reaching quite far?

Mr. PAINE. I thought so, yes.

Mr. LIEBELER. Do you recall that in the fall of 1963 there was a climate of what might be called, and what was in fact called, detente between the United States and the Soviet Union that apparently led people in some quarters to believe that the Soviet Union would withdraw its support from the Castro regime or at least modify its attitude?

Mr. PAINE. Yes.

Mr. LIEBELER. Did you ever have any discussion with Oswald about that?

Mr. PAINE. No, we did not.

Mr. LIEBELER. Did Oswald ever indicate in any way that he was aware of such a thing?

Mr. PAINE. We very seldom spoke about it. Most of our discussions were to the more specific elements, since there was such a wide area of disagreement it didn't seem best to talk about smaller points, so we didn't talk about Soviet-American relations as I recall it in that regard.

Mr. LIEBELER. I show you a photograph which depicts the same individual as is depicted in Commission Exhibit No. 237 and ask you to examine it and tell me if you recognize the individual?

Mr. PAINE. I remember the same face on a picture that I saw earlier, but I had not at that time, and do not now, recognize the person, but he could work at Bell.

Mr. LIEBELER. In our discussions in Washington, we had some conversations about what you thought Oswald's possible motive might have been for the assassination—I don't think you have really ever set them forth for us on the record, and if you care to give us your views on that, I would appreciate having them.

Mr. PAINE. I was more eager to speak about it then—I was thinking about it then. Since that time I haven't thought about it at all.

Mr. LIEBELER. Can you reconstruct the thoughts that you had at the time you were in Washington?

Mr. PAINE. I think my thoughts then were brief and they certainly are now. I thought it was a very spur of the moment idea that came into his head when he realized that he would have the opportunity with sort of a duck blind there, an opportunity to change the course of history, even though he couldn't predict from that action what course history would take, that in my opinion would not have deterred him from doing it. I thought that he was of the mind that something small or evolutionary changes were never going to be of any effect. It had to be, though he never revealed to me what kind of actions or policies he would have advocated or did advocate or did want to see—I had frequently had the impression that it was—it had to be of a rather drastic nature, where kindness or good feelings should not stand in the way of those actions.

Mr. LIEBELER. Did he ever discuss with you his notion of how society ought to be structured?

Mr. PAINE. Yes—he did discuss them but not in a way—did he ever describe anything that could be real. It was more a way that society should not be structured, that he talked about. Now, I shouldn't really say that—it was a negative description of how society should not be, and I never did get a description of what he would like or what one of a more positive nature would be like.

Mr. LIEBELER. You had the feeling that whatever it was, if in fact he had a notion about it, would have required a drastic and sudden change?

Mr. PAINE. Well, I don't know about the suddenness but he assumed that the society was all tied together, the church and the power structure and our education was all the same vile system and therefore there would have to be an overthrow of the whole thing. Just how he was going to overthrow it or what he was going to overthrow toward—it was not clear to me, especially, because it was also apparent that he didn't particularly admire Russia, so I didn't—I never did get it clear in my mind what program he was going to inaugurate with his new world.

Mr. LIEBELER. Did he ever tell you he had written about this subject?

Mr. PAINE. No; he didn't.

Mr. LIEBELER. And you never read any of the things he wrote?

Mr. PAINE. No; I didn't.

Mr. LIEBELER. Did you know he had written about anything?

Mr. PAINE. No; if I had thought he had written about something, I would certainly have been eager to have read it.

Mr. LIEBELER. Did you ever have any opinion that this man was psychologically disturbed, suffering from personality disturbances and neurosis or psychosis—you pick it.

Mr. PAINE. No; truthfully, I should say that did not appear to be a good description. It seemed simpler and more to the point to say he was extremely bitter and couldn't believe there was much good will in people. There was mostly evil, conniving, or else stupidity—was the description—that was his opinion or would be his description of most people. That's my description, and the best description I can give of him—to call him other psychological names—names of paranoia or paranoid or something like that.

Mr. LIEBELER. What made you pick that particular name?

Mr. PAINE. Well, that kind of suspicion of people—expecting them to be consciously perpetrating evil or ill toward him or toward the oppressed people—workers—is perhaps a trait of paranoia.

Mr. LIEBELER. Do you think that he exhibited this trait?

Mr. PAINE. Yes; he did, but it didn't seem to be uncontrollable. He didn't generally take it—I would say he was paranoid if he always took it personally, but he always seemed to transfer it to, or put himself in the class of people who were oppressed, so that's the distinction why I wouldn't call him sick or wouldn't have then called him sick—before the assassination.

Mr. LIEBELER. Because he seemed to describe this feeling of his in institutional terms?

Mr. PAINE. That's right.

Mr. LIEBELER. And in terms of the social structure and the impact the world had on classes and groups of people?

Mr. PAINE. He was in the exploited class.

Mr. LIEBELER. Yes; there was no doubt about that—I mean, as far as his own mind was concerned—that's what he thought?

Mr. PAINE. Yes.

Mr. LIEBELER. So, that he would describe these terrible misfortunes that were being perpetrated on a class of people, but he would make it clear that he did regard himself as being included in that class of people.

Mr. PAINE. That's correct. Now, I think he was a little—I can't remember now where I got the impression that he was allergic to the FBI, which is another case of him mentioning being sensitive to a person—a sense of persecution, but the only thing that I do remember that he did mention that surprised me a little bit was his sense of personal exploitation by his employer at the photoengraving company.

Mr. LIEBELER. And when you say you cannot remember where you got the idea that he was allergic to the FBI, you mean you don't remember whether you were aware of that before the assassination?

Mr. PAINE. That's correct.

Mr. LIEBELER. Were you aware of it before the assassination or can't you remember?

Mr. PAINE. I think I learned that from Ruth's statement of things that he had said and I don't remember whether that was before or after.

Mr. LIEBELER. For instance, if you were told that he in fact did have quite an allergy to the FBI, whether you were aware of it or not at that time, I suppose that that would provide an example of one or two things—either an accurate description of what was going on or a slightly exaggerated or greatly exaggerated notion of what was going on and to that extent a manifestation of this feeling of persecution, as he put it.

Mr. PAINE. Yes; it was greatly exaggerated—it had, of course, some grounds, so you wouldn't be too inclined to call it paranoia and the fact that he also perhaps wanted to continue doing the things that would have to have the legitimate fear of the surveillance by the FBI because he would want to be attempting to do something that wasn't legal or proper. In other words, that would agitate him with grounds—for other reasons than paranoia.

Mr. LIEBELER. One of the witnesses who knew him in the Marine Corps testified that he thought that Oswald had a persecution complex which he strove to maintain—had you ever thought of it in that way?

Mr. PAINE. Well, he was certainly—I wanted to give him some sense of letting him participate in some sense of being effective to change the world and to let him be a little more generous in his thinking toward his enemies—his employers by suggesting that they weren't so fully in control of the social situation as he made out, and he certainly resisted all efforts on my part to think in a more generous and active way toward people toward whom he felt bitter. In other words, he had no inclination or tendency to try to get out of that mood—I don't remember now any illogical way he would have maintained that attitude.

I suppose, though, he just had to fight so hard, or fighting is about the only way he would or could get it out. He perhaps never had any experience of relieving the feeling of hate or bitterness through being kind to someone, so you just wouldn't imagine he would think that that was just pious or just talking to suggest that that was a way out of that feeling.

Mr. LIEBELER. Did you ever have the feeling that he had a considerable degree of hostility toward the society in general, toward our particular society?

Mr. PAINE. Yes; he had unreasonable and unrealistic and pervasive feelings.

Mr. LIEBELER. In that it affected his attitude toward almost everything?

Mr. PAINE. Yes.

Mr. LIEBELER. Did he ever discuss with you his personal relations with his wife?

Mr. PAINE. No; he did not—he never spoke of girls at all. I thought he was very proper.

Mr. LIEBELER. What was that?

Mr. PAINE. Well, this is the way I supposed he was. I knew that he didn't smoke or drink and it seemed inconsistent with a libertine attitude toward

women or even a sensual enjoyment of women would be a form of life that would be contradictory to his ethics.

Mr. LIEBELER. You had no idea that he had been engaged in the Fair Play for Cuba activities while he was in New Orleans?

Mr. PAINE. No; I did not.

Mr. LIEBELER. Did you ever talk to Ruth about Oswald's employment situation in New Orleans?

Mr. PAINE. Not that I can recall—no. I think I asked her what kind of a job he had found, and that was the extent of it.

Mr. LIEBELER. What did she tell you he had found?

Mr. PAINE. She said he had found the same kind of work he left here—the engraving business—or something like that.

Mr. LIEBELER. Do you remember Ruth ever mentioning that Oswald had said that he had gotten fired from his job in New Orleans because of his activities in the Fair Play for Cuba Committee?

Mr. PAINE. No; I don't remember her mentioning that.

Mr. LIEBELER. I don't think I have any more questions. Thank you very much for coming.

Mr. PAINE. All right.

TESTIMONY OF MAJ. GEN. EDWIN A. WALKER AND GEN. CLYDE J. WATTS

The testimony of Maj. Gen. Edwin A. Walker was taken at 4:15 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. Liebel, assistant counsel of the President's Commission.

Mr. LIEBELER. Let the record indicate that General Walker is being represented by Clyde J. Watts of Oklahoma City.

Would you rise, general, and raise your right hand? 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?

General WALKER. I do.

Mr. LIEBELER. Please sit down. My name is Wesley J. Liebel. I am an attorney on the President's Commission investigating the assassination of President John F. Kennedy. I have been authorized to take your testimony by the Commission pursuant to authority granted to the Commission by President Johnson's Executive Order No. 11130, dated November 29, 1963, and the joint resolution of Congress No. 137.

Pursuant to the Commission's rules of procedure, you are entitled to be represented by counsel. As the record now indicates, you are represented by counsel, General Watts. I understand that you are appearing voluntarily before the Commission in response to its request to give testimony touching upon certain matters relating to Lee Harvey Oswald and to the assassination of President Kennedy. Is that correct?

General WALKER. That is correct.

Mr. LIEBELER. I would like to have the record show that prior to the commencement of this deposition, a discussion between General Watts and General Walker and myself was had in which we reached an agreement under which a copy of the transcript of the testimony which will be taken here today will be made available here at the office of the U.S. attorney for examination by General Walker and by his counsel. They will be given an opportunity to make whatever changes in the testimony may be necessary, so that the transcript reflects accurately what happened here today.

We also agreed and confirmed in a telephone conversation with Mr. Rankin, the general counsel for the Commission, that as soon as a copy can reasonably be made available, within 2 or 3 days after this transcript has been signed by General Walker and approved by me, a copy of the transcript will be made available to General Walker at his expense. It may be purchased from the court reporter here in Dallas. We will make whatever arrangements may seem

proper at that time to give the general a corrected copy. Would you state your full name for the record, please?

General WALKER. Edwin A. Walker. A stands for Anderson.

Mr. LIEBELER. What is your address?

General WALKER. 4011 Turtle Creek Boulevard, Dallas, Tex.

Mr. LIEBELER. How long have you lived there?

General WALKER. I believe since December of 1961 or January of 1962. I am not sure of the month I moved in.

Mr. LIEBELER. I don't think we have to indicate a great deal of your background for the record, since I think we all know who you are, but you are a retired major general, are you not?

General WALKER. No. I am former major general, now resigned from the U.S. Army.

Mr. LIEBELER. You resigned from the Army. Where were you originally born and raised, general?

General WALKER. At Center Point, Tex. I was born in 1909, November 10. Center Point is Kerr County. It is C-e-n-t-e-r P-o-i-n-t, Kerr County, Tex. That is 60 miles west of San Antonio.

Mr. LIEBELER. Since your resignation from the Army and your taking up residence in Dallas, you have been active, have you not, in various political endeavors here in Dallas and throughout the United States?

General WALKER. Patriotic and political endeavors.

Mr. LIEBELER. It is my understanding that on the evening of April 10, 1963, some person fired a shot at you while you were in your home on Turtle Creek Boulevard; is that correct?

General WALKER. That is correct.

Mr. LIEBELER. Would you tell us the circumstances surrounding that event, as you can now recall them?

General WALKER. I was sitting behind my desk. It was right at 9 o'clock, and most of the lights were on in the house and the shades were up. I was sitting down behind a desk facing out from a corner, with my head over a pencil and paper working on my income tax when I heard a blast and a crack right over my head.

Mr. LIEBELER. What did you do then?

General WALKER. I thought—we had been fooling with the screens on the house and I thought that possibly somebody had thrown a firecracker, that it exploded right over my head through the window right behind me. Since there is a church back there, often there are children playing back there. Then I looked around and saw that the screen was not out, but was in the window, and this couldn't possibly happen, so I got up and walked around the desk and looked back where I was sitting and I saw a hole in the wall which would have been to my left while I was sitting to my right as I looked back, and the desk was catercornered in the corner up against this wall. I noticed there was a hole in the wall, so I went upstairs and got a pistol and came back down and went out the back door, taking a look to see what might have happened.

Mr. LIEBELER. Did you find anything outside that you could relate to this attack on you?

General WALKER. No, sir; I couldn't. As I crossed a window coming downstairs in front, I saw a car at the bottom of the church alley just making a turn onto Turtle Creek. The car was unidentifiable. I could see the two back lights, and you have to look through trees there, and I could see it moving out. This car would have been about at the right time for anybody that was making a getaway.

Mr. LIEBELER. Now as I understand it, there is an alley that runs directly at the rear of your house; is that correct?

General WALKER. Yes, sir.

Mr. LIEBELER. Does that alley run directly into Turtle Creek Boulevard, or does it join with another alley?

General WALKER. No, sir; it joins with another alley, and it joins with the street called Avondale.

Mr. LIEBELER. So that to get—

General WALKER. At one end is Avondale, which runs into Turtle Creek going downhill east, and at the other end it goes into the parking lot of the church. As you enter that parking lot from my alley, if you turn directly right, you go down the church alley going into Turtle Creek, and that is where the car was going down that I referred to, and it was just making the turn out of the church alley.

Mr. LIEBELER. The alley that runs into Turtle Creek?

General WALKER. No; directly from the church alley into the Turtle Creek main boulevard. Now, there is another alley right at the entrance of my alley to the church parking lot, which runs straight west practically to Oak Lawn. Hardly anybody knows it is there, because you have to ease down it with an automobile, it is so narrow. And as I know, only garbage trucks use it. I have been up and down it once or twice only.

Mr. LIEBELER. Now when you got that pistol, did you go out the back door of your house?

General WALKER. I went out the back door.

Mr. LIEBELER. You went into the alley?

General WALKER. I went about halfway out to the alley.

Mr. LIEBELER. From that point you could observe this car that was just turning?

General WALKER. No, sir. I observed that—it was already gone—I observed that from the window upstairs as I came down with the pistol. I could see out the south window, front and left.

Mr. LIEBELER. I would imagine that you assumed that that car had gone from the church parking lot down the alley and was at that point entering Turtle Creek Boulevard?

General WALKER. That is correct.

Mr. LIEBELER. Did you see which direction it turned?

General WALKER. Left, going north.

Mr. LIEBELER. Were you able to make any kind of identification of the automobile at all?

General WALKER. None at all.

Mr. LIEBELER. Were you able to see how many people were in it?

General WALKER. No, sir.

Mr. LIEBELER. Did it seem to be leaving in a hurry, or was it just debarking?

General WALKER. There was no way to tell, because from the upstairs windows you were looking through trees at the car and I probably wouldn't have seen it unless I had seen the two taillights of it. It only has to go a few feet and it is beyond the bank where you can hardly see.

Mr. LIEBELER. I show you a photograph which is a copy of a photograph that has been marked Commission Exhibit No. 1008, and ask you if you can identify that picture, or tell us what is portrayed in it.

General WALKER. Well, it looks like an old wornout picture of the wall beside my desk and the shothole as it appeared. It is not really a picture. They used, evidently had plastered this silver foil-type peculiar stuff on the wall previously and it is still there.

Mr. LIEBELER. But this does show the hole in the wall over your desk that was made by the bullet that struck the wall; is that correct?

General WALKER. As far as I can identify it, that is what it looks like. I could take the picture and probably match it up with those flowers. It is a flower arrangement on this silver foil on the wall.

Mr. LIEBELER. That looks like your wallpaper, doesn't it?

General WALKER. Yes.

Mr. LIEBELER. I show you a copy of a picture that has been marked as Commission Exhibit No. 1007, and ask you if you can recognize what is shown in that picture.

General WATTS. Can we go off the record a minute?

Mr. LIEBELER. Certainly.

(Discussion off the record.)

General WALKER. Yes; I can identify this picture.

Mr. LIEBELER. What is it, generally?

General WALKER. It is an outside picture taken looking into the house, taken from the west. The camera pointed east and took the house, and it shows the shot and the broken glass in the window.

Mr. LIEBELER. The window of your home?

General WALKER. The window of my home at 4011 Turtle Creek Boulevard.

Mr. LIEBELER. That is the window through which the shot was fired at you on April 10, 1963?

General WALKER. That is correct.

Mr. LIEBELER. Is it possible to see your desk?

General WALKER. Yes; you can see the chair. Let's go off the record a minute.

Mr. LIEBELER. Let's stay on the record. It is all right.

General WALKER. All right, what I had mixed up, I never knew anybody got a picture of me pointing at anything, and that looks like my hand. I didn't know this photographer was outside at the time. I was thinking the picture was taken from the inside, but I see it perfectly now and it is from the outside. This looks like there is a table here, from this window, and in the corner running that way.

Mr. LIEBELER. Just inside the window?

General WALKER. Just inside the window. Then there is a space between that and the desk. Then the desk is here at an angle across this corner, and that looks like the chair. No; I am not sure. I did have a chair in between me and the table, which may be that chair. It is possible that you are not seeing the desk chair. There are two windows in this wall, but those are too close to be the windows. That is one of those panels, I suspect, like the flower panel. The window is still further back here.

Mr. LIEBELER. So it is not possible to see your desk from that picture?

General WALKER. That picture is taken at this angle, see.

Mr. LIEBELER. So you can't really see your desk?

General WALKER. I would say my desk is back in that corner.

Mr. LIEBELER. But it would be directly, if you stood at the window and looked straight through the window, you would be able to see your desk across the room?

General WALKER. That is correct.

Mr. LIEBELER. Was your desk directly across the room from the window, or was it sitting catercornered?

General WALKER. It was sitting catercornered in the corner on the opposite side of the room. I was facing out over the desk toward the center of the room.

Mr. LIEBELER. When the shot was fired?

General WALKER. That is correct.

Mr. LIEBELER. So that you were almost facing the window at the time the shot was fired; is that correct? Looking sideways?

General WALKER. No; I was looking to the center of the room.

Mr. LIEBELER. Sideways to the window? I am trying to drive at what kind of shot the man had at you. Was he shooting at you from the side, from the back, or from the front? I think it would be from the side.

General WALKER. More from the side than the front. Definitely from the side but a little at an angle, because I was facing the center of the room.

Mr. LIEBELER. Right. I show you a copy of a photograph that has been marked Commission Exhibit No. 1006, and ask you if this is not also a picture of the window through which the shot was fired showing where the shot had apparently hit the sash at one point?

General WALKER. That looks like the window and where the shot was fired through the window into the room. It certainly must be the same shot.

Mr. LIEBELER. It purports to be a photograph that was turned over to the Commission by the police department and it purports to be a picture of that window.

General WALKER. That is the same shot then.

Mr. LIEBELER. The bullet apparently actually hit a portion of the window frame before it went through. Does that accord with your recollection?

General WALKER. The bullet went through the screen frame. Then it went through a portion of the window frame, and a portion of the glass.

Mr. LIEBELER. I show you a copy of a photograph that has been marked Com-

mission Exhibit No. 1009, and ask you if this is not in fact a picture of the next room.

General WALKER. To closer identify that further, the screen frame has a cross-piece in the center also, and the bullet went through the crosspiece in the screen and then hit both the window frame and the glass.

Mr. LIEBELER. Commission Exhibit No. 1009 is a picture of the room next to the one in which you were sitting, and shows some literature that was stored and the place where the bullet came out.

General WALKER. That identifies the next room where the bullet went through the wall by my desk and came out in the next room. The bullet was picked up lying on a piece of the literature there.

Mr. LIEBELER. I have here a photograph which I am marking as Walker Exhibit No. 1, and which I will initial for the purpose of identification, and ask you to do the same so that we have no confusion as to the identification of that picture.

(General Walker initials.)

Mr. LIEBELER. Now are you able to tell from looking at that picture what it shows?

General WALKER. Yes; I can identify this picture. It is the backyard of my house at 4011 Turtle Creek. It is a view from a position taken near the west fence line, taken of the rear of my house, camera pointed east. It shows the fence running down on the left side between my rented property, and the church property.

Mr. LIEBELER. Can you see the room in which you were sitting when this shot was fired at you in that picture. I call your attention to where the police officer is standing. There is a police officer standing over there in front of a window, isn't there?

General WALKER. I can see the corner of the house. The window is right in here.

Mr. LIEBELER. Now you have indicated that where the policeman is standing in this Walker Exhibit No. 1, is part of the entrance to the house, but that is not the room that you were sitting in at the time the shot was fired at you? You were sitting in a room that is not even visible in this picture, because it is behind some bushes and trees that appear to the left foreground of the picture; is that correct?

General WALKER. That is correct. The policeman is to the left—to the right. His position is to the right.

Mr. LIEBELER. As you face the picture?

General WALKER. Of the room I was sitting in.

Mr. LIEBELER. You can't actually see the window through which the shot came in that picture?

General WALKER. Not in this picture, you can't see the window.

Mr. LIEBELER. The Dallas Police Department, of course, sent officers out to investigate this after the shot was fired at you, did they not?

General WALKER. That is correct.

Mr. LIEBELER. You got out in the backyard and reviewed the possibilities, to try and figure out what happened with them at that time, and specifically I wonder—

General WALKER. Seems to me I talked to them in the room first and showed them around. I believe I did. I can't recall whether they asked me out or not. There wasn't much to tell them.

Mr. LIEBELER. Were you able to determine the spot from which it appeared the shot had been fired?

General WALKER. We lined up the shot, the police did, and I noticed they worked this whole area back here to the fence, and even went out into the alley to find the lattice fence that sits right here.

Mr. LIEBELER. You mean the area immediately behind the picture?

General WALKER. Just behind the camera that took this picture.

Mr. LIEBELER. Yes; Walker Exhibit No. 1. Were you able to determine to your satisfaction the place from which the shot was fired?

General WALKER. I was convinced there wasn't any doubt the shot was fired about where this cameraman was standing, or a little bit behind him and outside

the lattice fence, probably firing through the fence which had spaces in it, squares of about 4 to 6 inches.

Certainly the lineup of the holes in the two, in the window and in the wall, gives the direction. The distance would be questionable to this point, based on the information I have.

Mr. LIEBELER. I hand you a photograph that I have marked Walker Exhibit No. 2, and I ask you to initial it on the back near my initials there.

(General Walker initials.)

Mr. LIEBELER. Now that in fact is a photograph, is it not, of the fence to which you have just referred?

General WALKER. Yes; it is.

Mr. LIEBELER. And you think that the shot was probably from the other side of that fence, behind the fence as we face it, and very likely the rifle was rested on one of the slats and fired through it, is that correct?

I suggested that this picture was taken from inside the yard. General Watts pointed out it was very likely taken looking from the alley, so if this picture had been taken at the time the man was shooting, he would be in that picture very likely with his back toward the camera with the rifle through the fence?

General WALKER. If he fired through the fence, he would very likely have been right in this picture, that is correct.

Mr. LIEBELER. Well, now, when I look at Walker Exhibit No. 1, since you have indicated you thought that the shot was fired somewhere about where the camera was located when this picture was taken, or slightly behind it on the other side of the fence, I have considerable difficulty in that I can't see the window through which the shot went. How could the shot have been fired from there?

General WALKER. You can sit in the house and turn off your lights and look right out through the fence and all the areas in the fence. It is just a question of lighting. The difficulty you are having here is a question of lighting of the picture, but if you are looking from the inside of the house, you see that fence in many places, all places.

Mr. LIEBELER. So that this picture which was obviously taken at night with a flash attachment does not give a true picture of the situation?

General WALKER. Not at all, because you can't see the house, and that is why the picture with the policeman in it is so hard to identify. Windows don't show there. There is a whole glassed-in porch to the left of the policeman, as you look at this picture. There is a 5 by 6 glassed window there with a back porch that sticks out a little bit that doesn't show.

Then there is a window beside that porch in the room I was sitting in.

Well, delete that. I don't think the cooler was in the window at that time, but from that window, there is a space of 6 or 8 feet. Then you come to the window that was fired through, and then there is 2 or 3 feet to the corner of the house.

Then referring back to the picture we referred to, the policeman was in, you see the dark alley going down beside the house between the house and the fence, which is the north side, in general, of the house.

Mr. LIEBELER. That picture, being Walker Exhibit No. 1.

General WALKER. But I don't see how you could take a picture and see less of the house, and it is definitely because of the lighting in the picture and everything dark. The whole house is dark under the light, the way that picture was taken, so that you see very little of the house except the policeman, what he has of the light coming out behind him.

Mr. LIEBELER. Right. Now did you make any sudden movement on or about the time that shot was fired?

General WALKER. None that I was aware of; no. Just moving with a pencil and thoroughly engrossed in my income tax.

Mr. LIEBELER. How far is it from where you were sitting to the fence where we think the shot was fired from? How many feet?

General WALKER. I would say 100 feet. I would say between 100 and 120 feet.

Mr. LIEBELER. Did you ever say in words or substance after this shot was fired at you that the guy must have been a lousy shot? That sounds like something you might say, doesn't it?

General WALKER. Yes.

Mr. LIEBELER. Do you remember saying that?

General WALKER. But I will tell you what I did think. I think I said that, right. The police asked me to sit down. You want me to tell you?

Mr. LIEBELER. Yes.

General WALKER. The police asked me to sit down when I got there and they went through the motions of lining up the shot from inside and outside.

And one policeman said, "He couldn't have missed you." And one said, a lieutenant I believe it was, said, "It was an attempted assassination."

And I said, "What makes you call it that?" And he said, "Because he definitely was out to get you."

And I said, "Your remark sounds like a natural remark." But as I later was analyzing the thing, he couldn't see either with a scope or without a scope. He couldn't see from his position any of the lattice work either in the windows or in the screens because of the light. It would have looked like one big lighted area, and he could have been a very good shot and just by chance he hit the woodwork.

Mr. LIEBELER. Which he did in fact?

General WALKER. Which he did, and there was enough deflection in it to miss me, except for slivers of the bullet, the casing of the bullet that went into my arm laying on the desk—slivers of the shell jacket.

Mr. LIEBELER. I show you a photograph marked Commission Exhibit No. 2 and ask you if you recognize the scene in that picture?

General WALKER. Yes; I identify this picture looking approximately south down the alley, taken from about the entrance of where the alley enters the church, a few steps short of where the alley enters the church parking area. It is facing approximately south. Shows the back entrance to my back yard and the tree and my garbage can and the lattice fence on the west.

Mr. LIEBELER. The alley that runs down there is the alley that runs directly behind your house, isn't that correct?

General WALKER. That is correct. And the direction we are looking is the direction in which it connects and joins Avondale Street.

Mr. LIEBELER. Do you recognize that object in the background that looks like a building maybe under construction?

General WALKER. That is the bigger apartment house down south of me.

Mr. LIEBELER. I show you a photograph marked Commission Exhibit No. 1003, that is a copy of Exhibit No. 1003, and ask you if that larger apartment building shown in the right background of that picture is not in fact the same building that is shown as being under construction in Commission Exhibit No. 2?

General WALKER. As well as I can identify it, it looks like the same building.

Mr. LIEBELER. Looking further at Exhibit No. 1003, there is a house that is circled and indicated by the letter "A." That is, in fact, your house, is it not?

General WALKER. That is correct.

Mr. LIEBELER. And the street marked "E" is Turtle Creek Boulevard?

General WALKER. Yes, sir.

Mr. LIEBELER. Of course, the whole picture is an aerial view of the general vicinity of your house and the apartment building, is it not?

General WALKER. That is correct. And "H" would be Avondale.

Mr. LIEBELER. Yes; that's right. And "G" is Irving Street?

General WALKER. That I don't know. Probably is. The church alley shows up here going into Turtle Creek.

Mr. LIEBELER. Point that out to me, would you please?

General WALKER. Yes.

Mr. LIEBELER. It is a little street that runs right between your house and the big building immediately next to your house just outside the circle?

General WALKER. Which is the Mormon Church.

Mr. LIEBELER. This is the church, is that correct?

General WALKER. And the car was right here I referred to.

Mr. LIEBELER. Just turning from the church alley?

General WALKER. Just turning here, and turning this direction.

Mr. LIEBELER. Turning left up Turtle Creek?

General WALKER. Yes.

Mr. LIEBELER. I show you a document, a picture which is a copy of Commission Exhibit No. 5 and ask you if you recognize the scene portrayed in that picture?

General WALKER. I recognize my house in this picture.

Mr. LIEBELER. Do you recognize anything else? Specifically, I draw your attention to the automobile that is shown in there.

General WALKER. I do not recognize the car.

Mr. LIEBELER. Do you know Charles Klihr?

General WALKER. Would you spell it again?

Mr. LIEBELER. I will spell it right in just a minute. K-l-i-h-r. 2046 Rosebud Street, Irving, Tex. Do you know that man?

General WALKER. Not that spelling. I know a Charles Clyr. As I know the spelling, it is C-l-y-r.

Mr. LIEBELER. Does he live out in Irving?

General WALKER. I think he does.

Mr. LIEBELER. Would you recognize his address?

General WALKER. I wouldn't recognize his address. I don't recognize that address. That could or couldn't be it.

Mr. LIEBELER. How about that car, do you recognize that as his car?

General WALKER. I don't recognize that car.

Mr. LIEBELER. This gentleman that we may be talking about, we may be talking about the same man, is a volunteer worker for you from time to time?

General WALKER. If it is the one I am referring to, he is in and out quite often, right. He and his wife have helped me quite a bit.

Mr. LIEBELER. But you aren't able to identify that car as being his?

General WALKER. No; I am not.

Mr. LIEBELER. Does that car appear to be a 1957 Chevrolet? Or aren't you able to tell by looking?

General WALKER. I am not able to tell. I am not very good on cars.

Mr. LIEBELER. Now, you indicate that to the very far left of this photograph, Commission Exhibit No. 5, through these bushes there is a window, and that is the window through which the shot was fired, is that correct?

General WALKER. That is correct.

Mr. LIEBELER. That is the window immediately left of the gasmeter there as you look at the picture?

General WALKER. That is correct.

Mr. LIEBELER. You don't have any doubt that that is the back of your house?

General WALKER. None at all. That is the back of the house.

Mr. LIEBELER. You have never seen that picture before, have you?

General WALKER. No; I haven't.

Mr. LIEBELER. I show you a photograph which is a copy of Commission Exhibit No. 3. The photograph that I refer to is set forth in this copy, and I refer specifically to the one denominated P-1 and ask you if you recognize the scene portrayed therein.

General WALKER. Yes; I recognize that as the back of my house, a portion of it.

Mr. LIEBELER. I have another photograph I have marked Walker Exhibit No. 3, and I ask you to initial that, if you would, for the purpose of identification.

General WALKER (initials). Can I look at it?

Mr. LIEBELER. Yes, please. That is a picture of the back of your house, too, isn't it?

General WALKER. Yes; it is.

Mr. LIEBELER. I have shown you another picture which is Walker Exhibit No. 4, and I ask you to initial that, and ask you if that isn't in fact a picture of the alley behind your house.

General WALKER (initials). Yes; that is a picture of the alley looking south toward the same apartment building we referred to before, down to where the alley connects with Avondale showing the back fence and the entrance into my backyard. I believe the picture is taken at a different date from the other one we referred to, because the fence has been changed behind the house.

Mr. LIEBELER. That apartment is completed in the picture?

General WALKER. That's right. There was work on the fence in the other house and, also, the apartment building is in further advanced stage of construction.

Mr. LIEBELER. In fact, it looks to be completed in Walker Exhibit No. 4, does it not, the apartment building?

General Walker. Yes; it does.

Mr. LIEBELER. Now, I show you a series of photographs which are copies of Commission Exhibits Nos. 998, 999, 1000, 1002, and 1004, and ask you if each and every one is not, in fact, an aerial view of the general vicinity of your home and surrounding area, and if the identification of landmarks in those pictures, insofar as you can tell, is correct.

General WALKER. 998 is identification of my home. 1000 would certainly include the area of my home. It is hard to identify the exact house marked "A".

Mr. LIEBELER. Well, that big old apartment building is in there in 1000?

General WALKER. That is correct. So it is bound to include the area of my home; 1002 is the area of my home, and it indicates my house; 1004 certainly includes the area of my home, and it would be very difficult without further study to definitely identify that as my home. They all include the area of my home. My home definitely is in those pictures.

Mr. LIEBELER. You don't see any obvious mistakes, at least, as far as the identification and the symbols on the pictures are concerned?

General WALKER. No; I don't.

Mr. LIEBELER. Going back to the record on this Klihr, it does appear, in fact, to be K-l-i-h-r.

General WALKER. Why don't we ring the house and establish that that is correct. LA 1-4415.

(General Watts called on phone and confirmed it was K-l-i-h-r.)

General WALKER. What is it?

General WATTS. K-l-i-h-r.

General WALKER. All right; that is the original spelling you had?

Mr. LIEBELER. Yes.

General WALKER. OK; that is correct. It is Charles Klihr.

Mr. LIEBELER. Do you know Robert Surrey?

General WALKER. Yes, I do.

Mr. LIEBELER. Has Mr. Surrey discussed with you the fact that on June 3, 1964, he was interviewed by an agent of the Federal Bureau of Investigation and shown a picture, or a copy of a picture similar to Commission Exhibit No. 5, which showed this automobile behind your house with the license plate obliterated on it? Did he tell you he had been asked about that?

General WALKER. He told me about a picture being shown to him of the back side of my house, and I believe he referred to it showing some automobile or automobiles being behind the house, but I don't remember any reference to that car or the hole in it. There wasn't any reference to that car, if that is a hole in the car.

Mr. LIEBELER. I represent to you that Commission Exhibit No. 5 that we have here is a copy of an original photograph, which in fact had a hole torn in there right where the black part is on the car. The original picture itself has a hole right through there.

General WALKER. Then it is not a hole in the car?

Mr. LIEBELER. No; it is a hole in the original photograph, of which this thing I show you now is a copy.

General WALKER. Oh, I see.

Mr. LIEBELER. I thought exactly what you thought the first time I looked at it; that that was a hole in the car. It is not. It is a hole in the picture.

General WALKER. He referred to being shown photographs with the back of the premises and the car or something back there.

Mr. LIEBELER. But you don't remember him telling you that he was able to identify this as Charles Klihr's car?

General WALKER. No; I don't remember that he identified the car.

Mr. LIEBELER. Now, I understand that Mr. Surrey saw two men in the vicinity of your house shortly before April 10, 1963, acting in a manner that he regarded as suspicious. Did he report that to you at or about that time?

General WALKER. He has reported that to me, and I don't remember the date on which he did.

Mr. LIEBELER. Was it prior to the time that the shot was fired at you?

General WALKER. I can't recall.

Mr. LIEBELER. You have no recollection of the fact, if it is a fact, that Surrey had seen two men out there in an automobile that didn't have any license plate on it?

General WALKER. Yes; I do. I knew. He told me that he had come toward my house and noticed a car, as I remember, parked on Avondale, and he went on by or backed up or something and got out and came behind the car and saw two men moving around in the area somewhere in the alley in the back part of my house. Then he followed that car. They went down to the center of town, and he lost them. I would suspect that he told me that the next morning, if not that night.

Mr. LIEBELER. Do you recall whether or not you reported that to the police?

General WALKER. Yes; that was called in to the police. As I recall, that was. I believe there is a report at the house that it was called in to the police. As I recall, it was, and I told them what we knew about it.

Mr. LIEBELER. As you reflect on that event, do you recall it was called in to the police prior to the time the shot was fired?

General WALKER. As I reflect, it must have been called in either that night or the next morning. I don't recall the exact time, but the police record will show it.

Mr. LIEBELER. Did you make the call yourself, or did someone else do that, if you remember?

General WALKER. As I recall, I made it.

Mr. LIEBELER. Do you remember what kind of response you got from the Dallas Police Department?

General WALKER. Seemed normal. Wasn't upset about it.

Mr. LIEBELER. Now, subsequent to April 10, 1963, of course, the Dallas Police Department conducted an investigation of the attack on you; is that not right?

General WALKER. Will you repeat that?

Mr. LIEBELER. The Dallas Police Department investigated this attack on you that occurred on April 10, 1963? They sent men out there and talked to you and took some pictures?

General WALKER. Oh, subsequent to it; yes. Subsequent, right; they did.

Mr. LIEBELER. Did they discuss with you any possible suspects that they might have come up with, any leads they had on it as to who might have been involved?

General WALKER. I don't recall that they did. They may have, and I may have told them who had been in and about around the house, or who had worked for me. I don't recall this definitely, but the records will probably show.

Mr. LIEBELER. Do you have any records like that here?

General WALKER. No; I don't.

Mr. LIEBELER. Did the name Lee Harvey Oswald come up in connection with this investigation in any way at that time?

General WALKER. No; it didn't.

Mr. LIEBELER. Do you know William Duff?

General WALKER. I know who William Duff is under that name; yes.

Mr. LIEBELER. In fact, he lived in your house for a while and worked for you as a batman?

General WALKER. Yes; that is what he calls himself; right.

Mr. LIEBELER. When did you first make the acquaintance of Mr. Duff?

General WALKER. He walked in the house late one evening and said he was out of a job and out of a place to sleep, and I put him up and put him to work. The date I would have to get for you; I don't remember.

Mr. LIEBELER. Well, was it sometime prior to April 10, 1963, in any event?

General WALKER. Yes; it was.

Mr. LIEBELER. Was Duff living in your house at the time of the attack on you?

General WALKER. No; he wasn't.

Mr. LIEBELER. About how long had he been gone; can you remember?

General WALKER. As general figures, I would say he worked about 3 months for me, and he had been gone a month or two. I would have to verify these.

Mr. LIEBELER. Now, the fact is that you suspected, possibly, that Duff might have been involved in this attack on your life, didn't you?

General WALKER. I suspected that he might be involved.

Mr. LIEBELER. And you conducted an investigation of that possibility, did you not?

General WALKER. That is correct.

Mr. LIEBELER. In connection with that investigation, two detectives from General Watts' office, one, Kester, and one, Roberts, came down to Dallas and engaged in an investigation, did they not?

General WALKER. They did.

Mr. LIEBELER. Will you tell us about that, please?

General WALKER. They were in and out, as I remember, in the investigation, and in contact with my house from time to time during it, and even drove Duff around in a car, finally, and he explained how he would have shot at me if he had intended to, or if he had any such intentions.

General WATTS. I got a call—I don't remember the exact date—but I do have a record of it. I got a call from Mrs. Kenecht in General Walker's office to the effect that an anonymous telephone call came in from some lady who advised Mrs. Kenecht that this boy Duff had been going with the lady's daughter and had bragged to the daughter that he had been in on the shooting at General Walker.

So I sent these two investigators whose names were just mentioned, connected with our office. They are ex-detectives or policemen from the Oklahoma City Police Department and do freelance investigating. I sent them down here with a tape recorder to verify as much as they could from Duff, because we were very apprehensive that he might take another shot at Walker.

We couldn't get Duff to admit that he actually fired the shot, but he professed to readiness to stage another attempt if someone would raise \$5,000. It is my recollection that the tape recording was turned over to the Dallas Police Department.

Mr. LIEBELER. Let me ask: Were you, General Walker, generally familiar with the events at the time, and reports were made to you about the progress?

General WALKER. I was familiar with the progress of the investigation and got a final copy of it. I thought it solved nothing, but Duff was telling his usual lies.

Mr. LIEBELER. General Watts' description of these events is accurate, to the best of your knowledge; is that correct?

General WALKER. That is correct, except that I do not agree with General Watts' statement that Duff had implicated himself in the attack on me by statements to the daughter of this woman who called Mrs. Kenecht. My information is only to the effect that the girl's mother was upset about her daughter's friendship with Duff. As far as I know, she never said that Duff admitted being involved in the attack on me that occurred on April 10, 1963.

Mr. LIEBELER. General Watts, you indicated you had some additional information on Mr. Duff.

General WATTS. Yes; one Friday evening—I could get the exact date—I was dictating in my bedroom at home, and I looked up and there stood Duff whom I hadn't seen since he had worked at General Walker's, but whom we had investigated, and he told me a rather weird story.

He had gone to the Army and was stationed at Fort Sill, and immediately after the assassination he was interrogated by personnel from the Justice Department and was charged with fraudulent enlistment, according to him. He had failed to enter on his enlistment papers that he had worked for General Walker, and when it became known that he had worked for General Walker, he was charged with fraudulent enlistment along in December 1963, and his pay cut off.

He professed to me that he had been living at Fort Sill, although not under arrest, but without pay since the previous December, and had no funds, and was about to be discharged. So in order to keep tab on him, I arranged for him to get a job with a friend, Paul Blakeley, for whom he worked for a short

time, and later got him another job with a contractor, W. H. Thompson, for whom he is, as far as I know, still working. And after things get quieted down, I fully intend to see what information I can get out of Duff, if you can depend on what he says, and if he knows anything, he has never told anybody up to this date.

Mr. LIEBELER. In fact, the inference to be drawn is that Duff is an extremely unreliable individual, so far as telling the truth?

General WALKER. I wouldn't believe anything the boy would say unless it was verified.

General WATTS. I did call Fort Sill and talk to the judge advocate, who raised considerable question as to the accuracy of the story Duff told me. And frankly, I wouldn't believe a word the boy would say unless I have absolute verification of it. But I am at least suspicious that he knows something that he has never told.

Mr. LIEBELER. As far as the attempt on General Walker is concerned?

General WATTS. That is right.

Mr. LIEBELER. Well, now, what makes you think that he does know something about that?

Let me say this. Since this is almost a friendly, if I may say so, session, I assume that we can take it that the remarks that you are making will be under oath, is that correct? And you will swear to that?

General WATTS. Yes.

General WALKER. They should be identified as that of my attorney because they don't necessarily agree with my opinion.

General WATTS. My opinion and General Walker's don't frequently jibe.

Mr. LIEBELER. Let us swear you. Do you solemnly swear that the testimony you have given and you will give throughout the rest of this deposition will be the truth, the whole truth, and nothing but the truth, so help you God?

General WATTS. I do.

Mr. LIEBELER. Now, you indicated that you had some belief that Duff might know something about the attempt on General Walker that he hasn't told you. Do you have any basis for that?

General WATTS. My only basis is suspicion. First; his generally unreliable nature. Second; I have never fully satisfied myself as to the accuracy of the investigation these boys made where Duff undoubtedly had made some kind of an alarming statement to this unknown woman who called in. We have never been able to locate or identify her. I have never reconciled his tape recorder statement that he had not shot at Walker, but would do so for \$5,000, with the apparent statement to this unidentified woman's daughter that he had actually fired at Walker. In other words, we could never verify that by our investigation.

Mr. LIEBELER. General Walker, were you satisfied, or did you reach a conclusion as a result of these investigations or any other way, as to Duff's involvement in the attack made on you on April 10. Do you think he knows anything about it that he hasn't told us, or do you think he was involved in it in any way? Do you have any evidence to indicate that he was?

General WALKER. I also know that I wouldn't believe 90 percent of what Duff said about anything. I have come to no conclusion even after the investigation that he was even involved. Knowing Duff; I felt that if the investigators were a little bit naive, they got tricked more than Duff got tricked.

Mr. LIEBELER. But these investigators weren't able to develop anything that led you to think that Duff had been involved in the attack on you made on April 10, 1963, isn't that right?

General WALKER. It led me to believe what?

Mr. LIEBELER. That Duff had been involved in the attack on you.

General WALKER. According to his fantastic stories, it might lead to the belief that he had been involved, like my attorney says, but Duff is so fantastic that I don't believe a word he says.

Mr. LIEBELER. Do you have any evidence other than the statement that Duff is alleged to have made to his girl friend that would indicate that he was involved in the attack on you? Do you have any indication that he was involved in it at all?

General WALKER. None; other than, as I remember what he has stated, and there is something else. And based on Duff's nature.

Mr. LIEBELER. You wouldn't believe what he said?

General WALKER. He never appeared a vicious fellow, and I rather liked the guy for what he was supposed to do at the time I had him, until I realized that nothing was truthful that he said, and I felt that he had left feeling friendly, actually, except that he left by having been ushered to the door while I was gone and told not to come back.

General WATTS. He truly professes to feeling very friendly to General Walker. I have never confronted him with the fact that the investigators have a tape recording that he was anxious to get a shot at Walker for \$5,000, but I am still suspicious that Duff knows something that he hasn't told.

General WALKER. It is certainly true, to further my counsel's statement, that Duff certainly lived in the area of night clubs and beer joints and so forth, and he could still know something and not be involved himself.

General WATTS. Yes.

Mr. LIEBELER. Now, have you any information of any kind that would indicate or suggest who actually took that shot at you?

General WALKER. None; other than the indications that have been brought up here with respect to Duff. He did appear back in my house at one time after this, just walked in. Which I don't bring up now as an idea that that gave further indication that he did. I can't seem to recall exactly what the purpose of his visit was, but I wasn't very warm toward him and he was soon out the door after talking to him maybe 5 or 10 minutes.

Other than Duff and what we have covered here, the only indications of anybody that might have taken a shot at me is what has been said and expressed by other people regarding Oswald's connection in the case of shooting at me.

Mr. LIEBELER. So aside from Duff and aside from what has been made public as regards Oswald's involvement, you have no other leads or conclusions or ideas as to who might have taken the shot at you on April 10, 1963?

General WALKER. No; I am pretty well blocked by you all and the fact that— not particularly you, as the FBI having taken the information on the case from the city police, and it is difficult to find who is now responsible for an open case, and also the lack of contact with my counsel at any time regarding Oswald's position in this from the time the shot was fired or even after the events of November 22, 1963.

Mr. LIEBELER. Well, of course, all that information will be made public eventually, and aside from that, the basic thrust of my question at this moment is, you don't have any other information other than what we have already covered here that would give us any ideas as to who might have done that, is that correct?

General WALKER. That is correct.

Mr. LIEBELER. Do you have any basis for believing that there was any connection between Duff and Oswald?

General WALKER. None at all.

Mr. LIEBELER. You never even heard of Oswald?

General WALKER. Only with respect to what we have passed over with regard to what we have said about Duff, and we have heard said about Oswald. I have no information of Oswald's name ever being mentioned in my house, and I had never heard of the name with regard to the individual we are referring to at any time since I have been in Dallas or any other time.

Mr. LIEBELER. You have never heard of any connection until the assassination?

General WALKER. Until his activities of November 22. More specifically, no knowledge or no reference of any indication that Duff was in any way connected with Oswald. I still think that the information that Kirk Coleman gave is very relevant to this case, and I would like to say as far as I am concerned, our efforts are practically blocked.

I would like to see at least a capability of my counsel being able to talk to these witnesses freely and that you or the FBI give a release on them with respect to being able to discuss it as it involves me.

Mr. LIEBELER. Well, has your counsel attempted to talk to Mr. Coleman and Mr. Coleman refused to talk to him? So far as I know, this Commission—

General WATTS. I never tried to talk to Coleman.

General WALKER. The word we got is, the boy has been told not to say any-

thing. That may not be the direct information, but I think you will find it about what the situation is.

General WATTS. This is off the record.

(Discussion off the record.)

Mr. LIEBELER. The last question was, has your counsel attempted to talk to Mr. Coleman and Mr. Coleman refused to talk to him?

General WALKER. No; I have no knowledge of my counsel trying to speak to him, but I was told by others that tried to get to him that he has been advised and wasn't talking, and that he had been advised not to talk.

Mr. LIEBELER. When was that, General Walker, do you remember?

General WALKER. Oh, it's been at least 3 or 4 months ago.

Mr. LIEBELER. Do you know who told him he wasn't supposed to talk to anybody?

General WALKER. No; I don't. It is my understanding some law enforcement agency in some echelon. But the important thing we would like to find out is who is responsible for the open case, if it is back in the hands of the city police or if it is still held under advisement, and as soon as it got back into their hands, we can go to dealing with them. Until it does, under your requirements, if there are such requirements, the question becomes when can we get into this further?

Mr. LIEBELER. I want the record to indicate that the Commission, to my knowledge at least, and I think I would know about it, has never told anybody not to talk to you about the attack on you in any way, shape or form whatsoever, and has no intention of doing so. That is point 1.

Point 2 is that the Commission is conducting its own investigation into this matter, and has requested the Federal Bureau of Investigation to conduct an investigation into the matter, which it has done at the request of the Commission, and the report will include a finding one way or the other as to whether Oswald was the man who was involved in this attack on you.

General WALKER. It will have such a finding?

Mr. LIEBELER. It certainly will, and will be a complete disclosure.

General WALKER. Then it must be handling the case, because we have information that the city police turned all the information over to the FBI and there was nothing for us to deal with them about.

My counsel went to the city police on this. Then the FBI definitely said that they had turned it over to the Commission, and then they were under whatever wraps there were, but wraps that kept them from carrying on any development of the cases.

Mr. LIEBELER. No activity of this Commission has ever foreclosed any other law enforcement agency from doing anything that they saw fit to do. The FBI conducts its investigation in any way it sees fit, and the Dallas Police Department does the same thing.

General WALKER. I think we should have a round robin discussion with the city police, FBI, and yourself, if you all have what you have stated, so that we will understand this too, and place this case and the Warren Reynolds case back where they should be. I would think that we should get together to establish who is responsible for the open cases in the city of Dallas.

Mr. LIEBELER. Well, the President's Commission on the investigation of the assassination of President Kennedy is certainly not responsible for open cases in the city of Dallas. That your counsel will tell you. That is perfectly obvious.

General WALKER. Then I want to go on the record that the city police has misused the Commission and also the FBI.

Mr. LIEBELER. I have no knowledge of that.

General WALKER. I think it is—I can't straighten it out and neither can my counsel. I think it is perfectly obvious that somebody is misusing somebody, the fact that we have no starting point and this is an open case, and this is true with Warren Reynolds as well as myself.

Mr. LIEBELER. I am glad you brought that subject up. Tell us what you know about that.

General WALKER. I certainly will.

Mr. LIEBELER. Before you do, I think I did hear the witness come in out here. Go ahead.

General WALKER. I would prefer you to question me on which way you want me to discuss this case and I will answer what is necessary.

Mr. LIEBELER. Do you know Warren Reynolds?

General WALKER. I do know Warren Reynolds.

Mr. LIEBELER. When did you meet him?

General WALKER. My first contact with Warren Reynolds was by telephone, I would say sometime in the area of 8 or 10 days after he was shot through the temple. I thought I had the date of that, or the press release, but I didn't seem to bring it with me. But you probably have that date.

It doesn't make much difference. I would say sometime I saw a notice in the paper when it came out to the effect that Warren Reynolds had been shot in the head and a Latin type was seen running away.

I left on a trip and came back to the house, and I was curious about Warren Reynolds and I asked somebody in the house to call and see about Reynolds, and was told to call the hospital.

I found out that day finally after calling out to his place of business, found out he was out walking around that afternoon. I think we found out he had just been released from the hospital that day. I would say that was about 10 days from the time he was fired at.

Mr. LIEBELER. Do you have the date of that?

General WALKER. That was approximately January 23 or January 24, 1964, and within a day or two I had a telephone conversation over there.

I talked to Warren Reynolds finally and he said he wanted to talk to me or said he would talk to me, and I asked him the circumstances of what had happened to him.

Within a day or two I would say—I said, "If you want to see me, you can." And he came to the house and discussed what had happened to him with regard to being shot through the head, how it all happened, and I have been quite interested in his case.

Mr. LIEBELER. Now, am I correct in understanding that you initiated the contact with Mr. Reynolds?

General WALKER. I did.

Mr. LIEBELER. How many times have you seen him?

General WALKER. Sir?

Mr. LIEBELER. When was the first time you actually saw him in person, if you ever did, and I believe that you did.

General WALKER. I don't remember the exact date, but a week after the first telephone conversation, within a week or so after the first telephone conversation, I believe he dropped by the house with his brother.

Mr. LIEBELER. How many times have you seen him in person altogether?

General WALKER. I believe he has been in the house twice.

Mr. LIEBELER. You have also had various telephone conversations with him, isn't that right, General Walker?

General WALKER. Yes.

Mr. LIEBELER. In fact, you talked on the telephone with him yesterday noon, didn't you?

General WALKER. Very likely.

Mr. LIEBELER. Do you recall whether you did?

General WALKER. I talked to him yesterday, yes. I don't remember the exact time.

Mr. LIEBELER. Will you tell us the substance, the general substance of your conversation with him over this period that you have been in contact with him.

General WALKER. I was very much interested in his case and why they would have, why there would have been an attempt on his life, since, according to his story, you might say he was the last one to see Oswald in the domestic state after he had killed Police Officer Tippit.

I have had these conversations with him to get all the details I could regarding why he thought he was shot at or who shot at him and what the police were doing about it, and how he felt about it.

Mr. LIEBELER. Did he indicate to you the first time that he talked to you that he thought there was some connection between the attack on him and his observation of Oswald?

General WALKER. Pardon?

Mr. LIEBELER. Following the time that Oswald shot Officer Tippit?

General WALKER. Will you repeat the question?

Mr. LIEBELER. Did Reynolds tell you that he thought there was some connection between the attack on him and Oswald killing Tippit?

General WALKER. We discussed that.

Mr. LIEBELER. Did he tell you that he thought there was a connection between the two?

General WALKER. He seemed to think there might be.

Mr. LIEBELER. Do you think there is?

General WALKER. Yes; I do.

Mr. LIEBELER. Do you have any evidence to indicate that there is?

General WALKER. I think there is a definite—I don't know that you could call it evidence—but you can anticipate that people would like to shut up anybody that knows anything about this case. People right here in Dallas. And I don't think anybody knows or would have known at the time after November 22 how much or how little Warren Reynolds knew.

Mr. LIEBELER. In fact, he doesn't know very much, does he?

General WALKER. He would become a very good example, regardless of what he knew, to let everybody know that they better keep their mouths shut.

Mr. LIEBELER. Well, now, wouldn't it be fair to say that that is pure speculation on your part?

General WALKER. Yes, but everything is speculation until you prove it or disprove it.

Mr. LIEBELER. But my basic problem is this, and I am not just trying to harass you.

I want to know if you have any evidence or can give us some idea on how to approach this problem to find out if there is any connection, because the Commission would certainly like to know if there is.

General WALKER. I would be much interested in the hanging of the woman in the prison here in the cell that said she had worked in the Carousel Club, her only claim to fame, who I believe was the same woman, as I remember my information at this point, was the same woman that was driven over to this used car lot where the Reynolds brothers worked.

Mr. LIEBELER. Well, now, in point of fact, your primary source of information in connection with this whole thing is the newspaper story written by Bob Considine; isn't that right? That is where you first got all this information?

General WALKER. He did cite this case; that is correct. That was one of the pieces of information I had.

Mr. LIEBELER. You cited from this newspaper story and the statements that Warren Reynolds has made to you, and your observations about what you have been told about the facts regarding this stripper.

Are these the only things that led you to believe, plus your other statement about keeping people quiet, are the only things that led you to believe there might be some connection between these two events? Isn't that a fair statement?

General WALKER. It would seem significant to me from Reynolds' story that he was only checked by the law enforcement agencies 2 days before he was shot, that somebody was watching what was going on.

There are many things that would make me go into a lot of leads which no doubt make you all go into a lot of leads. Probably what you already know, but just to say that one particular thing is the only thing that makes me curious about this attempt on Warren's life as the one out of a hundred of used car lot operators in Dallas, to attempt the assassination of Warren who had seen Oswald, makes this quite unusual.

Mr. LIEBELER. I want you to tell us right now on the record all of the things that you can think of that led you to believe that there is some connection between these two events, in addition to the ones that you have already suggested.

General WALKER. I have just referred to one.

Mr. LIEBELER. That one that you referred to is the——

General WALKER. The fact that there has not been, as far as I know, any finding of the man who attempted to kill him, is another one.

Mr. LIEBELER. You mentioned previously that Reynolds had said that the law enforcement—you didn't say Reynolds said it—you said that you understood that the law enforcement officers had checked Reynolds just 2 days before he had been shot; is that correct?

General WALKER. That is correct.

Mr. LIEBELER. That is what Reynolds told you?

General WALKER. That is correct. I believe he referred to them as FBI.

Mr. LIEBELER. Do you have any other indications of any possible relationship between these things, that would help the Commission try to find out if there is a relationship between these events?

General WALKER. I don't think of anything else; no.

Mr. LIEBELER. Now you sent a telegram to the Commission suggesting that we question Warren Reynolds?

General WALKER. Yes, sir.

Mr. LIEBELER. As you probably know, of course, we have questioned him yesterday.

General WALKER. Yes, sir.

Mr. LIEBELER. Did you discuss Mr. Reynolds' appearance with us, with him?

General WALKER. I did. He called me on the telephone and we discussed it. He said you were a very nice young man.

Mr. LIEBELER. Thank you, General Walker. Thank Mr. Reynolds. You didn't say that. That is what he said. That isn't what you said.

General WALKER. I may call him tonight and tell him the same thing.

I think we are working in the same effort and same direction. I haven't done anything to hide on this thing. I do ask that you all get the chain of command straightened out here, or chain of responsibility with respect to the case.

Mr. LIEBELER. Those problems come up many times because there isn't any real chain of command or responsibility between these people. We don't have very much to do with the Dallas Police Department.

General WALKER. When they pass things to the FBI and the FBI is responsible to you, then it gives me a feeling it is probably out of their hands. Certainly they have used that.

Mr. LIEBELER. Now do you have any knowledge or any information that would indicate that Oswald was involved in a conspiracy of any type on the assassination of the President?

General WALKER. I think he designated his own conspiracy when he said he was a member of the Fair Play for Cuba Committee. That to me is a definite recognition of conspiracy.

Mr. LIEBELER. Suggesting that the Fair Play for Cuba Committee was involved?

General WALKER. I would say as a member of the Fair Play for Cuba Committee, it could not be segregated from being involved in it when one of its members does it, who thinks like they do.

Mr. LIEBELER. Well, that is of course, your view. My question of you is this. Do you have any evidence or any knowledge that would indicate either the involvement of the Fair Play for Cuba Committee or any other individual or organization in a conspiracy or plot to assassinate the President.

The fact that Oswald may have been a member of this organization, which he was, of course, is a fact that can be viewed from many different ways. But my question to you is somewhat different from that, and that is, do you know of or have any evidence to indicate that this organization or any other organization or any other person was involved with Oswald in the assassination of the President?

General WALKER. My answer to you is that I have exactly the evidence that you have, which is evidence that it was involved in the conspiracy, because he said he was a member of the Fair Play for Cuba Committee, and I consider the objectives of the Fair Play for Cuba Committee a Communist activity and a conspiracy.

Mr. LIEBELER. Do you know if anyone discussed the assassination with Oswald prior to the time that he assassinated the President, if he did the assassination; do you have any indication of that?

General WALKER. I have no personal knowledge that they did.

Mr. LIEBELER. Do you have any indication that they did?

General WALKER. I certainly do.

Mr. LIEBELER. Would you tell us what that is?

General WALKER. The indications seem to be not only mine, but all over the country that Rubenstein and Oswald had some association.

Mr. LIEBELER. Can you indicate to us what it was?

General WALKER. Well, I am wondering about one thing, how Rubenstein can take his car in to be fixed and Oswald can sign the ticket and pick up the car.

Mr. LIEBELER. Now can you tell us when and where that happened?

General WALKER. I haven't been able to verify that it happened for sure, but I have been told that it happened.

Mr. LIEBELER. Who told you that?

General WALKER. My information came from a repairman, from another fellow to a friend of mine, to me.

Mr. LIEBELER. Could you give us the name of the person?

General WALKER. I don't think it is necessary. I think you have all the information, because the information also includes the fact that the records were picked up in the repair shop.

Mr. LIEBELER. Whether we have the information or not, I am asking you if you know the name of that repairman who said that Oswald said he picked up his car?

General WALKER. No; I don't.

Mr. LIEBELER. Do you know the name of the garage?

General WALKER. No; I don't. As I remember, it was a hotel garage.

Mr. LIEBELER. Can you give us the name of the people that brought the information to you, so it can be traced back to this source? Who the garage-man is, apparently as you say, that it came from a garageman somewhere.

General WALKER. No; I think your sources are better than mine on this.

Mr. LIEBELER. That is not my question. My question is, do you know their names?

General WALKER. Yes; I do, but I am not telling.

Mr. LIEBELER. So you are not going to tell us the names of these people?

General WALKER. Hold up. Off the record.

(Discussion off the record.)

General WALKER. We are all working in the best interests of this thing. I don't see where my sources of information have to be revealed. You know whether the information is any good or not, and I don't see any reason to get any more people involved than are already involved in it. The information is either correct or incorrect, and can be substantiated by your Commission, or it is not.

This that I am telling you is the information I have got. Now, if you all find out that it is absolutely necessary to your information, but revelation of the names of the people isn't necessary to your information with regard to the assassination. I think we have covered the assassination, and—as helpful as I can be—don't think I wouldn't be delighted to see exactly all the truth that can probably come out of it, come out of it.

Mr. LIEBELER. All we are asking you to do is give us whatever information you have that can help us in this investigation.

General WALKER. That I think we have covered, haven't we?

Mr. LIEBELER. I don't know whether we have or not.

General WALKER. If you find out you need the further information that will really help the assassination story—we will leave it like this—I will do the best I can to cooperate on it, but I don't think it is necessary to reveal all the sources of my information, and the story which you all should have the basic facts. The basic facts are the records on the story and you either know whether or not they are true or not. I haven't done all this investigation.

Mr. LIEBELER. Well, I am not able to make a determination as to whether or not the information that you have would be helpful to the Commission's work because I don't know what information you have.

General WALKER. Let's leave that, because if it is in the best interest of finding anything, that there is a hole in their findings, why we will reveal it.

Mr. LIEBELER. I am going to let the question stand. I do ask you to tell me

who advised you or who apprised you of information that Oswald picked up Jack Ruby's car, because I am not able to make a determination as to whether or not that information would be worthless to the Commission. It might be helpful and it might be that these people should be questioned by people on the Commission staff or by the FBI. So for that reason, I am compelled to let the question stand, and I do renew my request for you to give me the answer.

General WALKER. I will answer that at some later date if you find it necessary, I will reconsider it.

Mr. LIEBELER. Now, aside from the matter we have just discussed, can you tell us what other common acquaintances Mr. Ruby and Mr. Oswald had, as that is the statement that started all this? You indicated that Ruby and Oswald had common acquaintances.

General WALKER. I thought DeMar's statements—I believe the man is DeMar—were very interesting, and they were only by hearsay from the newspaper, if you call that hearsay.

Mr. LIEBELER. Do you have any other indication that Oswald and Ruby were connected?

General WALKER. I am going back on the other question. I say it was only from newspapers. They have been also from the owner or editor of the newspaper, who may have told me that his reporter had been in touch with DeMar. I believe the town is on the Tennessee-Kentucky border or somewhere up there. I don't recall the name of the town where he was at the time.

Mr. LIEBELER. This is DeMar that was up there?

General WALKER. Yes. Have I got the right name? DeMar is the man that was on the program in one of Rubenstein's clubs.

Mr. LIEBELER. The name seems familiar to me. I don't know the man's name actually myself.

General WALKER. As I recall, it was DeMar, the one that made the original statement that he saw Oswald in the club one night. That was printed in the press.

Mr. LIEBELER. Aside from the fellow DeMar having made the statement, do you know of any other connection between Ruby and Oswald or any other common acquaintances that they may have?

General WALKER. I believe we verified that Oswald had been for a short period living in the same apartment house where Ruby's sister lived.

Mr. LIEBELER. What is Ruby's sister's name?

General WALKER. Eva Grant.

Mr. LIEBELER. Do you know what apartment house that is?

General WALKER. No; I don't recall.

Mr. LIEBELER. Who verified this?

General WALKER. I say I believe I verified it.

Mr. LIEBELER. You did yourself?

General WALKER. With assistance.

Mr. LIEBELER. Now, you are telling me that you conducted an investigation of some sort into the possibility that Ruby's sister, Eva Grant, and Oswald lived in the same apartment house? Now is that in the city of Dallas?

General WALKER. That is correct. And as I recall the address, I never did pinpoint it, but as I recall, it wouldn't be too far from where I live. And of course, I am still interested in my case with respect to Oswald, if there is any significance.

Mr. LIEBELER. Now can you tell me when they were supposed to have lived in this apartment house?

General WALKER. I don't recall the date.

Mr. LIEBELER. Was it 1963?

General WALKER. This is getting pretty old in my mind. It definitely would have been in 1963; yes.

Mr. LIEBELER. 1963?

General WALKER. Right.

Mr. LIEBELER. Was the apartment on Neely Street, if you remember?

General WALKER. As I recall—is Neely over in Oak Cliff or on this side?

Mr. LIEBELER. It is in Oak Cliff.

General WALKER. No; it wasn't that far away.

Mr. LIEBELER. It wasn't in Oak Cliff at all?

General WALKER. Well, I had the idea at the time that it was on this side of town, out the side I am on.

Mr. LIEBELER. Well, from the time Oswald came back from the Soviet Union and moved to Dallas and the time he was killed, he lived in an apartment on Neely Street, and on Elsbeth Street and in a room on Marsalis Street, and 1026 North Beckley Street. Those are the only four places he ever lived. Was it on any one of those four streets that this is supposed to have happened?

General WALKER. I can't recall definitely. Are they over in Oak Cliff?

Mr. LIEBELER. I believe each and every one of them, with the possible exception of Marsalis, is.

General WALKER. I can get the information that I must have recorded somewhere on the address we have.

Mr. LIEBELER. If you have any indication that Oswald lived in the same apartment house that Ruby's sister lived, I will appreciate it very much if you would supply it to the Commission.

General WALKER. Take a note on that, will you. I believe there is a paper release on it.

Mr. LIEBELER. Do you have any other information that would indicate any connection between Ruby and Oswald? By that question I do not mean to characterize the previous testimony.

General WALKER. If Oswald was the one that was at my house, I wonder where he was from the time he left until he got home, since the Las Vegas Club is not too far from my house.

Mr. LIEBELER. Do you have any indication that Oswald went to that club?

General WALKER. No; I don't.

Mr. LIEBELER. Do you have any other information that would suggest a connection between these two men?

General WALKER. I think the two boxes in the post office are very interesting.

Mr. LIEBELER. Well, are you suggesting that because two men both happened to have post office boxes in the same post office, that that suggests there is some connection between them and indicates conspiracy to assassinate the President?

General WALKER. The boxes were rented the same week.

Mr. LIEBELER. Were what?

General WALKER. I believe the boxes were arranged the same week in the post office.

Mr. LIEBELER. Rented?

General WALKER. Rented.

Mr. LIEBELER. You think that suggests a conspiracy between Oswald and Ruby to assassinate the President?

General WALKER. I think that is more information.

Mr. LIEBELER. But I want to know.

General WALKER. That suggests a possible relationship. I think the fact that Rubenstein shot Oswald suggests plenty. I am convinced he couldn't have shot him except for one basic reason, and maybe many others, but to keep him quiet. That is what shooting people does. I think the whole city of Dallas is very interested. I would be interested in the information on a Professor Wolf, William T. Wolf.

Mr. LIEBELER. Who is he?

General WALKER. William T.

Mr. LIEBELER. What information is that?

General WALKER. The first man we found in the paper that seemed to have come to death after the attempted shot at me.

Mr. LIEBELER. I am not familiar with the circumstances surrounding that. Would you tell me about Dr. Wolf?

General WALKER. William T. Wolf is a professor that was supposedly burned up in an apartment, which seems impossible to have burned a man up, a normal man with his normal faculties, because the apartment, he couldn't have been trapped in it on the first floor.

Mr. LIEBELER. Did you know Dr. Wolf?

General WALKER. Never heard of him until I read about him in the paper, and I believe I read about him 8 days after they shot at me.

Mr. LIEBELER. You think there is some connection between Dr. Wolf's death and the shot at you?

General WALKER. No; but I think there is some connection with respect to what is going on in Dallas.

Mr. LIEBELER. Well, now, does this relate to the possibility of a conspiracy between Oswald and Ruby to assassinate President Kennedy?

General WALKER. I think many unusual deaths in the city of Dallas might show some indication of what is going on in Dallas, to include what happened on the 22d of November. And I would refer to one other, a professor by the name of Deen. His name is George C. Deen.

Mr. LIEBELER. What has that got to do with the assassination of President Kennedy? What are the facts about it?

General WALKER. I would think it has to do with the investigation.

Mr. LIEBELER. Well, in what way?

General WALKER. It seems rather mysterious that a young doctor of psychiatry at Timberlawn would, so far as I can tell, only show up in the obituary page.

Mr. LIEBELER. What happened to this fellow?

General WALKER. Reported died of natural causes, I believe, or certainly nothing more than the obituary, so far as I can find.

Mr. LIEBELER. Are you familiar with the organization known as The Minutemen?

General WALKER. In general terms.

Mr. LIEBELER. Are you a member of that organization?

General WALKER. I am not.

Mr. LIEBELER. Do you know of any connection between The Minutemen and the assassination of President Kennedy?

General WALKER. I do not.

Mr. LIEBELER. Do you know of any conspiracy or connection on the part of any so-called rightwing organization and the assassination of President Kennedy?

General WALKER. I do not.

Mr. LIEBELER. Do you know of any connection between any of the people who associate themselves with and who, shall we say, follow you as a political leader, and the assassination of President Kennedy?

General WALKER. No. People that follow me are for constitutional government. This is absolutely in violation of constitutional government. Very destructive to what we stand for.

Mr. LIEBELER. So you say that there is no involvement of any kind or nature whatever between any of the organizations or people that associate with you or are involved with you in the assassination of President Kennedy?

General WALKER. I certainly know of none, and I certainly wouldn't be suspicious of any. I would be suspicious from the center to the left.

Mr. LIEBELER. In any event, you don't have any knowledge of or information that would suggest to you any such conspiracy or involvement of any rightwing organization or person; is that correct?

General WALKER. That is correct.

Mr. LIEBELER. Now, I asked General Watts to bring whatever records you have that would indicate your whereabouts in October and after that in 1963. Particularly, I want to know whether you were at a political rally or meeting that was held immediately prior to the visit of Adlai Stevenson to the city of Dallas in October of 1963.

General WALKER. Yes, I was the speaker on the day before Mr. Stevenson appeared in the auditorium. I was the speaker in the same room and the same platform on October 22.

Mr. LIEBELER. Was that event called U.S. Day?

General WALKER. U.S. Day rally.

Mr. LIEBELER. How many people would you say were there at that rally?

General WALKER. The room holds about 1,700 seats, and there were about 1,300 to 1,400.

Mr. LIEBELER. Were you aware of the fact that Lee Harvey Oswald claims to have been at that meeting?

General WALKER. No, sir; I wasn't.

Mr. LIEBELER. You didn't know he was there at the time?

General WALKER. I don't know yet.

Mr. LIEBELER. In any event, you didn't know then?

General WALKER. Certainly didn't.

Mr. LIEBELER. Do you recall speaking—pardon me, not speaking, but going to any meetings of anti-Castro Cuban groups during the month of October 1963?

General WALKER. During what month?

Mr. LIEBELER. October.

General WALKER. I don't remember a date of attendance.

Mr. LIEBELER. Isn't it a fact that there were some meetings here in Dallas sponsored by an organization known as DRE, which is a revolutionary group that is opposed to Fidel Castro? Do you remember that?

General WALKER. What does DRE stand for?

Mr. LIEBELER. It is the initials of a lot of Spanish words which stands for the Student Revolutionary Council. It is an anti-Castro organization.

General WALKER. What does DRE stand for? How would they have advertised themselves?

Mr. LIEBELER. I think it is probably DRE.

General WALKER. Meaning what?

Mr. LIEBELER. It is Spanish words I am not familiar with.

General WALKER. Well, there is a student directorate group, which I remember they call themselves, and that is the way they identified themselves. I attended a meeting sometime and listened to some speakers.

Mr. LIEBELER. They came from Miami?

General WALKER. I believe they came from Miami.

Mr. LIEBELER. And you contributed \$5 to the organization that night?

General WALKER. I believe I did.

Mr. LIEBELER. Did you see Lee Harvey Oswald at that meeting?

General WALKER. No; I did not.

Mr. LIEBELER. In point of fact, it would be correct to state that, to your knowledge, you never saw or heard of Lee Harvey Oswald at any time prior to the time that his name was announced after the assassination on November 22, 1963?

General WALKER. That is correct.

Mr. LIEBELER. You had no connection of any sort whatsoever with him prior to that time?

General WALKER. None at all.

Mr. LIEBELER. Or since that time?

General WALKER. Or with anybody that I ever knew that was associated with him, unless Duff turns out to be.

General WATTS. Off the record.

(Discussion off the record.)

Mr. LIEBELER. Do you know Helmet Hubert Muench?

General WALKER. That name is not familiar to me. Can you give me anything to refresh me?

Mr. LIEBELER. Yes. He is a West German journalist who wrote an article that appeared in the Deutsche Nationalzeitung und Soldatenzeitung, a Munich, Germany, newspaper.

General WALKER. No; I don't know him.

Mr. LIEBELER. Did you ever talk to him?

General WALKER. Not that I know of.

Mr. LIEBELER. Did you talk to him on a transatlantic telephone call in which you told him about the fact or the alleged fact that Lee Harvey Oswald was the person who made an attempt on your life?

General WALKER. I don't recall that name. Did he speak English? I don't speak German.

Mr. LIEBELER. Have you ever seen a copy of that newspaper?

General WALKER. Yes; I have.

Mr. LIEBELER. In fact, I suggest that you have seen the November 29, 1963, copy of that newspaper which had on its front page a story entitled in German "The Strange Case of Oswald", that told about how Oswald had allegedly attacked you.

General WALKER. November 29, that is correct.

Mr. LIEBELER. Now, where did that newspaper get that information, do you know?

General WALKER. I do not. There was an article in the paper that he probably got from me.

Mr. LIEBELER. Well, in fact, the issue of that newspaper has right on the front page what purports to be a transcript of a telephone conversation between you and some other person.

General WALKER. Thorsten?

Mr. LIEBELER. Yes. Hasso Thorsten, is that the man?

General WALKER. He called me in Shreveport.

Mr. LIEBELER. When were you in Shreveport?

General WALKER. He called me the morning of November 23, 1963, about 7 a.m.

Mr. LIEBELER. That is when you gave him this information about Oswald having attacked you?

General WALKER. I didn't give him all the information—I think the portion you are referring to, I didn't give him, because I had no way of knowing that Oswald attacked me. I still don't. And I am not very prone to say in fact he did. In fact, I have always claimed he did not, until we can get into the case or somebody tells us differently that he did.

Mr. LIEBELER. Do you have a record here that indicates when you were in Shreveport?

General WALKER. I don't know that I have a record here. I can tell you definitely when I was in Shreveport.

Mr. LIEBELER. Would you?

General WALKER. Well, starting back to make the record clear, I had a speaking engagement in Hattiesburg, Miss., either the 18th or 19th of November. I went from there to New Orleans and stayed 2 or 3 days. I was in the airplane between New Orleans and Shreveport about halfway, when the pilot announced that the President had been assassinated. I landed in Shreveport and went to the Captain Shreve Hotel and stayed there two nights and returned to Dallas and was walking into my house, just about the time of the immediate rerun of the shooting of Oswald. I had been out of the city on speaking engagements.

Mr. LIEBELER. The question was, when were you in Shreveport, and when did you talk to this man?

General WALKER. I was in Shreveport the night of the 23d and the night of the 22d. Do you have a transcript of my conversation with Mr. Thorsten?

Mr. LIEBELER. Yes, sir.

General WALKER. Sir?

Mr. LIEBELER. I have what appears to be that; yes.

General WALKER. Where did you get that?

Mr. LIEBELER. It is apparently taken from the newspaper. The newspaper itself had a transcript printed right in it.

General WALKER. I believe the article you referred to in the newspaper was separate from the other article in the paper which evolved out of the conversation.

Mr. LIEBELER. Now so that there were in this particular issue of the newspaper two transcripts of a conversation between yourself and Thorsten, and also a story about how Oswald had allegedly fired at you, is that correct?

General WALKER. In the newspaper I remember two separate articles. One based upon the conversation we had between us, as he understood it, and then as a separate article which I consider that the newspaper had done on its own.

Mr. LIEBELER. What was the separate article about? Did that have any reference to the fact that Oswald had allegedly fired at you?

General WALKER. Yes. As I remember the article, it alleged that Oswald was the one that had fired at me, and that this had been known earlier, and that this had been known and that nothing was done about it.

And if something had been done about it at that time, he wouldn't have been the man that—it wouldn't have been possible for him to have killed the President.

Mr. LIEBELER. Well, now, did you tell anybody from this newspaper that Oswald had shot at you and that this had been known prior to the time of the assassination of the President?

General WALKER. No; I did not. I wouldn't have known it. It was much later that they began to tie Oswald into me, and I don't even know it yet.

Mr. LIEBELER. And you certainly didn't know it before November 22?

General WALKER. Or the morning of the 23d, certainly not. I was very surprised to see the article.

Mr. LIEBELER. So the best of your recollection is that you never provided them with the information?

General WALKER. I did not. I didn't know it at the time of this conversation at all. I didn't know it until I started reading the newspaper, which would have been later than then.

Mr. LIEBELER. I think that is right, so that you only had two conversations with these people, is that correct?

General WALKER. In connection with this incident, as I remember, there was a call back to verify something on the original conversation? I don't remember how the conversation came about. There were two telephone conversations; right.

Mr. LIEBELER. They both took place while you were down in Louisiana, the 23d and the 22d of November?

General WALKER. The first one was 7 o'clock in the morning the 23d, and it woke me up.

Mr. LIEBELER. You didn't have the faintest idea that Oswald had taken a shot at you and you didn't make a statement to that effect to the newspaper?

General WALKER. No; I didn't know.

Mr. LIEBELER. You didn't make a statement to the newspaper or anybody connected with it at any other time, isn't that a fact?

General WALKER. No.

Mr. LIEBELER. Is it not a fact?

General WALKER. I might have said that the reports over here had connected Oswald with me some subsequent time.

Mr. LIEBELER. I am somewhat puzzled by the whole thing, because the newspaper in which this apparently appeared is dated November 29, and in fact, that information was not known to anybody that I know of until a later date than that—

General WALKER. Much later.

Mr. LIEBELER. Several days, at any rate.

General WALKER. People began to guess it immediately. I should say guess at it.

Mr. LIEBELER. It might have been that the article was based on speculation, and it might have been the newspaper was postdated too. I think that sometimes happens.

General WALKER. I think that paper was definitely postdated.

Mr. LIEBELER. Yes; that would explain it. That is what I mean, predated.

General WALKER. That is something else.

Mr. LIEBELER. Do you have any other information that you think the Commission ought to have that we haven't already talked about?

General WALKER. Yes. I think the Commission should look into George De Mohrenschildt, if it hasn't.

Mr. LIEBELER. What do you know about Mr. De Mohrenschildt?

General WALKER. I know that my information indicates that he lived next door to the professor that was supposed to have burned up.

Mr. LIEBELER. Do you have any information that would connect De Mohrenschildt to the assassination of President Kennedy in any way?

General WALKER. I have the information the paper had that connected him with the Oswalds.

Mr. LIEBELER. Yes?

General WALKER. Of course, it is common knowledge that De Mohrenschildt was associated with Oswald now.

Mr. LIEBELER. Other than that, do you have any information to indicate that De Mohrenschildt was involved in any way with the assassination of President Kennedy?

General WALKER. Not directly.

General WATTS. Do you have any indirect evidence?

General WALKER. I am tired of them blaming the rightwing, and I have had enough of this, and it is about time that the Commission cleared the city of Dallas.

Mr. LIEBELER. Well, now, do you have any indirect indication or evidence that would associate De Mohrenschildt with the assassination of President Kennedy in any way?

General WALKER. I think it is very important that De Mohrenschildt knew Oswald. I think it is very interesting. My information is that De Mohrenschildt went to Haiti. I have nothing further to add.

Mr. LIEBELER. Now, is there anything else that you think the Commission ought to know that we have not already mentioned here this evening? It is now 7:15.

General WALKER. Where am I at?

Mr. LIEBELER. I didn't mean to suggest—I just wanted to let the record show we are both working very hard.

General WALKER. I will stay here all night.

Mr. LIEBELER. If you have anything else that you think the Commission should know or that you consider to be of material importance, I want you to say so, General Walker, because I think that you have—I hope you realize that the Commission is trying to do the best job that it can with the situation, and that if you can be of help to us, or if anybody else could be of help to us, we want your help.

General WALKER. That is my approach to the problem. We certainly want the truth. We want the truth to come out.

General WATTS. Off the record.

(Discussion off the record.)

General WALKER. I believe it has been released to the press that, and I am not sure that it has, but some information has gotten to me, I can't recall how, but the bullet that was fired at me matched the gun of the type that Oswald used on the 22d. That sounds rather vague, but I believe that is the way the information has come.

General WATTS. This is off the record.

(Discussion off the record.)

Mr. LIEBELER. General Watts has indicated that he had some ammunition the investigators got from Mr. Duff and I request you to forward that ammunition, to deliver it to the FBI in Oklahoma City and ask them to forward it to the FBI laboratory, and I will contact the FBI in Washington when I get back.

General WALKER. Don't you want to clarify that where they found that in the apartment, wasn't it?

General WATTS. Yes. I will get the investigator and get the detailed source of the ammunition and turn the ammunition over to the FBI in Oklahoma City.

General WALKER. I can think of nothing else that I am not sure hasn't already come to the Commission one way or another.

Mr. LIEBELER. Very well. I have no more questions. I want to thank you very much for coming down and appearing before us and giving us the testimony you have. We appreciate it.

General WALKER. Thank you very much. If I can do anything further for you, we will be happy to.

TESTIMONY OF BERNARD WEISSMAN

The testimony of Bernard Weissman was taken at 10:30 a.m., on June 9, 1964, at the U.S. District Courthouse, Foley Square, New York, N.Y., by Mr. Melvin Aron Eisenberg, assistant counsel of the President's Commission.

Bernard Weissman, called as a witness, having first been duly sworn by the notary public, testified as follows:

Mr. EISENBERG. Mr. Weissman, could you state your full name?

Mr. WEISSMAN. Bernard Weissman.

Mr. EISENBERG. And your address?

Mr. WEISSMAN. 439 South Columbus Avenue, Mount Vernon,*N.Y.

Mr. EISENBERG. Mr. Weissman, did you receive a copy of the rules governing this deposition?

Mr. WEISSMAN. I did.

Mr. EISENBERG. Have you had an opportunity to study them?

Mr. WEISSMAN. I have had an opportunity to study them.

Mr. EISENBERG. What is your occupation, Mr. Weissman?

Mr. WEISSMAN. Salesman.

Mr. EISENBERG. How long have you lived at your present address?

Mr. WEISSMAN. Presently or totally?

Mr. EISENBERG. Presently.

Mr. WEISSMAN. About 1 year.

Mr. EISENBERG. Mr. Weissman. I now hand you an advertisement beginning "Welcome, Mr. Kennedy," from the Dallas Morning News, Friday, November 22, 1963, which I will mark Weissman Exhibit No. 1.

(Excerpt from Dallas Morning News, Friday, November 22, 1963, marked Weissman Exhibit No. 1.)

Mr. WEISSMAN. Might I interject at this point that since I don't have the advice of counsel, that I reserve the right to refuse to answer any question that I feel may not be in my best interests at the moment?

Mr. EISENBERG. Certainly. Now, under the rules, of course, you are entitled to counsel, and if you wish we can adjourn this deposition so that you can get counsel.

Mr. WEISSMAN. Well, I have tried to get counsel, and I frankly can't afford it, and the counsel I could afford wouldn't take the case.

Mr. EISENBERG. I see. Well, would you wish us to try to make arrangements for a court-appointed counsel?

Mr. WEISSMAN. This would be entirely up to you. I should think possibly that if I can see my way clear to answer your more pertinent questions—in other words, to your satisfaction—it might not be necessary. Otherwise, we can do this some other time.

Mr. EISENBERG. Well, it is entirely up to you. Now, we can adjourn if you want or we can continue and see whether the questions are pertinent in your mind or not.

Mr. WEISSMAN. I would rather continue and to avoid repeating this again, taking time out.

Mr. EISENBERG. Mr. Weissman, I hand you this advertisement which I have labeled Weissman Exhibit No. 1, and ask you whether you are familiar with this advertisement?

Mr. WEISSMAN. Yes; I am.

Mr. EISENBERG. Are you the Bernard Weissman whose name appears at the bottom of this advertisement, as chairman?

Mr. WEISSMAN. Yes.

Mr. EISENBERG. Mr. Weissman, could you tell us how this advertisement came to be composed?

Mr. WEISSMAN. It is rather simple. A group of individuals in Dallas, friends of mine, got together and decided to express our feeling about the domestic and foreign policy of the Kennedy administration, and we felt that picketing, anything of the nature of picketing, and so forth, wouldn't go, since the Stevenson incident. We decided that the best way to get our point across would be to run an ad.

Mr. EISENBERG. When was this decision made?

Mr. WEISSMAN. The decision was made approximately a week or so before Kennedy's arrival in Dallas.

Mr. EISENBERG. That would be approximately November 15, 1963?

Mr. WEISSMAN. Approximately; a few days more, a few days less, in there.

Mr. EISENBERG. Who were the individuals who participated in this decision?

Mr. WEISSMAN. Larry Schmidt, Bill Burley, myself, and one or two other individuals who I would rather not mention.

Mr. EISENBERG. Can you state the reasons why you don't want to mention these individuals, Mr. Weissman?

Mr. WEISSMAN. Yes. As a matter of fact, it is not that I doubt your sincerity, personally, it is just that I doubt that—or it is my feeling that there are several members of the Commission that might use, if I implicate any individuals or organizations other than the ones I have mentioned, that this may be used as a political weapon later this year and the coming years, and I feel that what with very comprehensive FBI reports and the report I have given to the FBI myself, and the Secret Service, that any loose parts that are left out right now can be pieced together if you desire to do it, from their reports, very simply and very easily.

The reason I don't have the confidence I should have, not in the Commission itself, but in some of the counsel to the Commission, for example, Norman Redlich, if even 5 percent of what I hear about the individual is true, I don't want to have this man in a position to hurt anybody who has been or is an associate of mine.

Mr. EISENBERG. Well, Mr. Weissman, the subject of this deposition, of course, is the advertisement, and it is crucial to that question who composed the ad and who was instrumental in its placement in the newspaper. Now, you are not represented by counsel, and I don't want to press you to answer a question in the absence of representation by counsel. However, since this is the very subject with which the deposition is concerned, I think that if you don't want to answer that question we should stand adjourned until you can obtain counsel, and I will attempt to get a court-appointed counsel for you, if you can't get counsel yourself. If you wish, and we can hold a recess while you think it over.

Mr. WEISSMAN. Call a recess for a few minutes.

(Recess.)

Mr. WEISSMAN. What is your opinion here now? Let me put it to you that way.

Mr. EISENBERG. I think that if there is any question in your mind at all as to what questions you should answer, that you should get a lawyer.

Mr. WEISSMAN. This is what I am going to do. I am going to read you, it looks like about three or four pages, typewritten pages, I will read it into the record.

It will tell the story why I came to Dallas, exactly what I and several of my associates wished to accomplish.

I will name them where necessary and when I am finished I will let this stand as my complete testimony, period, finis, and if at any other time the Commission wants to talk with me, they will have to subpoena me and at that time—I want to get it over once and for all.

I am going to tell my story now as to why I did things I have done, how it came about, how the ad happened to fit into this pattern, and it will be all very simple and logical.

Mr. EISENBERG. Go ahead. You understand that when I say to go ahead I don't mean that we will not be asking further questions, but you are certainly welcome to put this in.

Mr. WEISSMAN. I understand. Our preparation to come to Dallas was made approximately—

Mr. EISENBERG. Excuse me 1 second, Mr. Weissman. I want you to be very sure that before you enter this statement in the record you shouldn't consult an attorney?

(Witness indicates.)

Mr. EISENBERG. You are gesturing "no"?

Mr. WEISSMAN. I am gesturing "No"; that is right. About 3 years ago in Munich, Germany, while I was in the service, I and several friends joined or formed a conservative political organization, dedicated to a conservative philosophy, and I am going to read what you might call the constitution or the aims of that organization.

This was originally written by Larry Schmidt, who originally founded the organization, which is known as CUSA, or Conservatism, U.S.A., and this par-

ticular copy was prepared for the recruitment of new members and what was expected of them.

It also applies to the members of what we call ourselves, the council. The council originally consisted of myself, of Larry Schmidt, of Bill Burley, of a Larry Jones, who is no longer associated in any way with us, of Norman Baker, who is no longer associated in any way with us, James Mosley, who is no longer associated in any way with us.

How was CUSA organized? CUSA, with its headquarters in Dallas, No. 5417 Louis Street, is broken down into two branches. The stateside branch, which was headed by Larry Schmidt, and the overseas branch, which was headed by myself.

Although both presently function separately from each other, they both have the same organization, etc.

On August 1, 1963, the overseas branch will discontinue being a separate branch and will become completely subsidiary to the main stateside branch.

CUSA is set up similar to the Ford Motor Co. and its dependent, the Ford Foundation.

Ford Motor Co. of CUSA is American Businesses, Inc. or AMBUS. AMBUS will be a private profitmaking corporation which finances its own Ford Foundation, which is Conservatism, USA, a nonprofit, nonpartisan conservative political foundation with the goals outlined above.

The owners of AMBUS are the same as the five partners who are the board chairmen of CUSA, the partners I mentioned before. All positions in AMBUS and CUSA are appointed by the ETC or the executive in the council, which again are the five members of that which has been mentioned.

Every member of CUSA and AMBUS who works for either or both of AMBUS and CUSA full time shall be paid at a salary at least equivalent to that paid a man in a similar position in industry or politics.

In most cases AMBUS and CUSA will pay its people higher salaries.

CUSA is broken down into three divisions: the political analysis division, the recruitment and fund solicitation division, and the foreign affairs division.

AMBUS is divided into two divisions: the business management division and the public relations division.

AMBUS' two divisions fully support the activities of CUSA. Each division has its own organizational setup and subsidiary sections and officers to carry out its functions.

For a copy of this, ask the chief of your particular branch—that is pertaining to a new member. He will be happy to show it to you. For detailed information on the operations of any particular division, ask the chief of the division in question.

Geographically CUSA is broken down into six regions. These are the eastern, northern, southern, southwestern, midwestern, and western regions.

Each region has several States under its jurisdiction.

The headquarters of each region are as follows: eastern, New York City; northern, Chicago; southern, Atlanta; southwestern, Dallas; midwestern, Wichita; western, Los Angeles.

These regional headquarters come directly under CUSA's Dallas home headquarters. Each State within the region also has its CUSA headquarters. In each case the headquarters is located in the capital of each State.

The State headquarters come directly under the regional headquarters in which they are located. Each State in turn is broken down into districts with several counties comprising a district.

Most States are broken down into four or five districts. These district headquarters come directly under the State headquarters and the breakdowns go along as I have mentioned, and it gets smaller and smaller as the areas get smaller.

Both AMBUS and CUSA will have staffs in each of the regional State district and city headquarters. These will be full-time salaried employees.

How does CUSA expect to gain its goals? CUSA is convinced it can induce all other conservative organizations to join it, especially if CUSA has induced a large number, that more and more will want to jump on its bandwagon.

For those organizations that refuse to join, CUSA will bring pressures to bear to end their resistance.

CUSA will also work closely with conservatives in the Republican and Democratic parties.

Among CUSA's members are some of the finest salesmen around, men who know how to convince, how to sell, how to persuade: CUSA intends to work toward monopolization of the money available for rightwing organizations, thus forcing any organizations to come into the CUSA fold.

CUSA will use any method, so long as it is legal and honorable, to attain its goal. A timetable has been set up to guide CUSA's actions, when each project has to be completed, and places these projects in proper timetable sequence.

What will happen to CUSA after it reaches its goals? CUSA shall continue to aid the conservative cause and keep our Government conservative. So long as there is a U.S.A. there shall be a CUSA.

Can I make a career of CUSA? Most definitely. CUSA and AMBUS are big business. Think of CUSA as being the same as a political party like the Democratic or Republican. Even if it isn't actually a third party, it shall function as one. However, if you desire and have the necessary qualifications, CUSA will even run an individual for a political office if it feels you can win.

AMBUS needs good business minds and CUSA needs aggressive political minds.

Above all, CUSA-AMBUS needs salesmen, public speakers, writers, debaters, analysts. Men who think like men of action and act like men of thought.

But CUSA also needs background men, men willing to stay out of the public eye and work quietly to do the planning, thinking, creating, formalizing, and other things in a great cause.

CUSA-AMBUS has established regular wage scales along the line of the civil service, GS-4 to GS-18.

Just what is a conservative, anyway? A conservative is a person who looks at a man or a woman as an individual and respects him or her as a unique human being rather than just a face in the crowd; a member of the mass who believes in individual initiative above collective charity, yet accepts charity where the individual cannot provide for himself; who believes the Government should be supported by the people, not the people supported by the Government; who believes Government should be restricted to those areas of concern outlined in the Constitution of the United States of America, leaving the citizen free to pursue life, liberty and happiness without the overburdens of excessive taxation that restrict such pursuits; who believes that every effort should be made by individuals to provide for themselves first and when that can't be done, help by local, State, or private charitable organizations rather than by Federal Government aid comprised of general taxation; who believes that the Federal Government should not compete with private enterprise or interfere with the rights of the States as outlined in the Constitution; who believes that the best Government is the Government which governs least; who believes that the best interests of the American people should be served by its Government first before the peoples of other countries, yet believes we Americans must help the needy peoples of other countries; who believes the best interests of the U.S.A. should first be served by our Federal Government before the needs of other nations are looked into, yet that we should aid needy nations where aid is justified and deserved, and in the best interests of our country; who believes that the American form of republican government, a government of the people, for the people, by the people, with rule by law and constitution, is the only way of government and way of life for Americans; who believes that although a government and system of law and rule and economics isn't perfect, it is the best one ever attempted by mankind in its long history; who believes that private enterprise and capitalism is the whole basis of our way of life and the reason of our way of life—and the reason our way of life is so richly endowed; who believes that communism is the greatest threat to the existence and freedom of America and must be completely defeated; who believes there can be no peace without victory over communism; who believes that the true

revolutionary political system and the true revolution of mankind is the American democracy and democratic and political system; that the enslavement of man embodied in communism is as old as mankind itself, and therefore there is nothing revolutionary about it, even though it has a modern name and foundation and is certainly no good, indeed fatal, to mankind.

Is CUSA identified with any other organization or society? CUSA is associated with no organization or group, be it political, economic, social, fraternal, or religious. CUSA is committed to none, either.

I can interject a footnote of my own at this point. At council sessions we decided to use whatever vehicles were necessary in the way of other organizations to get CUSA off the ground and at the same time keep the name CUSA secret among ourselves, as it was our organization, you might say; no one of the other organizations that we became involved with knew anything about the existence of CUSA or what we had planned to do with it. They did not know, the individuals that we were concerned with did not know, that in many cases, as a matter of fact, we were using them merely as a vehicle to further the interest of CUSA.

Just who does CUSA hope to elect President?

I want to reiterate that this was prepared in late 1961 or very early 1962.

CUSA considers Senator Barry Goldwater (Republican, Arizona) as Mr. Conservative, U.S.A., and wholeheartedly endorses him for the Presidency, although CUSA is not committed to Mr. Goldwater in any way. However, it is felt that he is by far the most outstanding conservative politician and spokesman in the country.

How does CUSA feel about the so-called radical rightwing? CUSA has proof that many so-called radical organizations are not really radical or at least as radical as the enemies or opposition of these organizations would have the public believe.

CUSA loathes extremism of the right, typified by the American Nazi Party, as much as it does the extremism of the left, exemplified by the Communist Party in the U.S.A.

CUSA does not believe, however, that an American can be too radical or extreme in his love or patriotism for his country.

CUSA endorses Americanism, love of country, and patriotism, even if it does not always agree with what some citizens believe is wrong with our country, who is to blame for our faults and our solution to our problems.

CUSA has faith in and believes in many rightwing organizations and their endeavors, although it does not always agree with everything they say or do, the words or actions of their leaders.

On the other hand, CUSA does not condemn a patriot who, in the heat of anger or frustration, says things which are irresponsible and not honestly meant. On the other hand, CUSA cannot subscribe to continued irresponsibility on the part of organizations, its leaders or membership.

This is one reason, for example, recently in Dallas, we decided not to become, at least as far as we knew, to become involved with anybody associated or doing business with General Walker, as an example. We made it a point to try to stay clear of that.

How does CUSA feel about communism? CUSA intends to do everything it can to destroy communism. CUSA is against any philosophy, any organization, any group, any individual which threatens the freedom, way of life, or congressional government of the United States.

CUSA is against any tyranny, whatever its skin or title; against anything indecent, unlawful, or harmful to man.

Can anyone join CUSA? Any citizen of the United States who believes in what CUSA is trying to do and who is not a demagog or dishonest, may join CUSA regardless of race, religion, creed, or ethnic origin. CUSA does not believe that patriotism is contingent upon skin, color, or religion or family background.

Let me say again that this was prepared in 1961, and in its essence has been followed through to the—up until the 22d of November 1963, and this, I think, would give some reasons or give you several answers as to why the ad was placed, why it read as it did.

Mr. EISENBERG. That completes the statement?
Mr. WEISSMAN. That completes my statement.
Mr. EISENBERG. OK; then we will stand adjourned.

TESTIMONY OF WARREN ALLEN REYNOLDS

The testimony of Warren Allen Reynolds was taken at 3:35 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. Would you rise and raise your right hand? 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. REYNOLDS. I do.

Mr. LIEBELER. Please sit down. My name is Wesley J. Liebeler. I am an attorney on the staff of the President's Commission to investigate 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 joint resolution of Congress No. 137.

Under the rules of procedure governing the taking of testimony, you are entitled to have an attorney present at this hearing. You are also entitled to 3 days' notice for the hearing, and you are entitled to exercise whatever rights and privileges, as far as not answering questions are concerned, as are afforded to you under the Constitution and laws of the United States. I assume that you do not wish to have an attorney present, since you don't have one here. Most of the witnesses do not have.

Mr. REYNOLDS. That's right.

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

Mr. REYNOLDS. Warren Allen Reynolds.

Mr. LIEBELER. What is your address?

Mr. REYNOLDS. 8707 Mosswood.

Mr. LIEBELER. Here in Dallas?

Mr. REYNOLDS. Dallas.

Mr. LIEBELER. When were you born, Mr. Reynolds?

Mr. REYNOLDS. June 22, 1935.

Mr. LIEBELER. Are you employed here in Dallas?

Mr. REYNOLDS. Yes; Reynolds Motor Co.

Mr. LIEBELER. What kind of company is that?

Mr. REYNOLDS. It is a used-car lot.

Mr. LIEBELER. It is operated by you and by your brother; is that correct?

Mr. REYNOLDS. It is operated by my brother, and I am an employee there.

Mr. LIEBELER. You are not an owner of the corporation?

Mr. REYNOLDS. No, sir.

Mr. LIEBELER. You are employed by your brother?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Would you give us briefly what your educational background is?

Mr. REYNOLDS. High school.

Mr. LIEBELER. Did you graduate from high school here in Dallas?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Which school?

Mr. REYNOLDS. Forest Avenue High School.

Mr. LIEBELER. Where is this Reynolds Motor Co. located?

Mr. REYNOLDS. 500 East Jefferson.

Mr. LIEBELER. How far is that from the corner of 10th and Patton?

Mr. REYNOLDS. One block.

Mr. LIEBELER. Were you there at the used-car lot on November 22, 1963?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Were you there at about, say, after the hour of 12 o'clock noon in the afternoon?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Tell us what you saw; will you, please?

Mr. REYNOLDS. OK; our office is up high where I can have a pretty good view of what was going on. I heard the shots and, when I heard the shots, I went out on this front porch which is, like I say, high, and I saw this man coming down the street with the gun in his hand, swinging it just like he was running. He turned the corner of Patton and Jefferson, going west, and put the gun in his pants and took off, walking.

Mr. LIEBELER. How many shots did you hear?

Mr. REYNOLDS. I really have no idea, to be honest with you. I would say four or five or six. I just would have no idea. I heard one, and then I heard a succession of some more, and I didn't see the officer get shot.

Mr. LIEBELER. Did you see this man's face that had the gun in his hand?

Mr. REYNOLDS. Very good.

Mr. LIEBELER. Subsequent to that time, you were questioned by the Dallas Police Department, were you not?

Mr. REYNOLDS. No.

Mr. LIEBELER. The Dallas Police Department never talked to you about the man that you saw going down the street?

Mr. REYNOLDS. Now, they talked to me much later, you mean?

Mr. LIEBELER. OK; let me put it this way: When is the first time that anybody from any law-enforcement agency, and I mean by that, the FBI, Secret Service, Dallas Police Department, Dallas County sheriff's office; you pick it. When is the first time that they ever talked to you?

Mr. REYNOLDS. January 21.

Mr. LIEBELER. That is the first time they ever talked to you about what you saw on that day?

Mr. REYNOLDS. That's right.

Mr. LIEBELER. So you never in any way identified this man in the police department or any other authority, either in November or in December of 1963; is that correct?

Mr. REYNOLDS. No; I sure didn't.

Mr. LIEBELER. So it can be in no way said that you "fingered" the man who was running down the street, and identified him as the man who was going around and putting the gun in his pocket?

Mr. REYNOLDS. It can be said I didn't talk to the authorities.

Mr. LIEBELER. Did you say anything about it to anybody else?

Mr. REYNOLDS. I did.

Mr. LIEBELER. Were you able to identify this man in your own mind?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. You did identify him as Lee Harvey Oswald in your own mind?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. You had no question about it?

Mr. REYNOLDS. No.

Mr. LIEBELER. Let me show you some pictures that we have here. I show you a picture that has been marked Garner Exhibit No. 1 and ask you if that is the man that you saw going down the street on the 22d of November as you have already told us.

Mr. REYNOLDS. Yes.

Mr. LIEBELER. You later identified that man as Lee Harvey Oswald?

Mr. REYNOLDS. In my mind.

Mr. LIEBELER. Your mind, that is what I mean.

Mr. REYNOLDS. Yes.

Mr. LIEBELER. When you saw his picture in the newspaper and on television? Is that right?

Mr. REYNOLDS. Yes; unless you have somebody that looks an awful lot like him there.

Mr. LIEBELER. I show you an exhibit that has been marked Pizzo Exhibit No. 453-C and ask you if that is the same man, in your opinion?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. You were in no way, if I understand it correctly then, properly identified as anyone who had told the authorities that this man that was going down the street was the same man as Lee Harvey Oswald, is that correct?

Mr. REYNOLDS. Well, yes and no. When it happened, and after I seen—and you probably know what I did—after I saw the man on the corner of Patton and Jefferson, I followed him up the street behind the service station and lost him. I went back there and looked up and down the alley and didn't see him, and looked through the cars and still didn't see him.

Then the police got there, and they took my name. While they were taking my name, some television camera got me, and I was on television, I am sure nationwide. Then some man that I worked with wanted to be big time, I guess, so he called some radio station and told them what I had done, and they recorded that and ran it over and over and over again over the radio station. And other than that, no.

Mr. LIEBELER. Well, what was it that they said you had done? All you had done was try to follow this man and he got away from you?

Mr. REYNOLDS. And he got away.

Mr. LIEBELER. Then you went back and you looked around for him around the car lot in the area and you weren't able to find him?

Mr. REYNOLDS. I looked through the parking lot for him after. See, when he went behind the service station, I was right across the street, and when he ducked behind, I ran across the street and asked this man which way he went, and they told me the man had gone to the back. And I ran back there and looked up and down the alley right then and didn't see him, and I looked under the cars, and I assumed that he was still hiding there.

Mr. LIEBELER. In the parking lot?

Mr. REYNOLDS. Even to this day I assume that he was.

Mr. LIEBELER. Where was this parking lot located now?

Mr. REYNOLDS. It would be at the back of the Texaco station that is on the corner of Crawford and Jefferson where they found his coat.

Mr. LIEBELER. They found his coat in the parking lot?

Mr. REYNOLDS. They found his coat there.

Mr. LIEBELER. So that he had apparently gone through the parking lot?

Mr. REYNOLDS. Oh, yes.

Mr. LIEBELER. And gone down the alley or something back to Jefferson Street?

Mr. REYNOLDS. Yes. When the police got there, and they were all there, I was trying to assure them that he was still there close. This was all a bunch of confusion. They didn't know what was going on. And they got word that he was down at a library which was about 3 blocks down the street on the opposite side of the street.

Mr. LIEBELER. Down Jefferson?

Mr. REYNOLDS. Down Jefferson. And every one of them left to go there. So when they left, well, I did too, and I didn't know this man had shot a policeman. I wouldn't probably be near as brave if I had known that. The next time, I guarantee, I won't be as brave.

Mr. LIEBELER. No; I can't say that I blame you, although we don't know there is any connection. But we would certainly like to find it, if there is.

Mr. REYNOLDS. There is no connection that you can prove now.

Mr. LIEBELER. Let's come to that a little bit at a time.

Mr. REYNOLDS. Okay.

Mr. LIEBELER. When you were on television, what was shown is that you were talking to the policeman?

Mr. REYNOLDS. They were taking my name. No name was shown, was mentioned.

Mr. LIEBELER. They were just taking down your name?

Mr. REYNOLDS. Just my name.

Mr. LIEBELER. When it was told on the radio about your involvement in it, was it also made clear that you had not, in fact, directed—let me ask the question this way. Was it ever stated either on the television or the radio that you had directed the police to the Texas Theatre?

Mr. REYNOLDS. Not the direction. In the general direction, but not to the theatre.

Mr. LIEBELER. In fact, you were looking for this man who later turned out to be Oswald, in this parking lot which was some distance from the Texas Theatre at that point?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. And you never saw Oswald continue on down the street—on down Jefferson or go in the Texas Theatre, and you never told the police that he had gone in that direction, did you?

Mr. REYNOLDS. I told the police he was going in that direction.

Mr. LIEBELER. He was going—you told the police he went into the parking lot, or what did you tell him?

Mr. REYNOLDS. That he was going west. I told them that he was going west, and I had assumed that he just cut through the parking lot and kept going the general direction he was going in.

Mr. LIEBELER. But he hadn't gotten to Jefferson by the time you had seen him?

Mr. REYNOLDS. That's right. He was about almost half a block before he got to Jefferson.

Mr. LIEBELER. But he was heading toward Jefferson?

Mr. REYNOLDS. Yes; he was heading toward Jefferson.

Mr. LIEBELER. You never saw him after he got to Jefferson?

Mr. REYNOLDS. Yes. When he got to Jefferson, that is when I followed him.

Mr. LIEBELER. And he went which way?

Mr. REYNOLDS. Went down Jefferson, and then he went behind the station, and that is when I lost him.

Mr. LIEBELER. He went around behind the station, and there was a parking lot back there, is that right?

Mr. REYNOLDS. That's right.

Mr. LIEBELER. You went back in the parking lot and you were looking for him there, but you never saw him again after he ducked off Jefferson into the parking lot?

Mr. REYNOLDS. Just on television.

Mr. LIEBELER. Then according to the information that I have, on January 23, 1964, you were shot in the head by a bullet from a .22 caliber rifle, is that correct?

Mr. REYNOLDS. Yes; right there [pointing to right temple].

Mr. LIEBELER. On the right side of your head?

Mr. REYNOLDS. Yes; and it went to here [pointing to left ear].

Mr. LIEBELER. Would you tell us the circumstances in which that happened?

Mr. REYNOLDS. I know this man was waiting for 3½ hours in a basement where I work.

Mr. LIEBELER. In a car lot?

Mr. REYNOLDS. In a car lot.

Mr. LIEBELER. At the car lot?

Mr. REYNOLDS. At the car lot, the Johnny Reynolds Co. And when I went down to turn off the lights in this basement where he had taken the light globe out of the room, I went in there more or less in the dark to turn off the light. It is a switchboard, and when I walked up to it and turned two switches, this man couldn't hardly have been over a foot from me with the rifle, and shot me.

When he shot me, I ran upstairs. I went around to the right about 20 feet and got this towel to, of course, stop the blood, and when I turned around to go call the police, I had assumed all the time that I had been electrocuted for some silly reason, never dreaming I had been shot. But when I saw the man run off, I figured right then I must have been shot, so I ran on in and called the police.

Mr. LIEBELER. When did you see the man run off?

Mr. REYNOLDS. When I ran upstairs and ran around to the right to get this towel, and he came up out of the basement. I saw him and two more people saw him.

Mr. LIEBELER. You then got the towel. Did you call the police?

Mr. REYNOLDS. I was able to call the police. Then I laid down just for a few

minutes, and the ambulance got there and carried me to the hospital, and by some miracle, I survived, very much a miracle. The police got the call at 9:19 p.m. in the evening of January 23.

Mr. LIEBELER. Now were you able to identify the individual who ran up out of the basement?

Mr. REYNOLDS. No.

Mr. LIEBELER. Do you have any idea who it was?

Mr. REYNOLDS. No.

Mr. LIEBELER. What kind of fellow did he look like? Did you get a physical description of him?

Mr. REYNOLDS. No; it was just a blur to me. It was just a blur, but the people that saw him said he was around 5 foot 4, weight around 130 or 140 pounds, and was either Spanish or Cuban or Indian or something like that; not Negro.

Mr. LIEBELER. He was not a Negro, but he was of a foreign extraction or foreign appearing, or dark colored?

Mr. REYNOLDS. Yes; dark colored, the way they described him. He had a rifle.

Mr. LIEBELER. Do you have any idea as to why somebody might have wanted to take a shot at you, why did they?

Mr. REYNOLDS. I have no proof. I would say it would be fair to think that somebody shot me on account of they thought I knew something or had some connection with Lee Oswald. It was definitely not people that I would know of, and it hadn't been business. I am sure it wasn't in business form.

Mr. LIEBELER. What did you do in the car lot? Are you engaged actually in selling and trading automobiles?

Mr. REYNOLDS. Yes; generally everything.

Mr. LIEBELER. You can't think of any reason why one of your customers wanted to take a shot at you?

Mr. REYNOLDS. No.

Mr. LIEBELER. Is there anybody else around the company that might have been having trouble with anybody else that maybe you got shot by mistake, or something like that? Is that possible?

Mr. REYNOLDS. We ruled that out.

Mr. LIEBELER. You considered that possibility?

Mr. REYNOLDS. I have considered everything.

Mr. LIEBELER. Did the police conduct an investigation of this?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Of this shooting?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. In fact, they came out with a suspect, didn't they?

Mr. REYNOLDS. They came out with one, yes.

Mr. LIEBELER. Did you know that individual before he was picked up in connection with this investigation?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. How long had you know him?

Mr. REYNOLDS. I had known him for about 6 or 7 years.

Mr. LIEBELER. Was he a friend of yours?

Mr. REYNOLDS. No.

Mr. LIEBELER. How did you come to know him?

Mr. REYNOLDS. Just in business. Our business with him was bad business.

Mr. LIEBELER. In what sense?

Mr. REYNOLDS. Well, he was a troublemaker. But at no time did I think he was the one that shot me.

Mr. LIEBELER. How did you form an opinion on the question of whether this was the man who shot you? In fact, we are talking about a man by the name of Darrell Wayne Garner.

Mr. REYNOLDS. That was just my personal opinion.

Mr. LIEBELER. You weren't able to see the man who shot you to say whether it was Garner or whether it wasn't?

Mr. REYNOLDS. No; that's right.

Mr. LIEBELER. Isn't it a fact that Garner had been in the car lot on January

20, 1964, trying to sell you an automobile, particularly a 1957 Oldsmobile for which he didn't have a title?

Mr. REYNOLDS. Not that I know of.

Mr. LIEBELER. Have you discussed this with your brother?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Your brother is Johnny Reynolds?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. He lives at 622 West Five Mile Parkway, is that correct?

Mr. REYNOLDS. That's right.

Mr. LIEBELER. Would it surprise you to know that on January 23 he apparently told the Dallas Police Department that Garner had been in the carlot on January 20 and tried to trade a 1957 Oldsmobile for which he did not have a title, and became extremely upset when he, Johnny Reynolds, wouldn't purchase the automobile from Garner?

Mr. REYNOLDS. I had to keep in mind that it is possible that that had happened and I just didn't, I mean I have been through an awful lot these 6 months, and it is possible that I have just missed it, but I would say I would be a little bit surprised.

Mr. LIEBELER. What kind of person is Garner?

Mr. REYNOLDS. Well, to describe him as best I can, I heard that his mother had \$10 hidden one night and he wanted it and she wouldn't tell him where it was, and he held a knife to her throat threatening to kill her unless she did. He is just a complete troublemaker.

Mr. LIEBELER. Do you know where he lives?

Mr. REYNOLDS. No; I heard he was in Las Vegas. In fact, I parked my car at his father-in-law's. He runs a little parking lot right there down the street, and it so happened I pulled into that parking lot when I came here.

Mr. LIEBELER. But you haven't seen him around recently? You don't know where he is?

Mr. REYNOLDS. No.

Mr. LIEBELER. In any event, Garner was released from the Dallas Police Department after they conducted an investigation?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Into the possibility he might have been involved in the shooting of you?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Now, do you have any basis for your belief that the shot at you was somehow connected with the assassination, other than pure speculation or surmise on your part?

Mr. REYNOLDS. No.

Mr. LIEBELER. Do you have any idea as to who it might be other than the fact, as you have previously explained before, it might be that since you were associated in some way with Oswald's apprehension in the Texas Theatre, that somebody wanted to get you for that?

Mr. REYNOLDS. A lot of people thought that I followed him all the way to the Texas Theatre and pointed him out in the theatre. A lot of people, just rumors, thought that, and a lot of people still think it.

Mr. LIEBELER. But in fact, there isn't any fact that you can point to or tell me about that would connect up the assassination in any way with the shooting of you on January 23?

Mr. REYNOLDS. I can't think of anything that could be a fact unless we just found the man.

Mr. LIEBELER. For the purpose of our investigation, I mean if there were any connection between your shooting on January 23 and Oswald's arrest for the assassination, we want to know about it. That is perfectly clear, is it not?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. I am asking you if you have any facts that would tie it up.

Mr. REYNOLDS. I have no facts. I just have my own beliefs.

Mr. LIEBELER. And you do believe that there is some relation, do you?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Do you know Nancy J. Mooney?

Mr. REYNOLDS. No.

Mr. LIEBELER. Have you ever heard of her?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. What have you heard?

Mr. REYNOLDS. I heard that she was with Garner the night that I got shot. I heard that she took a lie detector test that helped free him. I heard that a few days later she was caught fighting and they put her in jail, and she hung herself. I heard that she formerly worked for Jack Ruby as a stripper.

Mr. LIEBELER. Do you know who told you that?

Mr. REYNOLDS. I read it in Bob Considine's article.

Mr. LIEBELER. Is that the only source of your information concerning Nancy J. Mooney?

Mr. REYNOLDS. The police told me that she had hung herself and that she was the one that was with Garner. Everybody calls him "Dago."

Mr. LIEBELER. Did the police department tell you that she had worked for Jack Ruby?

Mr. REYNOLDS. No.

Mr. LIEBELER. The only source of information that you have for that is the article that Bob Considine wrote about this whole thing?

Mr. REYNOLDS. That's right.

Mr. LIEBELER. Have you heard anything about Nancy J. Mooney, or do you know anything about her other than that which you read in Bob Considine's newspaper article?

Mr. REYNOLDS. No; I don't. Well, I know one thing, she was 16, and her age, that is just what I have heard.

Mr. LIEBELER. You have heard that?

Mr. REYNOLDS. From the police department.

Mr. LIEBELER. Did you know that she also used the name Betty MacDonald?

Mr. REYNOLDS. No; I didn't know that.

Mr. LIEBELER. My information is also that she is 24, not 16.

Mr. REYNOLDS. Twenty-four?

Mr. LIEBELER. Did you ever hear that she tried to commit suicide prior to the time she hung herself in the Dallas Police Station?

Mr. REYNOLDS. No.

Mr. LIEBELER. Or that she had four children that had been taken away from her because of her conduct?

Mr. REYNOLDS. I see nothing in that whole story that Considine wrote that would really come to me—be true.

I mean, it is true in one sense, and it is fair story, but I don't see any connection there, let's say.

Mr. LIEBELER. Considine was trying to create an impression that some girl had worked for Jack Ruby and was connected with Garner, and hung herself in the police department?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Do you believe there is any connection in that respect?

Mr. REYNOLDS. No; I don't.

Mr. LIEBELER. Have you considered, when you thought about this problem, that there are other people that actually went down to the police station and viewed Oswald in lineups, and have testified in Washington before this Commission, and received international publicity in connection with the identification of Oswald as the murderer of Tippit and that so far at any rate they have not been attacked in any way such as you were?

Mr. REYNOLDS. Yes; I have.

Mr. LIEBELER. Can you suggest to me why you were picked out to be shot for this reason and not these other people?

Mr. REYNOLDS. The ones that I know, I am the only aggressor in the whole bunch. I am the only one that actually did something more than just look. I actually did something.

Mr. LIEBELER. But that is the only distinction you can see between yourself and those other people?

Mr. REYNOLDS. That's right.

Mr. LIEBELER. Have you discussed this question of the possible relationship between your shooting and the assassination, with General Walker?

Mr. REYNOLDS. Yes; I have.

Mr. LIEBELER. What did you say to him and what did he say to you about this matter, if you remember.

Mr. REYNOLDS. Oh, I said to him basically the same thing that I have said to you, and he said it could be and he thinks that it's strange that I was shot. I think anybody would think it strange. But of course, if you have ever talked to him, he wouldn't say yes or no.

Mr. LIEBELER. Does General Walker know of any facts, so far as you know, that would relate your shooting to the assassination?

Mr. REYNOLDS. No.

Mr. LIEBELER. He has never expressed a firm opinion to you one way or the other as to whether there was in fact, any connection between the two, has he?

Mr. REYNOLDS. Let me just let him answer that when he talks to you.

Mr. LIEBELER. Did you know that he is going to talk to us?

Mr. REYNOLDS. Yes; I do.

Mr. LIEBELER. How do you know that?

Mr. REYNOLDS. I talked to him.

Mr. LIEBELER. Talked to him since we have invited him to come over and talk to us?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. When is the last time you talked to General Walker?

Mr. REYNOLDS. Around noon today.

Mr. LIEBELER. Talked to him on the telephone? Or in person?

Mr. REYNOLDS. Telephone; yes.

Mr. LIEBELER. Did you discuss with him your appearance before the Commission here?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Would you tell us the general subject of your conversation?

Mr. REYNOLDS. I just don't want to answer that, really.

Mr. LIEBELER. Preceding your conversation at noon today, when was the last time you talked to him before that, do you remember, approximately?

Mr. REYNOLDS. About a week ago. Maybe 2 weeks.

Mr. LIEBELER. How many times have you talked to him about this question altogether?

Mr. REYNOLDS. I have no idea; five or six.

Mr. LIEBELER. Now, in fact, General Walker sent a telegram to the Commission suggesting that we take your testimony, did he not?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. You knew that he did? Did he tell you that?

Mr. REYNOLDS. Yes. May I go off the record?

Mr. LIEBELER. Sure.

I think I have asked you all the questions I can think of, Mr. Reynolds, at this point. But I do want to say this to you. If you can think of anything else that you want the Commission to know in connection with this whole thing, I want you to feel free to say what it is right now. Or if you think there are any other facts that relate to this that we haven't brought out.

Mr. REYNOLDS. I don't know of any. I think it should be investigated what happened to me.

Mr. LIEBELER. The Dallas Police Department did conduct an investigation of the attack on you.

Mr. REYNOLDS. But their investigation didn't go too much past Garner. I mean they questioned a lot of people, but not anything of any importance. They have a little old bullet. I believe that is the only clue that they have.

Mr. LIEBELER. If you can't think of anything else that you think we ought to know and I haven't already asked you about, we can terminate the deposition at this point.

Mr. REYNOLDS. I would like to say something that might be important. About 3 weeks after I got out of the hospital, which would be around the 20th of February, my little 10-year-old daughter—somebody tried to pick her up, tried to get her in a car.

Now, again, whether that has any connection or not, I don't know, but it did

happen, and it never had happened before nor after. But they even offered her money. She was smart enough to run and get away.

Mr. LIEBELER. Have you seen any other indication that anybody has been following you or that anybody is watching you or anything like that?

Mr. REYNOLDS. Someone unscrewed my light globe one night on the front porch of my house, and someone definitely did it.

Whether it was a jokester or kid, but I have a lamp over the light. They had to take three screws loose to get to my light globe. They took those off and unscrewed my light, and that is for sure. Now, that was around the 20th of February, too.

Mr. LIEBELER. That was after you had gotten out of the hospital?

Mr. REYNOLDS. Yes.

Mr. LIEBELER. Is there anything else that would lead you to think anybody has been looking for you or looking after you?

Mr. REYNOLDS. No.

Mr. LIEBELER. Thank you very much, Mr. Reynolds.

TESTIMONY OF PRISCILLA MARY POST JOHNSON

The testimony of Priscilla Mary Post Johnson, was taken at 10:25 a.m., on July 25, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. W. David Slawson and Richard M. Mosk, assistant counsel of the President's Commission.

Mr. SLAWSON. I will swear you in if you will rise? Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss JOHNSON. I do.

Mr. SLAWSON. Miss Johnson, would you please state your full name and address?

Miss JOHNSON. My full name is Priscilla Mary Post Johnson, 48 Brattle Street, Cambridge, Mass.

Mr. SLAWSON. And would you state for the record your occupation or activities now and also what they were in 1959 when you saw Lee Harvey Oswald?

Miss JOHNSON. In 1959 I was a Moscow correspondent for the North American Newspaper Alliance, and now I am a freelance writer on Soviet affairs.

Mr. SLAWSON. Have you been given a copy of the Executive order and the joint resolution authorizing the creation of this Commission?

Miss JOHNSON. I have.

Mr. SLAWSON. And an opportunity to read them?

Miss JOHNSON. I have.

Mr. SLAWSON. Miss Johnson has been asked to testify this morning because she in the course of her duties as a newspaper correspondent in 1959 interviewed Lee Harvey Oswald on at least one occasion while he was in Moscow, just after he had announced to the American Embassy that he wanted to renounce his American citizenship and become a Soviet citizen. She is going to describe to the best of her recollection, with the help of her notes taken at the time, what went on during that interview. Miss Johnson, first I think we will put in as exhibits the various notes you have taken and articles you have written since that time, about your interview with Mr. Oswald. I present you a copy, marked Johnson Exhibit No. 1, of the notes you have said were taken at that time, and I wonder if you would acknowledge that that is a true copy.

Miss JOHNSON. Yes; it is.

(Priscilla Mary Post Johnson Exhibit No. 1 was marked for identification.)

Mr. SLAWSON. I present this as Exhibit No. 1, introduce it in evidence as Exhibit No. 1.

(Priscilla Mary Post Johnson Exhibit No. 1 was received in evidence.)

Mr. SLAWSON. Miss Johnson, I have marked this as Exhibit No. 2.

(Priscilla Mary Post Johnson Exhibit No. 2 was marked for identification.)

Mr. SLAWSON. It purports to be a true copy of the article you wrote of your interview with Mr. Oswald, and submitted on November 18, 1959.

Miss JOHNSON. That is right. I submitted it to the Soviet censor on November 18.

Mr. SLAWSON. I submit this in evidence and mark it as Exhibit No. 2.
(Priscilla Mary Post Johnson Exhibit No. 2 was received in evidence.)

Mr. MOSK. Miss Johnson, was anything censored?

Miss JOHNSON. No. It would show on that. Nothing was censored.

Mr. SLAWSON. I now show you a document marked Exhibit No. 3 which purports to be a true copy of an article you wrote for the Boston Globe.

Miss JOHNSON. I wrote it for the North American Newspaper Alliance. That just happens to be one place that it appeared. It probably appeared in other places too.

(Priscilla Mary Post Johnson Exhibit No. 3 was marked for identification.)

Mr. SLAWSON. Then I will say your article—

Miss JOHNSON. For the North American Newspaper Alliance.

Mr. SLAWSON. As it appeared in the—

Miss JOHNSON. As it appeared in the Boston Globe.

Mr. SLAWSON. I believe that was on November 24, 1963?

Miss JOHNSON. Sunday, November 24. It was filed on November 22.

Mr. SLAWSON. Except for possible deletions of your complete article as it was submitted, is that a true copy of your article?

Miss JOHNSON. A true copy of my article.

Mr. SLAWSON. I present this in evidence as Exhibit No. 3.

(Priscilla Mary Post Johnson Exhibit No. 3 was received in evidence.)

Mr. SLAWSON. I now have a document marked Exhibit No. 4 which is an article from the—a copy of an article from the Christian Science Monitor of November 25, 1963.

(Priscilla Mary Post Johnson Exhibit No. 4 was marked for identification.)

Miss JOHNSON. The interview was given November 23, and that is a true copy of the interview as published in the Monitor.

Mr. SLAWSON. For the record, Miss Johnson, that is an interview of you by a correspondent working for the Christian Science Monitor; is that correct?

Miss JOHNSON. Yes.

Mr. SLAWSON. I then introduce it in evidence as Exhibit No. 4.

(Priscilla Mary Post Johnson Exhibit No. 4 was received in evidence.)

Mr. SLAWSON. Miss Johnson, I have here what purports to be a true copy of a statement you gave to a representative of the U.S. Department of State on December 5, 1963, and it has been marked Priscilla Johnson Exhibit No. 5.

(Priscilla Mary Post Johnson Exhibit No. 5 was marked for identification.)

Miss JOHNSON. Yes; that is okay. That is a copy.

Mr. SLAWSON. I then introduce in evidence this Exhibit No. 5.

(Priscilla Mary Post Johnson Exhibit No. 5 was received in evidence.)

Mr. SLAWSON. Finally, I have here a document marked Priscilla Johnson Exhibit No. 6, which purports to be a true copy of an article written by you as published in Harper's magazine.

Miss JOHNSON. April 1964.

Mr. SLAWSON. Right; in the April 1964 issue.

(Priscilla Mary Post Johnson Exhibit No. 6 was marked for identification.)

Miss JOHNSON. Yes.

Mr. SLAWSON. That is a true copy?

Miss JOHNSON. Yes.

Mr. SLAWSON. I introduce as evidence, present this as Exhibit No. 6.

(Priscilla Mary Post Johnson Exhibit No. 6 was received in evidence.)

Mr. SLAWSON. Miss Johnson, to begin the deposition, I would like you to state, with the help of your notes or articles at any time you want to refer to them, exactly when and where and how many times you saw Lee Harvey Oswald.

Miss JOHNSON. May I have the calendar. I saw him, Lee Harvey Oswald, on two occasions. First of all I had been at the American Embassy in Moscow, and Mr. McVickar, the consul, had told me that a would-be defector was staying at my hotel, that he had shown a reluctance to talk with officials of the Em-

bassy or with other correspondents, but knowing my interest in kind of human interest stories, he thought that I might want to see this man. This was on an afternoon in November, and I think it must have been Monday, November 16, 1959, that Mr. McVickar advised me to see Mr. Oswald. So I stopped by Mr. Oswald's room, which was the floor below my own room in the Metropole Hotel. He lived on the second floor. I asked him for an interview, and he agreed to come to my room in the hotel that evening at an hour he named. I forgot what hour it was—8 or 9. So the second occasion on which I saw him was when he actually came that evening, and he stayed until the early hours of the morning, although I don't remember what hour. So far as I know, those were the only two occasions on which I saw him.

Mr. SLAWSON. He was in the same hotel you were staying in?

Miss JOHNSON. Yes. Could I interpolate a question here?

Mr. SLAWSON. Certainly.

Miss JOHNSON. Maybe it is out of line, but do you know whether he did stay at that hotel the rest of the time or did he go and leave? You see when I went back they had said he left. Had he actually gone to another hotel or did he remain in that hotel all the time?

Mr. SLAWSON. I believe that he was staying in the Hotel Metropole at the time you saw him, and I think he stayed there—

Miss JOHNSON. The rest of the time?

Mr. SLAWSON. The rest of the time. He had previously been in, I think, the Hotel Berlin, but he had moved to the Metropole before you saw him.

Miss JOHNSON. And they did move him out of the Berlin?

Mr. SLAWSON. That is right.

Miss JOHNSON. He stayed in the Metropole?

Mr. SLAWSON. Stayed in the Metropole.

Miss JOHNSON. So I was informed incorrectly when I was told he had gone by the people at the hotel?

Mr. SLAWSON. Do you remember when you were informed that he had gone?

Miss JOHNSON. Yes. I think that it was Thursday, the 19th.

Mr. SLAWSON. Could you state some of the details of that, how that came about that you were so informed?

Miss JOHNSON. Sure. Well, I wrote the story about him. I must have filed it on the 18th, but I don't think it was in connection with the story but with rather the fact that I had been told by him that he thought he would leave the hotel at the end of the week. So as soon as I had written the story and wasn't too busy in other ways, I went to the hotel. The woman who sat on his floor, the second floor, and I think it was the 19th, a Thursday, I asked if Mr. Oswald was there, because I wanted to catch him before he left. I expected he would leave the 20th. And because I kind of wanted to keep in contact with him, for his sake. And the woman who was sitting on the second floor—I don't know what you call her—who gave the keys out, just threw up her hands and said, "He is gone." So I asked her when he had gone, and she said she didn't know. So I assumed I had been informed correctly, and didn't try to get in touch with him again. And he had told me that he would let me know before he left for good, and he didn't either.

Mr. SLAWSON. Let us call a recess for a minute here, so that I can look for some records on Oswald's stay at the Hotel Metropole.

(Discussion off the record.)

Mr. SLAWSON. Miss Johnson, in connection with your statement that you had returned to see Oswald and were told by a woman employee of the hotel on the second floor that he had left at a time which she did not know, I have here a copy of a letter Oswald wrote his brother Robert Oswald dated November 26, 1959 (Commission Exhibit No. 295). At the bottom of the letter he gives his address as "Hotel Metropole, Room 201, Moscow," with the marking, "(New Room)."

Miss JOHNSON. His room when I saw him was, I think it was room 225. It was down a corridor to the right. My room was 319, on the next floor. You turned just a little to the left to get to it. His was about 225 or something like that. So he had probably been moved to a cheaper room. My room would probably have had the same rent as his—\$3 a day—but later his was maybe a little bit less.

Mr. SLAWSON. I see. And would the woman employee of the hotel who told you that Mr. Oswald had gone have had charge only of the old corridor and not the corridor with room 201 in it?

Miss JOHNSON. No; I think she would have had charge of his new room too, but he would have entered it possibly from the other side of the landing. I rather forget where the 01 was, but he might have entered it rather than from her desk turning right and then going down a corridor and then turning left. He might have taken his key from her and gone off to the left from her desk and from the elevator. She would have had charge of his room, but she might have been on duty for the first time since he moved, and only been aware that he had left—she might not have been trying to mislead me. It might have been her first day on duty since he switched his room, and she might have seen he wasn't in 225 and not realized that he was on the same floor but in another room.

I think the key thing is they probably gave him a very inexpensive room, since they were paying or since he was very poor. They perhaps accommodated him in allowing him to switch rooms.

Mr. SLAWSON. You mentioned a minute ago that he might have taken his key from her. You mean by that that ordinarily—or rather, frequently—a hotel guest would leave his key with the woman on his floor, but that it was possible to carry the key with you so that you would not have to pick it up from her?

Miss JOHNSON. No; customarily you pick it up from her when you go to your room and you leave it with her when you leave your room. It is simply that she would have had a book in which she had written down the room number of every guest, and I think each morning changes would be recorded there. My guess is that she rather than consciously misleading me—although she could have been told to say he was out, was gone—that there is a very good chance that she simply had not taken in that he was still there and in another room.

He would have left his key though, and customarily she would have always asked him for the key when he left.

Mr. SLAWSON. Did Oswald say something to you which would have led you to believe that he was interested in getting a less expensive room at the hotel?

Miss JOHNSON. He struck me as notably reticent about his finances, about his financial situation. He told me, truthfully or otherwise; that he had been there for 10 days on Intourist. He said he was paying the standard room and food rate, and said "I want to make it clear they are not sponsoring me." I must have asked him about his financial situation in some detail, because I thought it would give a clue as to how they were handling him. If they had allowed him to go from the \$30 a day rate, that is the rate if you come Intourist which he said he was on, if they allowed him to go from \$30 to a lesser sum, since mine was \$3, that would indicate that they had an interest in him and they were seeking to help him, whether he knew it or not.

And he was defensive. He bristled on the point, and I assume that there was more of an exchange of words than I took notes of, and that there was something there. I just didn't know what it was, and I couldn't get it out of him.

But when you say he switched from 225 to 201, 225 was an outside room, the kind that foreigners have, and it would probably be bugged, and it would be for foreign guests coming in on Intourist. I don't remember room 201, but the chances are it was an inside room. It might have been very small. It might or might not have had a bath attached to it, and the rate for it could have been as low as \$1.50 a day. And they could have been either accommodating him because of their interest in him, or because they were simply responding to his financial situation while pending a decision on his request to stay.

Mr. SLAWSON. While we are on this subject—how much he was paying for his hotel room and his finances generally—I am not clear whether you were able to get some kind of indication out of him whether he was paying the \$30 a day or simply the lower, something like \$3 a day.

Miss JOHNSON. You see he said he had been there since 10 days—perhaps what he said was since being there for 10 days on Intourist at \$30 a day "I have been paying the standard room and food rate." That is probably how I should read my own notes.

"I want to make it clear they are not sponsoring me." Your question is?

Mr. SLAWSON. I am trying to establish what your impression was at the time of how much he was paying for that hotel room.

Miss JOHNSON. At the time I was very unclear what he was paying. I think now he must have been paying \$30 for the 10 days after his arrival in October, and \$3 a day after that until he left room 225. What he was paying when he moved into room 201 I don't know.

Mr. MOSK. That was \$30 a day the first 10 days?

Miss JOHNSON. Yes, \$300 for the first 10 days. Probably after that \$3 a day, and after that I don't know.

Mr. SLAWSON. Are meals included in that \$30 a day?

Miss JOHNSON. Meals are included, but they wouldn't have been included once he went off it.

Mr. SLAWSON. I realize you can only do this very approximately but if one were eating fairly inexpensively as Oswald probably did—

Miss JOHNSON. And as I did.

Mr. SLAWSON. But on the other hand he probably did not know much about the city of Moscow, and so could not hunt out places that might be inexpensive. But how much per day do you think he could get along on for meals?

Miss JOHNSON. Perhaps I could just tell you from my own experience. I had a one-burner stove and I bought some food at the Embassy commissary, some from the hotel, and some in the stores around, and my total living expenses probably didn't exceed \$50 a week, and my room would have been \$21, and taxis would have been a little bit. So probably I could have done it on \$15, and he without the stove and without the use of the commissary, but having probably modest tastes, he could have done it for somewhere between \$10 and \$25 a week foodwise.

He did tell me that he had only been on one expedition by himself to this children's store where he got some food at the buffet, and if that is an indication that he was taking all his meals at the Metropole, then it would have cost him \$25 to \$30 a week for food at least.

Mr. MOSK. He generally didn't eat breakfast, or he generally ate very little for breakfast. Would this make a difference?

Miss JOHNSON. Yes.

Mr. MOSK. It might reduce it?

Miss JOHNSON. Because breakfast, coffee alone was very cheap. We had old rubles then, and I think it was—the figure in my mind is 2½ old rubles, which is 25 cents, for coffee in the room, and they didn't charge you anything for room service. That would have been cheap, and soup was very nourishing and that was cheap. I think he knew his Intourist guide pretty well, and she may have taken him home and given him food, or shown him cheap places to eat, so that when he said his only expedition himself, that could mean that he took literally himself but it could be he went other places with her, inexpensively. So he could have done pretty well. He could have kept it pretty low.

Mr. SLAWSON. Miss Johnson, I don't think that we established clearly before when, or rather what day it was, when you spoke to John McVickar and later spoke to Lee Harvey Oswald and had your interview with him.

Miss JOHNSON. I believe I spoke to John McVickar either on Friday, November 13, or Monday, November 16. My recollection is that it was Monday, the 16th, and that on coming home from the Embassy, coming to the Metropole, I went straight to Oswald's room, and therefore that would have placed my original conversation with McVickar on the 16th, my interview with Oswald probably on the 16th, my writing of the story and my second conversation with McVickar on the 17th, and my filing of the story on the 18th. But I could have seen Oswald as late as the 17th; Tuesday, the 17th. I could have seen Oswald as late as Tuesday, the 17th. My interview was the 16th or the 17th.

Mr. SLAWSON. Fine. Miss Johnson, I have here a copy of Commission Exhibit No. 911, which is a memorandum for the files dated November 17, 1959, written by Mr. John A. McVickar of the American Embassy in Moscow. This is the same John McVickar which you and I have been discussing and to whom you spoke about Lee Harvey Oswald some time just before you saw Mr. Oswald.

I hand you a copy of Exhibit No. 911 and would like you to take some time to read it and comment on your opinion of its accuracy, and make any cor-

reactions you like. It purports to record a discussion that you had with Mr. McVickar about Lee Harvey Oswald.

Miss JOHNSON. Yes; firstly he says that I told him that I had seen Oswald Sunday, May 15. He would have meant here Sunday, November 15. My recollection is that it was a Monday night that I spoke with Oswald, and it would therefore be Monday, November 16, not May.

Mr. Mosk. 1959?

Miss JOHNSON. 1959. Yes; I was struck by Oswald's reserve, and that comes out in the memo. I had forgotten, but I recollect, and it is not in my notes but I recollect, that it is true that he said he had never talked so long about himself to anybody, that about his use of words struck me very much in conversation, that he sometimes pronounced a particular word correctly and later pronounced it incorrectly, and that simple words he sometimes mispronounced and hard ones he got right.

Mr. Mosk. He was speaking in English?

Miss JOHNSON. Oh, yes; his emphasis on legality, I had the impression that unconsciously he wasn't 100-percent behind what he was doing, that he wanted to get out of it and he left a loophole and that the scapegoat was the Embassy.

Mr. SLAWSON. I would like to ask a question on that. You think then that he may have at least unconsciously had reservations right at that time that he was not doing the right thing?

Miss JOHNSON. Yes; and I think this is implicit in the interview and it corresponds with my recollection. It says here, "it was her opinion that he might consciously or not have been trying to leave a loophole for himself."

I felt that in making such a scapegoat of the Embassy and of Mr. Snyder, he was leaving himself a reason not to go back to the Embassy, and hence not to really renounce his citizenship, and that impressed me even then, and I think that didn't come out in my story and it doesn't come out in my notes, but it does correspond with my recollection.

I felt he was using his annoyance at the Embassy for other reasons. It was a pretext, although I didn't think it was conscious. And I did bore in on whether the Embassy had given him two versions, that is, whether they had said they were too busy, or whether there was legal grounds that they couldn't allow him to renounce citizenship until he had assurance of Soviet citizenship.

I was just interested in resolving the discrepancies, because I wanted to clarify the nature of the loophole he was leaving himself, rather really than to put the Embassy on the spot. And also I wanted to get the Embassy's role straight because I didn't know how fully in my story to put his annoyance at Snyder, the consul. I wanted to be clear on what he was doing, before writing about his annoyance with Snyder.

Mr. Mosk. Do you think, Miss Johnson, that he had any knowledge of the law of expatriation?

Miss JOHNSON. My recollection of him was that he was very legally minded. He showed me his letters from the Embassy, his exchange of letters from the Embassy, and that is in the notes, that he claimed they were acting illegally. He showed me the text of these letters and asked me what I thought of them. He said that he had been told on Saturday, October 31, that is a Saturday, that they needed time to get the papers together.

Mr. Mosk. But do you think that he had ever read a book of statutes or did he give you that impression, that somebody had told him about the law or that he had read the law?

Miss JOHNSON. He claimed that they were acting illegally, and I am not at all sure that he didn't also indicate that he had a right, that he knew he had a right. I am not sure that he didn't say that they had told him at the Embassy that they wanted some assurance that he had Soviet citizenship, but actually I believe that this was more what I gathered from talking to Mr. Snyder and Mr. McVickar, that they actually wanted to give him time to think.

Somewhere I got the idea that he had also been told that they wanted assurance that he had Soviet citizenship, before letting him renounce American citizenship. Where I got the impression, I think it was from him, but I am not sure. Yes; my guess about him is that he would feel that he knew the law. Whether he would have seen it or been told it by somebody that he thought

knew the law, he would have informed himself or thought he was informed about his legal rights. He seemed very stuck on the importance of legality, legalism.

Mr. SLAWSON. Miss Johnson, I am going to now back up a bit and ask you some questions about the general atmosphere in Moscow, quite apart from Lee Harvey Oswald. I make reference here to Exhibit No. 5, which we introduced just a minute ago. On the first page of that exhibit, which is your statement to the Department of State, you mention that most of the defectors who came to Moscow while you were a correspondent there came because of personal troubles they were having at home, rather than reasons of ideology.

You also bring up the fact that, rather your belief that, the Russians had wanted one or two defectors from the U.S. exhibition of 1959 to counter the negative propaganda they had been suffering from the frequent defections of East bloc persons to the West. I wonder if you would comment about both those points? First, if you could give us a description of approximately how many American defectors you either knew or had knowledge of at that time?

Miss JOHNSON. Well, I heard about most of those who came through, though I didn't necessarily interview them. There had been one called Webster—Richard Webster, I think—from the fair, and he had had a job in Ohio. He worked at the fair. I don't know what he did. At the end of the fair he asked to stay. That was, say, September or so of 1959. We had defectors on the brain right then in Moscow, all of us, because there had been a great deal of travel. The result was that a lot of tourists were there; there were an unusually large number. That is to say there had been three defectors. And Webster, now, when you did go into it, it developed that he wasn't too happy with his wife and he was interested in a waitress at the Hotel Ukraine. There had been another one named Petrulli—Nicholas Petrulli. I have forgotten the circumstances, but again they were personal, and I think he changed his mind. I think my colleague, Mr. Korengold, supported him, really, while he was thinking it over and deciding not to do it.

That is as far as I can remember. Those were better known cases that I didn't bother with because I couldn't compete with the agencies. And the Oswald case I did see because Mr. McVickar said he was refusing to talk to journalists. So I thought that it might be an exclusive, for one thing, and he was right in my hotel, for another. But then, once I got talking to him, I realized right away that he was different. At least I found him interesting at the time. Afterward I thought he was very interesting.

I don't remember the Petrulli case; it was probably after the Oswald case, and then there were a couple named Block—Morris Block and Mrs. Block. I one day encountered Mrs. Block on the third floor of my hotel, sitting talking with the woman who gave out the keys. She was quite a forthcoming lady who talked far more about herself than she should have, since they couldn't have wanted any publicity right then about themselves. So I knew about the Blocks, too.

Mr. MOSK. They also came back?

Miss JOHNSON. They did come back this year, lately. But I didn't know too much about the Blocks. There was something else about the Blocks. Maybe they had some connection with the Soviet Union. Maybe he had been there before. There was some reason about the Blocks. Anyway, I couldn't get to interview them. That was the crux of the matter. So that Oswald was the only—and there was something that made me think the Blocks were not pure ideological, that they had some connections with Russia as such, although I may be quite mistaken.

Mr. SLAWSON. You mean possibly some business or personal connection that would give them a tie?

Miss JOHNSON. Right.

Mr. SLAWSON. That would be different, quite apart from the ideology of Communist Russia?

Miss JOHNSON. I had the feeling that perhaps Mr. Block had been in the Soviet Union before, perhaps in the service during war or that they were of Russian ancestry, something of that kind, which took away from any ideological features.

Here Oswald was of an age that made him different right away. He was only 20, and I had never heard of anybody of that age in the first place, or that generation, taking an ideological interest to the point where he would defect. His age made him extraordinary.

Somebody of his generation reminded me right away of the 1930's, and I lived in the hotel where I heard stories about the kind of defectors who came in the 1930's; that is, they had been ideological. They had come for reasons of race or sex; women desirous of emancipation, the American women; Negroes desirous of thinking that here is a country where Negroes were treated equally; people of leftist views; and among the press corps I was aware that most of the Western press corps or much of it were fellow traveling or Communist, and I read quite a bit about them.

Mr. Mosk. This is during the thirties?

Mr. SLAWSON. During the 1930's?

Miss JOHNSON. Yes. Malcolm Muggeridge, Eugene Lyons, Louis Fischer. And I would gather these tales, because I was interested in them.

(Discussion off the record.)

Mr. SLAWSON. Do you want to add something to what you have previously said?

Miss JOHNSON. The ones we have are Malcolm Muggeridge, Eugene Lyons, Louis Fischer, Walter Duranty. These were famous cases of people who had a great interest in communism, and the Soviet Union in some ways was the promised land to them. Mr. Lyons later titled a book "Assignment in Utopia." Our press corps was not at all like that. We were mostly there because Moscow was a great place to make a name and a career, and we ranged from very interested, like me, to downright disenchanted, you know. We were all pretty anti and skeptical, and we were there because it was good for our careers rather than because we were interested in communism or because we thought it was the promised land, and that was always striking to me, because I often heard stories about the thirtys, and I really thought it sounded very exciting then. And he was the one person who seemed to have nineteen-thirtyish reasons, unemployment in the United States, economic difficulty, racial inequalities, interest in communism. So I thought sometime I would like to write an article about how the kind of newspaper people and the kind of defectors who really came now reflected what happened to the Soviet Union compared to the thirtys, going back to Muggeridge's memoirs, Lyons, Fischer's memoirs, Duranty's memoirs, and what other people had said about Duranty to show what happened to the Soviet Union itself. It didn't attract people now for ideological reasons.

It was a bourgeois country like any other, and if it attracted people from the West it was because they wanted to make it their career; it had become a career for foreigners; or because they were personal malcontents.

They weren't getting along with their wives. It was the strangest kind of reason. Oswald was the exception that proved the rule. And I had made notes about him in the interim, when I thought of him, because of this. He was the exception who proved the rule because he purported to be acting for ideological reasons.

Whenever I thought about him I thought: What is behind these professed reasons? They are really emotional reasons in his case, too, and I don't understand, although it is not obvious like a wife he is leaving, they are still emotional reasons, and I don't know what is behind his professed ideological reasons. And I can't guess. So he was the pin really for the piece, and I couldn't guess them. If I had known he was back in the States—I had thought about him, it seems to me, as recently as 3 weeks before the assassination, and wondered, and the way that the thought used to come to me was, "I wonder what ever happened to that little Lee Oswald?" And had I known he was back—I thought he would have been disenchanted, trapped in Russia, unable to get out—if I had known he was back I probably would have tried to see him, write him, go to see him. And if I had been able to figure out his reasons and what happened to him, maybe I could have written that piece.

Mr. Mosk. You had no indication that people could not leave the Soviet Union?

Miss JOHNSON. Oh, yes; I did. I had plenty of indication that they couldn't leave, and I didn't assume for a second that he had ever left or gotten out, and I wanted, if I could, to help him, warn him subtly that he was going to be

trapped. That is why I spent so long talking to him. But I assumed that my room was wired, and I couldn't be obvious about it, and I tried to do it by talking to him about economics.

Mr. SLAWSON. Before we get into the actual interview you had with Mr. Oswald, Miss Johnson, the other comment on the first page of Exhibit No. 5 which you made was, and I quote: "The Russians had wanted one or two defectors from the U.S. exhibition of 1959 to counter the negative propaganda they had been suffering from the more or less frequent defections of East-bloc persons to the West." Could you first identify the exhibition you are referring to, and then give the basis for your statement of what the Russians wanted?

Miss JOHNSON. Right. I am speaking of the U.S. exhibition at Sokolniki Park in Moscow that had been opened by Vice President Nixon in July of 1959, which ran for 6 weeks, which brought a great many Americans to Moscow for periods, fairly long periods of time, in the capacity of employees of the fair, setting up pavilions, setting up exhibits, some guides. And I didn't know this, but I had the impression that they had encouraged Webster to defect.

I may be quite mistaken about that. Webster was an employee of the fair, and I thought perhaps they wanted one. That was just an assumption. Oswald, however, I again bored in quite a bit in my talk with him as to whether they were encouraging him, and he said they were neither encouraging or discouraging. He was very anxious as to whether they were going to let him stay, and this did strike me as a little unusual. I thought they would encourage it. And I didn't know whether he was just a very anxious person, hence anxious, or whether they were keeping him on tenterhooks, not for tactical reasons at all but because of genuine doubts about having him. My only conclusion could be—it was at the time—that Nikita Khrushchev just had been to see Eisenhower; that they were not encouraging defections because of the political atmosphere. I didn't realize that it might be anything personal about Oswald. I assumed that it was the atmosphere.

Mr. SLAWSON. When you first approached Oswald to ask him for an interview—could you describe that?

Miss JOHNSON. I knocked on his door, expecting to be let in. But I wasn't let in. He came out. He came to the door and I stayed in the hall. He stayed in the doorway as I recall it, and I asked him if he would let me talk to him; expected he would say no, from what Mr. McVickar had told me. But he said quite quickly yes, he would come, and he said he would come to my room. He didn't invite me to his, and he named an hour for that evening when he would come, and he did come that evening just at the time he said, and he stayed.

Mr. SLAWSON. Could you see into his room to see whether he was alone at that time?

Miss JOHNSON. No; I had the impression he was alone, but I didn't see that anyone was there. Had somebody been sitting in his room, I think I could have seen them. My guess is that his bed would have been out of sight, but that the chairs in which anybody would have been sitting with him might have been visible. But he may have had the door open sufficiently little or at such an angle that I couldn't have seen had he been alone.

Mr. SLAWSON. Did you know at the time that Miss Aline Mosby, a newspaper reporter, I believe, for the Associated Press at that time—

Miss JOHNSON. For the United Press International.

Mr. SLAWSON. United Press—had spoken to Oswald several days earlier?

Miss JOHNSON. No; I had been told he wasn't talking to people, and I hoped that he hadn't talked to anyone else.

Mr. SLAWSON. Did you ever learn from Oswald that he had spoken to Miss Mosby earlier?

Miss JOHNSON. No; I never heard from anyone until after November the 22d, 1963, although Mr. McVickar had said that I could ask Mr. Korengold about him. That was a tip that perhaps he had talked to somebody at UPI, but I didn't want to tip the UPI that I was on to it because I thought that would reinvigorate their efforts. So I never did speak to anybody except Mr. McVickar.

Mr. SLAWSON. While we are back on Mr. McVickar, I don't think we established for the record absolutely clearly whether there was anything in Exhibit No. 911 besides the date and the day which you felt should be corrected?

Miss JOHNSON. No; not at all. There is a postscript at the bottom which is dated November 19. So far as I recall, this doesn't reflect another conversation. It simply reflects an afterthought on the part of Mr. McVickar, or conceivably a second conversation between me and Mr. McVickar. He may have asked me more questions, and this may reflect a little additional.

Mr. SLAWSON. But it does not reflect a second conversation between you and Lee Harvey Oswald; is that correct?

Miss JOHNSON. No.

Mr. SLAWSON. I asked you if that was correct?

Miss JOHNSON. It is correct. It does not reflect a second conversation with Mr. Lee Harvey Oswald.

Mr. SLAWSON. Now then, we can get back to your interview with Lee Harvey Oswald that evening. I have some questions here, but I want you to feel free to interject any comments of your own at any time. Of course we have as exhibits many of your previous statements and articles reflecting your thinking about this before coming here today, so we can both, I think, confine ourselves to elaborations or possible corrections or discussions around the points that you have already set down in the exhibits. The first thing I would like to bring up is a point you touched upon briefly already in the exhibits, that Oswald seemed to be greatly concerned with economics, and that you weren't, and that consequently a great deal of the time in the interview was taken up you might say with noncommunicative thought, or speech rather. I wonder if you would define what you mean by economics, and elaborate on that a little bit?

Miss JOHNSON. Well, since I liked Mr. Oswald, and since Mr. McVickar had pointed out to me that there was a narrow line between my duty as a correspondent and duty as an American, I hoped to establish some kind of communication with him, although I was really trying to write a story about him. I went outside my duty in the sense that I did try to establish some kind of communication. I rather quickly perceived that the best way to do this was to follow his lead and discuss economics. That is what interested him more than anything. He wasn't interested in talking about politics. He hadn't seen enough of Soviet society to discuss it very concretely, nor was I in a position to point out to him too much about its shortcomings, because I was a correspondent there, because my room wasn't a really private place for conversation, and so I tried really to point out its shortcomings in economic terms which seemed to be the surest way of reaching him, and it was the subject on which he had the most interest.

My notes therefore don't really reflect a great deal of that part of the conversation, because it meant nothing to me storywise at the time.

It wasn't what I was going to write about. And I wasn't too interested in it really. I was just trying to talk with him. And so when I talked to him, what I said wasn't recorded in the notes, and the gist of his reply was—of his replies were—that is about the exploitation of the worker. I tried to point out to him that in the stage of primary accumulation any society has to take more from the workers. They have to be paid less than they really create. So there is poverty and injustice everywhere. It was by way of trying to say to him that things were not so good in the Soviet Union if he just would look, because I wanted him to think before he did it. I assumed his act was irrevocable and I was very sorry for him. So all this was couched in economic language, which takes up time, and in which I wasn't really too interested. I did feel that when he left that if I only understood economics more—had only taken more interest in it when I studied it, I had only studied it a bit more—that I could have answered him, talked with him in terms that he could really respect, and that it might have caused him to think more about his action and might even have caused him to hesitate, and might have built up his respect for me sufficiently that I could become someone whom he would have come back to talk to and could have been some help to him.

And I felt that I had failed him in the sense that I could not talk to him in the one language that he really wanted to talk in and was interested in. I did as much as I could along those lines, but I felt that it had been inadequate in the situation in my own desire to help him.

Mr. SLAWSON. You used the term "economics." Do you mean by that, eco-

nomics in the sense of a Marxist versus Capitalist discussion, terms like you used, "primary accumulation," "exploitation," and so on?

Miss JOHNSON. Yes, a little better than exploitation, more in primary accumulation, and comparing the two systems. If I had been good at comparing the two systems and using economic verbiage—I guess that what I am saying is that if I had had long words about economics, been able to throw them around with some authority, he would have respected me. He did respect words, long words, language, and if I had seemed to have a key to some occult science that he didn't know about but was interested in, that this would have compelled his respect and might have brought him back. But I had taken a course in Soviet economics at Harvard where they had waived the requirement that you had studied the American economic system, and I had done all right in the course, but that really was where my economic training began and ended, and I just barely sustained my interest through the course.

I regreted very much after that conversation not having ever really studied economics formally, at least not knowing the terms.

I am so uninterested in it that if somebody tells me the words I forget them. It was that bad with me. This was the only real occasion where I was very sorry.

Mr. SLAWSON. In Commission Exhibit No. 911, which is John McVickar's memorandum to files about his conversation with you, he quotes you as saying, "Miss Johnson remarked that although he used long words and seemed in some ways well-read, he often used words incorrectly as though he had learned them from a dictionary."

Was that in reference to these economic discussions you had with Oswald?

Miss JOHNSON. Yes. I think really he didn't use long words too much about economics. I felt if I could have, I could have made an impression. Words were important to him. And he was not qualified, mind you, for a technical discussion of economics.

It wasn't that he was qualified for it. If I had been, I felt I would have had a value to him.

Mr. SLAWSON. I wish you would elaborate on this: What kind of knowledge you felt Lee Oswald had on economics, and his general ability to engage in abstract argument and discussion.

Miss JOHNSON. He liked to create the pretense, the impression that he was attracted to abstract discussion and was capable of engaging in it, and was drawn to it. But it was like pricking a balloon. I had the feeling that if you really did engage him on this ground, you very quickly would discover that he didn't have the capacity for a logical sustained argument about an abstract point on economics or on noneconomic, political matters or any matter, philosophical. Actually the conversation kept coming back to him, and this was not only my desire for an interview. It was the way he led it. He really talked about himself the whole time.

Whatever he was talking about was really Lee Oswald. He seemed to me to have really zero capacity for a sustained abstract discussion on economics or any other subject, and I didn't think he knew anything about economics.

In fact, if I had been a little smarter I would have just used the economic words that I could have remembered, compelled his respect and he wouldn't have known that I didn't know anything.

Mr. SLAWSON. You said that you did not get into much political discussion with him.

Miss JOHNSON. No, we didn't. Partly I couldn't engage him directly on the Soviet Union because I had a poor status there as a correspondent. I worked for the weakest of the American agencies. I was always in danger of being expelled with my visa expiring. Even then I was only on a 1 month visa, and at that only because of the spirit of Camp David. I had just barely gotten back in the country.

I was just there on sufferance, and I really couldn't show my hand politically, tell him anything I thought politically. He also didn't seem interested in a pointed political discussion about either society. He seemed to be able or willing to discuss in generalizations rather than in direct terms, a comparison of the two societies or anything like this. The point where I felt I could engage him was

on economics, and here we did go in for some comparisons of the two societies. That was all. But politics we hardly discussed, except when he brought it up. And he didn't bring it up in terms of people at all.

(Short recess.)

Mr. SLAWSON. Miss JOHNSON, I wonder if you would search your memory with the help of your notes and make any comments you could on what contacts Lee Oswald had had with Soviet officials before you saw him, any remarks he made or things you could read between the lines, and so on.

Miss JOHNSON. I was looking for contact between him and the secret police, and I wanted to find out if there had been such contact, and if so, how much and was he aware of it. And I came away impressed only with the fact that he was secretive, and not at all certain what his contacts had been, but assuming that there had been some, whether or not he was aware of it.

He was very reticent as to who he had seen, what agencies they represented. I asked him whether he had told Intourist of his intention, and his answer, which is on the record somewhere, I asked him if they were encouraging him, and he said they treat it like a legal formality. They don't encourage and don't discourage you.

"They do of course warn you that it is not easy to be accepted as a citizen of the Soviet Union." They were investigating the possibility of his studying.

I assumed that the police had told him he wasn't to see any of us, and that they would tell him when he left the hotel at the end of the week not to tell any one before he left. I asked him if Intourist knew about his intentions and he refused to answer.

He said he had had an interview with an official of the Soviet Government a few days later. I assume that means after his arrival. But "official of the Soviet Government" meant nothing and I didn't know what agency that official represented.

Also I had the impression, in fact he said, he hoped that his experience as a radar operator would make him more desirable to them. That was the only thing that really showed any lack of integrity in a way about him, a negative thing. That is, he felt he had something he could give them, something that would hurt his country in a way, or could, and that was the one thing that was quite negative, that he was holding out some kind of bait. That also indicated his extreme naivete, because they have plenty of radar operators, and I doubted that anything in that realm would be of use to them, although perhaps he knew codes and things.

I didn't know anything about that.

Mr. SLAWSON. Could you elaborate a little bit on that radar point. Had you been informed by the American Embassy at the time that he had told Richard Snyder that he had already volunteered to the Soviet officials that he had been a radar operator in the Marine Corps, and would give the Russian Government any secrets he had possessed?

Miss JOHNSON. I had no idea that he had told Snyder that, but he did tell me—I got the impression, I am not sure that it is in the notes or not, I certainly got the impression that he was using his radar training as a come-on to them, hoped that that would make him of some value to them, and I—

Mr. SLAWSON. This was something then that he must have volunteered to you, because you would not have known to ask about it?

Miss JOHNSON. Well, again I am not very military minded, and I couldn't have cared less, you know. But somehow along the line, if it is not in my notes then it is a memory, then it is one of the things I didn't write—well, one thing is you know I tend to write what I thought I might use in the story. But I wasn't going to write a particularly negative story about him. I wasn't going to write that he was using it as a come-on so I might not have transcribed it just simply for that reason, that it wasn't a part of my story.

But it definitely was an impression that he—and it was from him, certainly not from the Embassy, that he was using that as a come-on, and I sure didn't like that. But it didn't occur to me he might have military secrets. I just felt, well hell, he didn't have much as a radar operator that they need, although even there I didn't know.

Maybe there was some little twist in our radar technique that he might know.

It showed a lack of integrity in his personality, and that I remembered. What he might or might not have to offer them I didn't know.

About the other point, police interest, I assumed the police would be the first people to be interested, and that whether he knew it or not, he had talked to somebody from the police, that he was getting a favorable room rate because of this interest. That is what I was after the whole time. But I was struck only by his secretiveness in answer to this, and I couldn't make out whether he had something to hide, whether he didn't know really what the situation was, or whether he was simply a very secretive person.

Mr. SLAWSON. Did he tell you that he had this information which he was, you might say, holding out as bait to the Soviets, or that he had already given to the Soviet Government whatever expertise or information he might have had as a radar operator?

Miss JOHNSON. I think he told me—could you repeat your question?

Mr. SLAWSON. Well, I will put it in a different way. I wonder whether your memory is that Oswald was telling you that he had this information which he had not yet given to the Soviet Government, and hoped to use it as a means of convincing them to take him, or whether he had already given it to them?

Miss JOHNSON. No; he didn't tell me that he had any specific information, that he offered it, that he had told them, or that he would tell them. It was not that explicit. It was something like if his experience as a radar operator would be of any use to them, perhaps they would let him work as a radar operator. It was a little more pointed than that, because I realized that he was going to make available his radar experience, and that he did want to use it as a come-on.

It was a tiny bit, a little bit more pointed than that, but it was more in that category. If anything he learned as a radar operator in the Marines would be useful to them, he would give it to them, and he hoped to continue his training, something like that.

But it is not in my notes. It is memory, and it is the most negative recollection of him I had.

Mr. SLAWSON. Did he make any comments to you about having been interviewed by any Soviet newspaper reporters or radio reporters or anything of that type?

Miss JOHNSON. Well, of course that is an obvious question I ought to have asked him, since a visiting foreigner very quickly does get that kind of attention, but I didn't ask him.

Mr. SLAWSON. You did, I think, according to the statements you have made in these exhibits, ask him whether he had had any contacts with American Communists or other Communists before he came to the Soviet Union?

Miss JOHNSON. I wasn't as suspicious about this as I had been on the Soviet police angle, but he awakened my suspicions by his reticence. He seemed to have something to hide, and once again I didn't know whether he had something to hide or whether he was just very secretive, because I asked him what books he had read, and he wouldn't say. Yet he was certainly trying to give me the impression that he was a book-learned boy, and this comes about page 11 of my notes. We were talking about books, and we were talking about his contact with American Socialists or Communists about the same time.

So perhaps the way that the conversation led from one to the other gave me the impression that he wasn't naming books because he didn't want to hurt authors by suggesting that they had had anything to do—he was taking full responsibility—that they had had anything to do with his defection. But you would think he would have mentioned books because he was giving the impression that he was a boy who paid a lot of attention and he really read books.

Then Socialists and Communists, I wasn't too suspicious although I should have been. How did he get there? It wasn't easy at all for him to do. I was more impressed, awed by it, than I was inquisitive about where he might have been coached.

But he awakened me to the point that I should be inquisitive because of the very fact that he eluded, naming names, specified that he had no contacts with American Communists, going out of his way to stress it. I am sure that this part of our conversation was quite a bit longer than came out in my notes. Again you know I had no idea that he was going to ever be at all important.

But it was he who put the emphasis on lack of contacts with American Communists. He said American Socialists were to be shunned by anybody with an interest in progressive ideology. I probably brought them up rather than the Communists first, just as his interest in Socialist literature.

He answered, "Well, they were to be shunned." This was an emphatic reply to what was probably a very vague, general, unemphatic question. And he called them "a dormant flag-waving organization."

So that woke me up and I asked him what about American Communists, and he said—he was very emphatic here and again probably at more length than was in the notes—that only through reading literature and observing, but he wouldn't name what literature, American Communists "(I never saw an American Communist)" he said, and I put that in parentheses because I was that uninterested, really. I didn't make it anything but a parenthetical observation, but only through reading did he conclude it was best. In other words it was he who had tried to emphasize that there had not been people involved.

Retrospectively I see that this was important, that there may have been people involved.

Mr. SLAWSON. You say retrospectively you see that it was important. Do you mean by that that you see now it was very important to him that he establish to you that he had come only on his own?

Miss JOHNSON. Well, I saw then that it was important to him to establish this to me. My story reflects whatever importance I gave it at the time. But if I knew about him then a tenth of what I know now, I would have tried to pin him down even more on it, that he might have had coaching.

It is also the sort of thing that comes out more clearly when you look at your notes and you think about a person afterwards, just-how-did-he-get-here kind of a thing.

How does a boy like this who doesn't know his way around Moscow find his way here? But at the time I was talking to him, I had less interest really than in any help he may have had on the Soviet side.

Mr. SLAWSON. Trying to divorce what you now know from what you knew then, did he go into any detail at all about his life before he came to Russia, his life in the Marine Corps particularly?

Miss JOHNSON. The only details there were about his experience abroad. He said literally nothing about his experience in the Marine Corps in the United States except that he was studying Russian then. He did speak about his experience in the Marine Corps abroad in Japan, in the Philippines, and he indicated that he hated to be part of it, you know, "oppressing power." He said he had been part of an invasion of Indonesia in March 1958, that there was a Communist-inspired social turnover, that they had to sit off the coast in ships with enough ammunition to intervene. He was told that they might have had to go in in Suez in 1956.

He had been in Japan and the Philippines, and he hated to participate in what he viewed as American imperialism, but details of his life in the Marine Corps he didn't go into at all.

Mr. SLAWSON. At that time did you yourself speak a fair amount of Russian?

Miss JOHNSON. Yes.

Mr. SLAWSON. Were you able to judge his facility in that language?

Miss JOHNSON. No; because our conversation was totally in English. It was he who volunteered about his linguistic competence, and I think that he said that while the Berlitz method had helped him learn to read and write, and I queried "write" because writing is even harder than speaking, it hadn't taught him to speak. And he indicated considerable helplessness in the language. There are a number of things not in the notes, such as perhaps this, about the language, there was more than is in the notes.

His helplessness about the city, the fact that he had only been on one walk by himself is not in my notes, but it is in my story. There are a few things like that that weren't in the notes, but that came across very clearly. I had the feeling that he felt quite helpless in Russian, not that he hadn't studied it but he simply didn't find the study was useful in his day-to-day getting around the city.

Mr. SLAWSON. Your article quotes Oswald as saying that he used Berlitz

methods in learning the language. Does your memory have anything to add to that as to what exactly he might have meant?

Miss JOHNSON. Yes. This was another point where he struck me as really rather elusive about an innocent enough subject. I see on page 3, he said, "I started learning Russian a year ago along with my other preparations."

Well, his saying "along with my other preparations" took my interest at the time. What were they? Whether I tried to find out more about what they were and failed and therefore that is not in the notes, but he threw it out and he then didn't really deliver as far as detailing them. He said, "I was able to teach myself to read and write from Berlitz. I still have trouble speaking."

So I said, "Well, how did you teach yourself to read and write from Berlitz? Did you just get a textbook or did you go into some city nearby for lessons at a school?" And he wouldn't answer, and that struck me as one hell of a—I mean a strange thing to be elusive about. Why, learning a language is just something you can tell somebody, so I thought.

So I said, "Practice or a teacher? Did you have a teacher or did you just do it from practice?" And he wouldn't say. And then that got me sufficiently curious that I asked him on what money he had come to the Soviet Union. That was my next question. He did have a way of a little bit piquing your curiosity and then failing to deliver.

He liked to play cat and mouse with your curiosity.

Mr. SLAWSON. Can you go into and describe what kind of assurances Oswald said he had been given at that time about his ability to stay indefinitely in the Soviet Union, or lack of assurances?

Miss JOHNSON. This was a point on which his anxiety was patent, and he said almost at the beginning of the interview, "They have confirmed the fact that I will not have to leave the Soviet Union, be forced to leave even if the Supreme Soviet refuses my request for Soviet citizenship."

This came up repeatedly in the conversation, that he was anxious, that he had been very anxious that he would be forced to go—what was your question exactly again?

Mr. SLAWSON. I think you are already addressing yourself to it. I am interested in what Oswald told you about how sure he was at that time that he would be permitted to stay in the Soviet Union.

Miss JOHNSON. Well, he had by that time been told that he wouldn't have to leave, and as it had obviously been very recently that he had been told. It was obviously also an enormous relief to him but he hadn't quite recovered from the anxiety he had felt before the assurance, because it kept coming up again and again. In fact, he even—

Mr. SLAWSON. Could you state for the record what kept coming up again and again? I mean, what did he tell you he had been told?

Miss JOHNSON. The fact that he could stay in the Soviet Union as a resident alien even if he did not receive Soviet citizenship, that he wouldn't have to leave the country. It came up almost as a leit motif of this conversation, his anxiety about staying, and his recent reassurance by them that he could remain as a resident alien had not altogether quelled the anxiety which was still alive, even though the assurance was there.

He was holding on to it and repeating it, you know, reiterating it as though it gave him something to hold on to. In fact, he did give this as a reason for his talking to me, that he no longer was afraid that by talking to a foreigner he would be compromising his ability to stay. In other words, all the time I was also curious really as to just what he was. Was he a publicity seeker? Was he doing it for that reason? And so he said he wouldn't have talked, that he would have given no statement to the press, which was a rather pretentious way I guess of describing his utterances up to that time, if the Embassy hadn't already released it, and he wouldn't have said anything to anyone if they hadn't released it.

This was another reason for his being mad at the Embassy. Then he went on to say as another reason for talking—he was already inconsistent there—he would like to give his side of the story and give the people of the United States something to think about.

And then on top of that, that having been assured "I would not have to return

to the United States I assumed it would be safe for me to give my side of the story," and at the time I underlined the word "safe." Why did he think it would be unsafe, and "my side of the story"? He is assuming that the Embassy is giving out a negative story about him. He was paranoid. I mean he assumed that they were saying nasty things about him and he wanted to set the record straight. This told me something about him already at the beginning of the interview, that he really was a little bit paranoid.

Mr. SLAWSON. I have intentionally asked you of your impressions on this point, without giving you some other information that we have, and I now want to give that information to you and see whether in the light of this, what is your interpretation of Oswald's attitude at that time.

His historic diary, which is Commission Exhibit No. 24, has an entry that on November 15 he interviewed Aline Mosby. That is incorrect, probably a day late. It was probably the 14th or the 13th. On November 16, which he places as the day after he interviewed her, he has the following entry:

"A Russian official comes to my room, asks how I am, notifies me I can remain in U.S.S.R. 'til some solution is found with what to do with me. It is comforting news for me."

Miss JOHNSON. That was the 16th.

Mr. SLAWSON. But I say, do not take the dates correctly except that one date comes after another, because he also placed the interview with Mosby the 15th, which we know must have been at least as early as the 14th, and possibly as early as the 13th.

Miss JOHNSON. In other words—yes; but that might help account for the fullness. Either he is lying; i.e., really he is misled, or not lying but confused about his reason for talking to me, and I think he was.

Mr. SLAWSON. But I think that the significance of the entry is that the promise that he could stay was very distinctly qualified.

Miss JOHNSON. "Until some solution——"

Mr. SLAWSON. "Is found what to do with me."

Miss JOHNSON. That is interesting: "until some solution." The way he put it to me was, and he put it more than once, it is in the notes, "even if they refuse that, I won't have to leave."

I imagine that his talking to me for so long, however, could be partly because he did feel the heat was off him in some way. That might be one reason. Another thing is that leads me to date my own interview the 17th, because for some reason I have the feeling that that information has been conveyed to him on the day before I talked to him.

Mr. SLAWSON. I don't think this is a basis for your dating your interview on the 17th, because I think he has everything moved up a day here. He puts the Mosby interview on the 15th which we know was on the 14th, so he probably puts the Russian officials coming to his room on the 16th when it probably occurred on the 15th.

Miss JOHNSON. That would be a Sunday. But Soviet officials do do things on Sundays. They definitely do. But even so, it is more likely that that happened on the 14th, Mosby on the 13th. That is possible, too.

Mr. SLAWSON. Yes.

Miss JOHNSON. So they had just simply said until—in other words, he is inexact for all his legalism. Either he is confused and inexact, or he was misleading purposely. He may have misunderstood the official, thought the official was promising more than he was.

Mr. SLAWSON. It could be, except that this of course is his diary entry, so he must have known what he was writing there, unless he wrote it down much later. In other words, it is possible that he made the entry in the diary at a much later time when he then realized that the promise had been qualified, and was under the impression when he spoke to you that he had received an unconditional promise. But the reason I brought this up was whether with the insight that he may have known when he spoke to you, that he had not quite received the unconditional promise he purported to have received, does this give you any further insight on him? I don't want you to just speculate here.

Miss JOHNSON. Well, whether he viewed publicity as actually perhaps helping his case, or whether enjoying the sense of importance that publicity gave him,

he was rationalizing it by thinking that he was manipulating the situation to his advantage by having a little more publicity.

This is the only thing I wonder. Or possibly it was simply relief. He did use the word "safe," that he felt it would be safe.

Mr. SLAWSON. I think we have about got out all on that point we can. Could you elaborate a little more on Oswald's attitude toward the Embassy's reluctance to permit him to renounce his citizenship, on what he felt the Embassy was doing here, and what your impression was what the Embassy was doing?

Miss JOHNSON. My impression from talking to John McVickar was that the Embassy had tried to give him a cooling off period, to be sure he knew what he was doing, but that it had also written him, informed him in writing that he could renounce his citizenship and he had a perfect right to come in and do so. The Embassy's behavior had been correct, and on the side it was trying to be humane, giving him time to think out what he was doing.

Mr. SLAWSON. Did he show you the letter the Embassy had written him?

Miss JOHNSON. He showed me two letters, and I think he asked me something about them. I was very amused, because the Embassy was his scapegoat, and he did keep bringing it up. But this contrasted with really the correctness of the letters that he showed me from them, and it contrasted with the rather kindly attitude that Mr. McVickar had. And then on top of that he kept saying he shouldn't be too mad at them, but he indicated that he was very very mad at them indeed.

He said November 1 he had written a letter of protest to the Ambassador protesting the way Snyder had carried out his duties, and had received a letter back, and he then gave me, showed me the letter. But my impression is that he showed me two letters.

Mr. SLAWSON. Perhaps I can refresh your recollection a little. I am now on page 6 of your exhibit No. 5, in which you quote from a letter from the State Department which he showed you.

Miss JOHNSON. This is Mr. Thompson's letter. He did show it to me. I remember now that he showed me the letter.

Mr. SLAWSON. A letter from Mr. Thompson?

Miss JOHNSON. From Ambassador Thompson. Well, I am not sure. He said he wrote a letter of protest to the U.S. Ambassador, and he received this letter back. But it may have been that the letter was signed by Mr. Snyder.

Mr. SLAWSON. Yes. Do you think that your recollection of two letters may be that one he wrote and the other he received, or do you distinctly remember that he received two which he showed you?

Miss JOHNSON. I thought he showed me two things, but the only one I wrote anything about was the Embassy's reply, and either my memory has mis-carried and he only showed me one letter, or I simply don't recollect what the other one was.

Mr. SLAWSON. Is it correct that the Embassy reply you are referring to is the one that is quoted on page 6?

Miss JOHNSON. Right.

Mr. SLAWSON. Of your exhibit No. 5?

Miss JOHNSON. Right.

Mr. SLAWSON. Did he show you any communications he had received from his family or anybody else?

Miss JOHNSON. No. He told me that—again there is a little more here than is in the notes but it is partly a matter of impression. He was avoiding hearing from them, and they called him, and he said it was to ask him to come back, and he wouldn't answer. How did he know they were asking him to come back if he didn't answer? He was full of those kinds of contradictions, but that he was avoiding them. As far as I recollect he didn't show me anything from his family.

Mr. SLAWSON. Did he tell you why he was avoiding communications with his family?

Miss JOHNSON. No.

Mr. SLAWSON. Did he—

Miss JOHNSON. Well, maybe he felt his resolve was shaky. I felt his re-

solve was shaky, and maybe he felt so too, and he was afraid if he talked to them they would talk him out of it.

Mr. SLAWSON. In one of your exhibits you comment on his reply to one of your questions, that if he was so adamant on wanting to renounce his American citizenship, he could do so by going back to the Embassy, and that he had been so informed in the letter. His reply to that, according to your exhibits, was that they would simply give him the same runaround again. Do you have anything to add to that?

Miss JOHNSON. Well, it has come up. It is in the notes several times here, and I may not catch it each time. But I think I have already spoken for the record my impression that he was really not consistent about the Embassy, or I might say just putting it a little more strongly and editorially, he was not quite honest, because he claimed he was so mad he wouldn't go back, yet he was so firm in his resolve as a great big man, that he was going to give up his citizenship, you know.

But I pointed out to him that this seemed to me to be pique, boyish pique. Whether I actually said it, you know, I probably didn't quite, but that is what I thought. He was indulging himself. If he was really so resolved to give up his citizenship, then why let a little thing like annoyance over his October the 31st interview stand in the way of doing this, which he felt was an important principle and act? And I did point out to him the discrepancies in a gentler way than I honestly thought. The answers in my notes reflect his response to this, not the way that I put it to him, that he wouldn't go back because of this and that.

He did show me the letter, but my impression is that he wanted to know whether I thought that the letter was proper treatment. Showing it to me was to me an indication of his very legal approach, legalistic approach to things, and it seemed to me of course nothing exceptional about the letter. You see there he knew what he could do, and he was in light of that refusing to go to the Embassy. That seemed to me very immature, and from the standpoint of his stated principles, very inconsistent.

Mr. SLAWSON. I just have one final question here. I would like to bring together—

Miss JOHNSON. Excuse me, could I add something there?

Mr. SLAWSON. Yes.

Miss JOHNSON. And that really was one more thing that led me to think that he was less than certain about his attempt to defect. Well, leaving himself this loophole was it seemed to me important, it seemed important at the time, and he knew he was doing it, because I pointed it out to him. He knew he was doing it, and he got out of it by whatever it was he said to me. I can't isolate all the comments in the notes, but they are all there. He got out of it, but he knew he was doing it.

Mr. SLAWSON. But you felt that all these comments then were more or less excuses made up in his own mind, either consciously or unconsciously, that he was—excuses for not going back to the Embassy to make this final step of dissolving his citizenship?

Miss JOHNSON. And that behind what appeared to me to be boyish pique lay something else. He was leaving himself a way out, and I was fully aware of it at the time.

Mr. SLAWSON. We previously have discussed how much he probably was paying for his hotel room at various times, and for his meals. I bring to your attention one of your statements in the exhibits, that he said he had been living on Intourist vouchers for 10 days, and we have already gone into what 10 days probably meant. Did he make any other comments that would relate to how much money his attempt to defect was costing him?

Miss JOHNSON. Finance was certainly something I talked to him about, and it was something he was notably elusive about, and again he said he was paying the standard rate. "I want to make it clear they are not sponsoring me." Naturally I wanted to know on what money he got there, and it was in response to this that he told me the itinerary by which he came, by which he said he came, that is from New Orleans to Le Havre, to Helsinki. He gave me his route.

Whether it was the true route I don't know, but he gave me what he said was

the route, and the method of transport. He said he left from New Orleans September 19. I wasn't absolutely sure that was the date he gave me, on a Friday by ship. Actually the 19th was a Saturday. And he might have left on the 18th. That it took him 12 days to get to Le Havre, that he booked a flight to Helsinki but you couldn't fly to Helsinki from Le Havre. You would have to fly from Paris.

Mr. SLAWSON. Actually he flew from London. He went from Le Havre to London and then Helsinki.

Miss JOHNSON. By the same ship?

Mr. SLAWSON. No; by airplane I believe. Anyway he disembarked on the ship at Le Havre, as he told you, then went from there to London I believe by airplane, although I am not certain. But then he went by airplane from London to Helsinki.

Miss JOHNSON. Yes; actually he got his visa in London probably.

Mr. SLAWSON. Well, I do know some of these facts, but I would like you to go on the best of your recollection.

Miss JOHNSON. He said nothing about London at all. I never was sure how the hell he got to Helsinki, but he said he went by train from Helsinki to Moscow, and he repeated that for 10 days he had been on those vouchers.

Mr. SLAWSON. Did he indicate to you anything about how he got his visa?

Miss JOHNSON. No; not at all. I may well have asked him too. A question and a nonreply, though, are not recorded in my notes, but I may well have asked him. On the other hand I think I would have remembered if he had said anything. If he just evaded the way he evaded a lot, I might not have put it down, because evasion was really quite characteristic of him. But of course I was curious where he got it, and how. And I do have \$30 written down here as the rate. You know there was a businessman's rate of \$12 a day at that time, and also the \$30 rate I am telling you is as of that time because it is now \$35. But I do have \$30 written down, so I assumed that he specified that he was there at the \$30 rate those 10 days, not the \$12. No; he said nothing about a visa, and of course I was curious.

Mr. SLAWSON. I have no more specific questions, Miss Johnson. If you have anything at all to add, or any further comments you want to make, please go ahead and do so.

Miss JOHNSON. No; I don't.

Mr. SLAWSON. Thank you very much for coming here.

Miss JOHNSON. Thank you.

TESTIMONY OF ERIC ROGERS

The testimony of Eric Rogers was taken on July 21, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Eric Rogers, having been first duly sworn, was examined and testified as follows:

Mr. LIEBELER. Mr. Rogers, I am an attorney on the staff of the President's Commission. I think I met you one day.

Mr. ROGERS. I remember you; yes, sir.

Mr. LIEBELER. I wanted to ask you a few questions about Oswald. I am questioning you under authority granted to me by the Commission under Executive Order No. 11130, dated November 29, 1963, and joint resolution of Congress, No. 137.

You are entitled to have an attorney if you want to and you don't have to answer any questions if you feel that they are incriminating.

Mr. ROGERS. Well, I can't answer what I don't know. I will tell you just what I told them, you see. That's all I saw.

Mr. LIEBELER. Mr. Rogers, am I correct in understanding that you lived at 4907 Magazine Street during the period last summer when—

Mr. ROGERS. I did ; a few months.

Mr. LIEBELER. When did you move there ?

Mr. ROGERS. It was around in the—in July, around July.

Mr. LIEBELER. Was Oswald there ?

Mr. ROGERS. He was there for a short period of time.

Mr. LIEBELER. You lived right next door to Oswald ?

Mr. ROGERS. My apartment was in the front and my window was right next—near his apartment.

Mr. LIEBELER. You met Oswald and came to know him ? Did you ever meet him ?

Mr. ROGERS. No ; I never met him. He didn't bid the time to anyone.

Mr. LIEBELER. Did you talk to him or anything ?

Mr. ROGERS. No ; never did.

Mr. LIEBELER. Did you know what his name was ?

Mr. ROGERS. Just by mail coming in the box on the front.

Mr. LIEBELER. Did you ever talk to his wife ?

Mr. ROGERS. She spoke Russian. She did bid the time of day, that's all, but he didn't. He wouldn't bid the time to no one.

Mr. LIEBELER. Did they ever have any arguments that you know of ?

Mr. ROGERS. Some spats, but in Russian, looked like. You know what I mean ?

Mr. LIEBELER. They spoke Russian and you couldn't understand what they were saying ?

Mr. ROGERS. Yes, sir.

Mr. LIEBELER. Did you ever see Oswald have any visitors at his apartment ?

Mr. ROGERS. He had no one. Had some kind of a dark fellow asked where he lived.

Mr. LIEBELER. Did he appear to be a Cuban ?

Mr. ROGERS. Yes ; Spanish type of person.

Mr. LIEBELER. Was that in August, do you remember ?

Mr. ROGERS. Around that time. I believe it was around that time.

Mr. LIEBELER. Now do you remember anybody else that visited Oswald at his apartment ?

Mr. ROGERS. Probably at the time they had this—you know—Fair Play for Cuba, something like that. I think they were radio interviewers, I think. Looked like local people. Didn't look like—heard him saying something about wanting to play on radio. That's all.

Mr. LIEBELER. You don't remember any other ones ?

Mr. ROGERS. Not that I know of unless I was at work. I wasn't there all the time.

Mr. LIEBELER. Your wife was in the hospital part of this time, is that correct ?

Mr. ROGERS. That's right.

Mr. LIEBELER. Did you work at that time, sir ?

Mr. ROGERS. No ; I wasn't working at that time. See, Mr. Liebeler, I am on pension, you see. I am only allowed to make so much a year because of the pension, you see.

Mr. LIEBELER. I see. Did you ever see Oswald sitting on the front porch ?

Mr. ROGERS. Oh, yes ; with books, reading.

Mr. LIEBELER. Did he read a lot ?

Mr. ROGERS. Yes.

Mr. LIEBELER. Did you ever see any rifle or firearms of any type in his possession at that time ?

Mr. ROGERS. No ; I never. We did see one time some—the mailman brought a big package in. I wouldn't say what it was, of course. I guess they checked that through the mail.

Mr. LIEBELER. When was that ?

Mr. ROGERS. It was in the summer, some time before he left, somewhere around that time.

Mr. LIEBELER. Oswald's apartment had a little porch in the front ?

Mr. ROGERS. Screened porch.

Mr. LIEBELER. It had blinds in it, too, that you could let down, did it not ?

Mr. ROGERS. Yes.

Mr. LIEBELER. So it would have been possible for him to have sat in that porch and you couldn't see him very well from the street?

Mr. ROGERS. He wouldn't discuss anything on the porch. He would go in the house.

Mr. LIEBELER. Would it have been possible to sit in that porch and drop the blinds so that people couldn't see you?

Mr. ROGERS. It could be possible. I don't know. I never—I seen him sitting down there and go in and out, coming in and out.

Mr. LIEBELER. We talked to you previously out at the apartment, and my recollection is that you told us that some time in September, I believe, that a station wagon came and picked up Mrs. Oswald.

Mr. ROGERS. That was the time he left town.

Mr. LIEBELER. Tell us about that.

Mr. ROGERS. The station wagon was visible. I called my wife. I said, "Well, he must be leaving." They were packing all the things. Probably left the next night or sometime like I told you, the following night after. Had the two things in his hand and goggles on like he was running out of there. I don't know what he was doing.

Mr. LIEBELER. Tell us about those goggles. Were they something like sunglasses? Describe them.

Mr. ROGERS. I don't know. I couldn't say that.

Mr. LIEBELER. Did you see what license plates the station wagon had on it?

Mr. ROGERS. No, Mr. Liebeler, I couldn't tell you on that. Kind of a gray station wagon. He was putting the packing, everything in that himself.

Mr. LIEBELER. Do you know when the station wagon left?

Mr. ROGERS. Well, I told my wife—she said she might have left early in the morning before we got up, with the lady.

Mr. LIEBELER. You think that she might have left with the lady?

Mr. ROGERS. Yes. Then he left that night or late afternoon. Went out in a hurry. Left all the lights on.

Mr. LIEBELER. Who was in the station wagon? Was there another lady?

Mr. ROGERS. Yes.

Mr. LIEBELER. Did you see the station wagon leave?

Mr. ROGERS. We didn't see it leave, but it wasn't there when he left. There was nobody else evidently.

Mr. LIEBELER. Did you see Oswald at all after the station wagon left?

Mr. ROGERS. No; I didn't see him until that night. He slipped out of there. He was going out to catch the bus across the street. The bus stop is right across the street from us.

Mr. LIEBELER. You did see Oswald come out of the apartment in the evening?

Mr. ROGERS. Yes. We was sitting on the porch at that time.

Mr. LIEBELER. So it is clear to you that Oswald did not leave with the ladies in the station wagon?

Mr. ROGERS. No; he didn't leave with them in the station wagon. It was the following evening he left on the bus with these two handbags.

Mr. LIEBELER. That was in the evening?

Mr. ROGERS. Yes.

Mr. LIEBELER. He ran across the street and got on the bus?

Mr. ROGERS. That's right.

Mr. LIEBELER. Did he get on the bus at the bus stop?

Mr. ROGERS. Bus stop on the corner right opposite.

Mr. LIEBELER. Toward the center of the city?

Mr. ROGERS. Yes.

Mr. LIEBELER. Did you see the bags that he had in his hand when he went out?

Mr. ROGERS. My wife seen some of them.

Mr. LIEBELER (handing pictures to witness). Let me show you some pictures and see if these look like it.

Mr. ROGERS (indicating). This middle one, I know that ain't the type there. That's not the type.

Mr. LIEBELER (handing picture to witness). I show you a picture of a bag that has been marked as "Commission Exhibit No. 126," and ask you if that looks like the bag.

Mr. ROGERS. That's it. That's it.

Mr. LIEBELER. Does that look like one of the bags?

Mr. ROGERS. That looks to me like it was.

Mr. LIEBELER (handing picture to witness). Now I show you a picture which we will mark Rogers Exhibit No. 1, showing two views of a bag. Does it look like the one Oswald had?

Mr. ROGERS. You mean—he had two of them.

Mr. LIEBELER. How many did he have?

Mr. ROGERS. He had two of them in my estimation, each one in one hand. They looked like these here to me, to my knowledge. I mean, yes. I don't think it was this type [indicating]. I would say this type [indicating].

Mr. LIEBELER. And you are pointing to No. A-1, which is a picture of Commission Exhibit No. 126 and do you think he had two bags that looked like "Commission Exhibit No. 126." Did he carry both in one hand?

Mr. ROGERS. One in each hand.

Mr. LIEBELER. As far as you can tell, he did not have a bag similar to Rogers Exhibit No. 1?

Mr. ROGERS. No, no. It was kind of daylight. You could see. You know what I mean?

Mr. LIEBELER. What makes you sure that he didn't have one like Rogers Exhibit No. 1? Is it a different size?

Mr. ROGERS. It was—they both look like the same size, and they were well packed. They were well stuffed. I know they wasn't light. I don't know what he had in them.

Mr. LIEBELER. So in your estimation, he had two bags like Exhibit 126?

Mr. ROGERS. If I am not mistaken, they are the two bags that my wife and I identified when they came over to the house, somebody from Oklahoma. He was transferred down here.

Mr. LIEBELER. An FBI agent?

Mr. ROGERS. Yes.

Mr. LIEBELER. They actually brought the bags over?

Mr. ROGERS. They had the pictures like this.

Mr. LIEBELER. Did he show you pictures like these two that I have got here?

Mr. ROGERS. Sure did.

Mr. LIEBELER. They had bags like Exhibit 126?

Mr. ROGERS. Yes. This is the type. That's the green type of looking luggage.

Mr. LIEBELER. You say again that he did not have a bag that looked like Rogers Exhibit No. 1?

Mr. ROGERS. Yes.

Mr. LIEBELER. Now, did Oswald leave as far as you can tell on the same day that the station wagon left, or on the next day?

Mr. ROGERS. Well, they packed that night and, yes; they left on the same day, the following evening.

Mr. LIEBELER. They packed the station wagon on one day and the next day you looked out and the station wagon was gone?

Mr. ROGERS. He left that following evening. I figured he was moving. I don't know. If he was moving, he was supposed to tell the landlord.

Mr. LIEBELER. Did he talk to the landlord about it?

Mr. ROGERS. No; but she knew about it. He didn't talk to her. He didn't talk to nobody. He would give you the money and wouldn't say nothing. He was quiet himself, that's all.

Mr. LIEBELER (handing picture to witness). I am going to show you a picture that has been marked "Bringuier Exhibit No. 1," and ask you if you recognize anybody in that picture.

Mr. ROGERS. Wait. Let me get my glasses on. I can see better this way. [Examining picture.] No, Mr. Liebeler, I don't think. I don't think. No; I don't think I know any one in there.

Mr. LIEBELER (handing picture to witness). I show you a picture that has been marked "Garner Exhibit No. 1," and ask you if you recognize any individual that is in that picture.

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

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

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

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

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

Mr. LIEBELER. He kept pretty much to himself?

Mr. ROGERS. Yes.

TESTIMONY OF JAMES LEHRER

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

Mr. LIEBELER. Will you please stand and take the oath? Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEHRER. I do.

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

Mr. LEHRER. Yes, sir.

Mr. LIEBELER. Please state your name.

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

Mr. LIEBELER. When and where were you born?

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

Mr. LIEBELER. Where do you live?

Mr. LEHRER. Dallas; 3709 West Beverly.

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

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

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

Mr. LEHRER. Journalism.

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

Mr. LEHRER. Yes.

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

Mr. LEHRER. Nearly 3 years.

Mr. LIEBELER. What is your job over there?

Mr. LEHRER. I am a reporter.

Mr. LIEBELER. Do you cover a specific beat?

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

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

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

Mr. LIEBELER. Before that?

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

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

Mr. LEHRER. I did.

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

Mr. LEHRER. Yes, sir.

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

Mr. LEHRER. Yes.

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

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

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

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

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

Mr. LEHRER. Yes; I do.

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

Mr. LEHRER. Yes.

Mr. LIEBELER. And he was at that time?

Mr. LEHRER. Right.

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

Mr. LEHRER. Yes, sir.

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

Mr. LEHRER. Right.

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

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

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

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

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

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

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

Mr. LIEBELER. What leads you to that assumption?

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

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

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

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

Mr. LEHRER. That's right.

Mr. LIEBELER. And he proceeded to do it?

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

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

Mr. LEHRER. That's right.

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

Mr. LEHRER. That's right.

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

Mr. LEHRER. Right.

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

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

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

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

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

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

Mr. LEHRER. Yes.

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

Mr. LEHRER. A little bit.

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

Mr. LEHRER. Yes; that Ryder was here.

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

Mr. LEHRER. Right.

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

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

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

Mr. LEHRER. No.

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

Mr. LEHRER. That's what I understand.

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

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

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

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

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

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

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

Mr. LEHRER. Thank you.

Mr. LIEBELER. We appreciate your cooperation.

Mr. LEHRER. All right.

AFFIDAVIT OF BARDWELL D. ODUM

The following affidavit was executed by Bardwell D. Odum on July 10, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

I, Bardwell D. Odum, having first been duly sworn, depose as follows:

I am presently a Special Agent of the Federal Bureau of Investigation, U.S. Department of Justice, and have been employed in such a capacity since June 15, 1942.

On November 23, 1963, while acting officially in my capacity as a Special Agent of the Federal Bureau of Investigation, I obtained a photograph of an unknown individual, furnished to the Federal Bureau of Investigation by the Central Intelligence Agency, and proceeded to the Executive Inn, a motel, at Dallas, Texas, where Marina Oswald was staying.

In view of the source of this picture, and, in order to remove all background data which might possibly have disclosed the location where the picture was taken, I trimmed off the background. The straight cuts made were more quickly done than a complete trimming of the silhouette and I considered them as effective for the desired purpose.

I desired to show this photograph to Marina Oswald in an attempt to identify the individual portrayed in the photograph and to determine if he was an associate of Lee Harvey Oswald.

It was raining and almost dark. I went to the door of Marina Oswald's room and knocked, identifying myself. Marguerite Oswald opened the door slightly and, upon being informed that I wished to speak to Marina Oswald, told me that Marina Oswald was completely exhausted and could not be interviewed. Marguerite Oswald did not admit me to the motel room. I told her I desired to show a photograph to Marina Oswald, and Marguerite Oswald again said that Marina was completely exhausted and could not be interviewed due to that fact. I then showed Marguerite Oswald the photograph in question. She looked at it briefly and stated that she had never seen this individual. I then departed the Executive Inn. The conversation with Marguerite Oswald and the exhibition of the photograph took place while I was standing outside the door to the room and Marguerite Oswald was standing inside with the door slightly ajar.

Attached hereto are two photographic copies of the front and back of a photograph.* I have examined these copies and they are exact copies of the photograph of the unknown individual which I showed to Mrs. Marguerite Oswald on November 23, 1963.

Signed this 10th day of July 1964.

(S) Bardwell D. Odum,
BARDWELL D. ODUM.

AFFIDAVIT OF JAMES R. MALLEY

The following affidavit was executed by James R. Malley on July 14, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

DISTRICT OF COLUMBIA, ss:

I, James R. Malley, Inspector, Federal Bureau of Investigation, Department of Justice, being first duly sworn, depose as follows:

*The photograph referred to in the above affidavit of Special Agent Bardwell D. Odum appears in the exhibit volumes as Odum Exhibit No. 1.

In accordance with a request by Mr. Howard P. Willens, a member of the staff of the President's Commission on the Assassination of President Kennedy, I transmitted to the Commission on February 11, 1964, a copy of a photograph of an unidentified man which was made available to the Federal Bureau of Investigation by the Central Intelligence Agency.

Prior to transmitting the aforementioned copy of this photograph to the President's Commission, I used a scissors and trimmed from the photograph all background which surrounded the head, shoulders and arms of the unidentified individual. I did this, inasmuch as the Central Intelligence Agency had previously advised that it had no objection to this Bureau furnishing a copy of this photograph to the President's Commission with all background eliminated.

I have examined a copy of Commission Exhibit 237, which is attached,* and it appears such exhibit was made from the copy of the photograph of the unidentified individual which I cropped and transmitted to Mr. Willens on February 11, 1964.

To my knowledge, the identity of the unknown individual depicted in the copy of the photograph which I transmitted to Mr. Willens on February 11, 1964, has not been established.

I have reviewed records of the Federal Bureau of Investigation in this particular matter and such records disclose that a duplicate copy of this same photograph was cropped in a different shape to remove background by Special Agent Bardwell D. Odum of the Dallas Office of the Federal Bureau of Investigation and was then exhibited to Mrs. Marguerite Oswald by Special Agent Odum on November 23, 1963.

Signed this 14th day of July 1964, at Washington, D.C.

(S) James R. Malley,
JAMES R. MALLEY.

AFFIDAVIT OF RICHARD HELMS

The following affidavit was executed by Richard Helms on August 7, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF VIRGINIA,
County of Fairfax, ss:

Richard Helms, being duly sworn says:

1. I am the Deputy Director for Plans of the Central Intelligence Agency.
2. I base this affidavit on my personal knowledge of the affairs of the Central Intelligence Agency and on detailed inquiries of those officers and employees within my supervision who would have knowledge about any photographs furnished by that Agency to the Federal Bureau of Investigation.
3. I have personally examined the photograph which has been marked Commission Exhibit No. 237, a copy of which is attached to the affidavit of Inspector James R. Malley, dated July 14, 1964, and the photograph attached to the affidavit of Special Agent Bardwell D. Odum dated July 10, 1964.
4. Those photographs are partial copies of a photograph furnished by the Central Intelligence Agency to the Federal Bureau of Investigation on November 22, 1963. They are referred to as partial only because, on information and belief, Odum and Malley personally trimmed or cropped their copies of the photograph to exclude the background against which the individual portrayed in these photographs is depicted in the original photograph.
5. The figure portrayed in those photographs is the same individual portrayed in the original photograph.

*The photograph referred to in the above affidavit of Inspector James R. Malley is identical to Commission Exhibit No. 237 and appears in the exhibit volumes.

6. The original photograph was taken outside of the continental United States sometime during the period July 1, 1963 to November 23, 1963.

Signed this 7th day of August 1964.

(S) Richard Helms.
RICHARD HELMS.

AFFIDAVIT OF PETER MEGARGEE BROWN

The following affidavit was executed by Peter Megargee Brown on May 13, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF NEW YORK,
County of New York, ss:

Peter Megargee Brown, being duly sworn, says:

I am a member of the firm of Cadwalader, Wickersham & Taft, counsel for the Community Service Society and am familiar with the papers and records in the possession of the Society relating to Lee Harvey Oswald.

This firm has caused a search of the files of Community Service Society under my supervision which reveals one file entitled "Marguerite Claverie Oswald #219055". The foregoing file is now in the possession of the deponent. To the best of my knowledge this file contains the only papers relating to Lee Harvey Oswald in the possession or control of the Community Service Society. Accordingly under my supervision photostatic copies have been made of this entire file, such copies being attached to this affidavit.

In information and belief the attached photostatic copies* are of the entire file and comprise all the papers relating to Lee Harvey Oswald in the possession and control of the Community Service Society or its counsel.

Signed this 13th day of May 1964.

(S) Peter Megargee Brown,
PETER MEGARGEE BROWN.

AFFIDAVIT OF GARY TAYLOR

The following affidavit was executed by Gary Taylor on August 4, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

I, Gary Taylor, 3948 Orlando Court, Apartment 111, Dallas, Tex., being sworn, say:

1. As I testified in my deposition, I went with Lee Harvey Oswald on or about November 4, 1962, to a gasoline service station in Fort Worth, Texas, where Oswald rented a U-Haul trailer which we were to use and did use in transporting Oswald's household goods and paraphernalia from Mrs. Hall's home in Fort Worth to the Oswalds' Elsbeth Street apartment in Dallas.

2. The rental charge for the trailer was about \$5.00 and was paid by Oswald. I made the cash deposit to secure the return of the trailer. I returned the trailer that afternoon and picked up the deposit.

Signed this 4th day of August 1964.

(S) Gary E. Taylor,
GARY E. TAYLOR.

*The attached photostatic copies referred to in the above affidavit appear in the exhibit volumes as Brown Exhibit No. 1.

AFFIDAVIT OF FRANCIS L. MARTELLO

The following affidavit was executed by Francis L. Martello on July 31, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF LOUISIANA,
Parish of Orleans, ss:

I, Lt. Francis L. Martello, Police Headquarters, 2700 Tulane Avenue, New Orleans, La., being first duly sworn, depose and say:

1. I am a Lieutenant in the New Orleans Police Department.
2. When a suspect is arrested, an arrest report is filled out. The notations concerning the height and the weight of the suspect are the figures supplied by him.
3. When a suspect is booked, he is fingerprinted, photographed, weighed and measured. Thus, the weight figure on the Bureau of Identification Card would be the result of an actual weigh-in.

Signed this 31st day of July 1964, at New Orleans, La.

(S) Francis L. Martello,
Lieutenant FRANCIS L. MARTELLO.

AFFIDAVIT OF JOHN CORPORON

The following affidavit was executed by John Corporon on July 29, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF LOUISIANA,
Parish of Orleans, ss:

John Corporon, being duly sworn, says:

1. My name is John Corporon. I am and have been since at least August 1, 1963, head of the news department of WDSU-TV and radio, New Orleans.
2. As such I am familiar with the programs broadcast over both WDSU-TV and WDSU radio.
3. Mr. William Stuckey has never had any TV or radio show known as "Latin American Focus" on that station or, to the best of my knowledge, any other radio or TV station.
4. In August of 1963 Mr. Stuckey had a radio program called "Latin Listening Post" which was broadcast some of the time over WDSU radio.
5. Lee Harvey Oswald appeared briefly on Stuckey's radio program known as "Latin Listening Post" on August 17, 1963.
6. To the best of my knowledge Oswald never appeared on any other TV or radio program in connection with Mr. Stuckey or any other program either over radio or television in the City of New Orleans with the exception of a radio program known as "Conversation Carte Blanche" on which Oswald appeared on August 21, 1963 and on a brief TV news program following the broadcast of "Conversation Carte Blanche" on that date.

Signed this 29th day of July 1964.

(S) John R. Corporon,
JOHN CORPORON.

AFFIDAVIT OF MRS. J. U. ALLEN

The following affidavit was executed by Mrs. J. U. Allen on June 12, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF MISSISSIPPI,
County of Claiborne, ss:

Mrs. J. U. Allen, Port Gibson, Claiborne County, State of Louisiana, being duly sworn, says:

1. I am secretary of Chamberlain-Hunt Academy, a boys military academy at Port Gibson, Mississippi, and I am in charge and custody of its books and records.

2. I have examined the records and files of Chamberlain-Hunt Academy for the years 1945 through 1948, both inclusive, which are kept in the regular and usual course of business under my supervision. It appears from those records that John Edward Pic and Robert Lee Oswald, half brothers and sons of Marguerite Oswald (and for a portion of the period 1945 through 1948 was Mrs. Edwin A. Ekdahl), entered Chamberlain-Hunt Academy in September 1945, on transfer from Davy Crockett School in Dallas, Texas. They continued as students during the school years 1945-1946, 1946-1947, and 1947-1948. Said records show that John Edward Pic was transferred to Arlington Heights High School, Fort Worth, Texas, in September 1948. The records do not show the school to which Robert Lee Oswald was transferred at the end of the academic year 1947-1948.

3. The Exhibits marked Chamberlain-Hunt Academy Exhibits Nos. 1 to 4* are Verifax copies of the records of Chamberlain-Hunt Academy respecting the attendance of John Edward Pic and Robert Lee Oswald as students at said Academy. Said Exhibits were prepared under my personal supervision and direction.

4. Included in the files of Chamberlain-Hunt Academy are various items of correspondence. Chamberlain-Hunt Academy Exhibits Nos. 5 to 15 are true and correct Verifax & Thermofax copies of said items of correspondence. The Verifax copies were prepared under my personal supervision and direction..

Signed this 12th day of June 1964.

(S) Mrs. J. U. Allen,
Mrs. J. U. ALLEN.

AFFIDAVIT OF LILLIAN MURRET

The following affidavit was executed by Lillian Murret on June 3, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF LOUISIANA,
Parish of Orleans, ss:

Lillian Murret, being duly sworn, says:

1. Affiant is the sister of Marguerite Claverie Oswald.

2. In the month of May 1945, Marguerite Claverie Oswald sent affiant a snapshot photograph of herself and her husband, Edwin A. Ekdahl, taken on their marriage day, May 5, 1945.

3. Lillian Murret Exhibit No. 1 is the original of the aforesaid snapshot photograph. Affiant recalls the physical appearances of her sister Marguerite Claverie Oswald and of her newly wed husband Edwin A. Ekdahl as of the year 1945. The lady pictured in the snapshot photograph, which is Lillian Murret Exhibit No. 1, is affiant's sister Marguerite Claverie Oswald. The gentleman pictured in the photograph (Lillian Murret Exhibit No. 1) is Edwin A. Ekdahl, the husband of Marguerite Claverie Oswald. The photograph is in

*Chamberlain-Hunt Academy Exhibits Nos. 1-15 were subsequently relabeled Allen Exhibits Nos. 1-15, respectively.

each instance an accurate and true photographic representation of Mr. and Mrs. Edwin A. Ekdahl as they looked and appeared in May of 1945.

4. Lillian Murret Exhibit No. 1, when received by affiant in May 1945, bore on the reverse side the inscription or endorsement: "May 5th—Happy Though Married." Affiant is familiar with the handwriting of her sister Marguerite Claverie Oswald. The aforesaid longhand inscription on the reverse side of Lillian Murret Exhibit No. 1 is in the handwriting of affiant's sister Marguerite Claverie Oswald.

5. Lillian Murret Exhibit No. 1 is in the same condition now as it was when received by affiant in May of 1945.

Signed this 3d day of June 1964.

(S) Mrs. Lillian Murret,
LILLIAN MURRET.

AFFIDAVIT OF JOHN W. BURCHAM

The following affidavit was executed by John W. Burcham on June 19, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Travis, ss:

I, John W. Burcham, sometimes referred to as Jack W. Bucham, being duly sworn, say:

1. I am a resident of Austin, Texas, and am Chief of Unemployment Insurance of the Texas Employment Commission at Austin, Texas.

2. Burcham Exhibit No. 1, consisting of 63 pages, is a photostatic copy of my report of November 26, 1963, respecting the interstate unemployment compensation claim of Lee Harvey Oswald and of the various claimant payment records and documents described in said report.

3. Burcham Exhibits Nos. 2 and 3 have been personally examined by me. From my knowledge of procedures and operations of the Insurance Department of the Texas Employment Commission, Burcham Exhibit No. 2 appears to me to be the copy of the Form B-12 mailed to L. H. Oswald by the Texas Employment Commission on April 16, 1963, and Burcham Exhibit No. 3 appears to be the document mailed by the Texas Employment Commission along with the final payment mailed to L. H. Oswald notifying him this was his last payment.

Signed this 19th day of June 1964.

(S) John W. Burcham,
JOHN W. BURCHAM.

AFFIDAVIT OF EMMETT CHARLES BARBE, JR.

The following affidavit was executed by Emmett Charles Barbe, Jr., on June 15, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF LOUISIANA,
Parish of Orleans, ss:

Emmett Charles Barbe, Jr. of New Orleans, La., being duly sworn, says:

1. I am employed by William B. Reily Company, Inc., as Maintenance Foreman. The William B. Reily Company plant is located at 640 Magazine Street, New Orleans, Louisiana. I have been employed by that Company for five years. During the year 1963 I was serving as Maintenance Foreman.

2. William B. Reily Company is engaged in the roasting, grinding, canning, bagging, and sale of coffee. In its roasting, grinding, canning, and bagging op-

erations a great deal of machinery consisting of chains, conveyer belts, motors, blowers, automatic hoppers, grinders, etc., distributed over some five floors of the premises is employed in said operations. Said machinery must be kept well greased and oiled. This work required the full time of one man.

3. Lee Harvey Oswald became employed by William B. Reily Company, Inc. as a greaser and oiler maintenance man on May 10, 1963. His employment terminated on July 19, 1963. During the latter portion of his employment, I served as his immediate supervisor. As his supervisor I was aware of Oswald's performance or lack thereof of his duties.

4. There were occasions from time to time when I was unable to locate Oswald in and about the premises and learned that he was in the habit of absenting himself from the premises without leave and visiting a service station establishment adjacent to the Reily Coffee Company known as Alba's Crescent City Garage. Furthermore, Oswald had become quite indifferent to the performance of his duties. I spoke with him from time to time about his absences and his indifferences, all to no avail. Ultimately I recommended to my superiors that Oswald be discharged. My request was granted and he was discharged on July 19, 1963.

Signed this 15th day of June 1964.

(S) Emmett Charles Barbe, Jr.
EMMETT CHARLES BARBE, JR.

AFFIDAVIT OF HILDA L. SMITH

The following affidavit was executed by Hilda L. Smith on June 15, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF LOUISIANA,
Parish of Orleans, ss:

I, Hilda L. Smith, 1205 St. Charles, Apartment 813, New Orleans, La., being first duly sworn, depose and say:

1. That I was employed by the Louisiana Labor Department, Division of Employment Security, Employment Service, and Unemployment Compensation, 630 Camp Street, New Orleans 12, Louisiana, on April 29 and April 30, 1963.

2. I interviewed Lee Harvey Oswald when he applied for his initial Interstate Claim.

3. I recall that when I interviewed him, he was very evasive. He was very abrupt and I considered him unusual. I only saw him this one time since others handled his Continued Interstate Claim.

4. The signature appearing on the attached Interstate Claim, labelled Louisiana Department of Labor Exhibit No. 2 is my signature.*

Signed this 15th day of June 1964.

(S) Hilda L. Smith,
HILDA L. SMITH.

AFFIDAVIT OF J. RACHAL

The following affidavit was executed by J. Rachal on June 22, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF LOUISIANA,
Parish of Orleans, ss:

J. Rachal, of New Orleans, La., being duly sworn says:

*Louisiana Department of Labor Exhibit No. 2 was subsequently relabeled as Smith Exhibit No. 1.

1. My name is J. Rachal. I am now and have for a number of years past been employed by the Louisiana Department of Labor, Division of Employment Security, Professional Unit.

2. In my capacity as Placement Interviewer in the Professional Unit of the Louisiana State Employment Security Division of the Louisiana Department of Labor, I had occasion to become acquainted with one Lee Harvey Oswald. I recall his being in my office and at my desk on April 26, 1963, which was his initial visit.

3. At that time Louisiana Department of Labor Exhibit number 1* was filled out, in part by Mr. Oswald and in part by me. Said Exhibit number 1 is the Registration Card so made out by Lee Harvey Oswald and myself, recording Oswald's registration as an unemployed worker who had come from Texas and was seeking employment in New Orleans.

4. The hand-printing, with the exception of the block entitled "Skills, Knowledge, Abilities, and Experience," and the notations in the block entitled "Special information and employment counseling statement," and the letters "RIF" in the upper right-hand corner of the inside face of Exhibit number 1, is that of the applicant, Lee Harvey Oswald. The writing other than that of Lee Harvey Oswald is that of affiant. The signature appearing at the foot of the inside face of Exhibit number 1 is that of affiant. Exhibit number 1 is part of the books and records of the aforesaid Division of Employment Security of the Louisiana Department of Labor, kept in the usual and regular course of business.

5. Exhibit number 1 reflects that Lee Harvey Oswald first called at the Unemployment Division on April 26, 1963, and at that time was interviewed by me and supplied the personal data and prior employment and experience facts recited on Exhibit No. 1.

6. Upon noting that Oswald had listed Photographer as one of his skills, I telephonically contacted the George Reppel Studio, 5220 Elysian Fields, to determine if they needed the services of a photographer. Upon learning that they could employ the services of a photographer, I directed Oswald to report to that company for possible employment, and I recorded that reference on the reverse side of Exhibit number 1. A few days later I recontacted the studio and learned that Oswald had not appeared there.

7. Exhibit number 1 also reflects the fact that on April 29, 1963, Oswald again reported to the Unemployment Compensation Office at 630 Camp Street, which is the claims office, and filed an interstate claim against the State of Texas for unemployment compensation. This was a reactivation of his claim. I had learned from my earlier interview that Oswald had therefore been employed for relatively short periods of time at Fort Worth, Texas, and Dallas, Texas. The letters "RIF" appearing in the upper right-hand corner of Exhibit number 1 are an abbreviation for the words "Reduction in Force." The presence of those letters on Exhibit number 1 means that Oswald advised me that the reason for his termination of employment at Jaggars, Chiles, Stovall of Dallas, Texas, was a reduction in force, a prerequisite to a valid claim for unemployment compensation.

8. I recall that Oswald was neatly dressed with a suit, dress shirt, and tie on the occasion of our initial interview. On July 22, 1963, he was more casually dressed.

9. Oswald returned after the April 29, 1963, visit to our office on July 22, 1963. Between the April 29 and July 22 dates, the application card had been green-lined in the right hand column either because the applicant had not come in in four weeks or his claim had been cancelled or terminated sometime during that period. Sometime subsequent to July 22, 1963, Oswald's application card was again green-lined for one of the two reasons above stated. This application card is marked Exhibit number 1.

10. I recall that Oswald returned some time, either late in July or the forepart of August 1963, seeking employment assistance. In the meantime, the incident involving the Fair Play for Cuba Committee had come to my attention. I had

*Louisiana Department of Labor Exhibit No. 1 was subsequently relabeled Rachal Exhibit No. 1.

seen Oswald on a television broadcast showing him distributing Fair Play for Cuba handbills. There was reference in the broadcast to his having lived in Russia, marrying a Russian girl, and returning to this country. I discussed the matter with my supervisor, Miss Hope Kristofferson. As a result, it was determined that we should not undertake to furnish employment references for him. This was the last contact I had with Mr. Oswald.

11. Louisiana Department of Labor Exhibit numbers 10 and 11** are also records of the Division of Employment Security of the Department of Labor of Louisiana in New Orleans. The forms themselves are identical with Exhibit number 1, and the recorded information is substantially identical with the information set forth in Exhibit number 1. Exhibits numbers 10 and 11 were prepared in another section of my Division and reflect the fact that on May 28, 1963, Oswald was referred to Commerce Pictures Company of New Orleans for possible employment as a developer, and the initials "NR" appearing in green crayon on the reverse side of Exhibit number 10 reflect the fact that Oswald did not report to the Commerce Picture Company. Serial number 259 appearing under the heading "Remarks" on the same line on which the green crayoned letters "NR" appear means that the unemployed person failed to respond and that his unemployment compensation would be delayed one week to make further determination of the applicant's status.

12. Inasmuch as Oswald was an interstate claimant and the libel was against the State of Texas, his weekly appearances for the purposes of keeping his interstate claim alive were furnished to the Texas Employment Commission in Austin, Texas, and they in turn would issue an unemployment check which would be mailed directly to Oswald. Oswald's weekly appearances at our office were recorded on Form 1-B-2.

Signed this 22d day of June 1964.

(S) John Russell Rachal,
J. RACHAL.

AFFIDAVIT OF BOBB HUNLEY

The following affidavit was executed by Bobb Hunley on June 16, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF LOUISIANA,
Parish of Orleans, ss:

I, Bobb Hunley, employed by the Louisiana Labor Department, Division of Employment Security, Employment Service, and Unemployment Compensation, 630 Camp Street, New Orleans 12, La., being first duly sworn, depose and say:

1. That I recall handling Lee Harvey Oswald's Interstate Claims at the Division of Employment Security office.

2. Generally there is a line of claimants with their IB-2 forms which they have previously filled out. I sign them and fill in blanks four through eight.

3. I recall nothing unusual about Lee Harvey Oswald. He usually wore a T-shirt and light windbreaker.

4. We do not check to see if the claimant has contacted the places listed in item 14 of the IB-2 form. Thus, I have no knowledge of whether Oswald contacted the employers he listed.

5. The signatures appearing on the attached Interstate Claims, labelled as Louisiana Department of Labor Exhibit Nos. 4, 5, 7, 8 and 9, and the Interstate Request for Recommendation of Monetary Determination, Louisiana Department of Labor Exhibit Nos. 3 and 6 are my signatures.*

Signed this 16th day of June 1964.

(S) Bobb W. Hunley,
BOBB HUNLEY.

**Louisiana Department of Labor Exhibits Nos. 10 and 11 were subsequently relabeled Rachal Exhibits Nos. 2 and 3, respectively.

*Louisiana Department of Labor Exhibits Nos. 4-9 were subsequently relabeled Hunley Exhibits Nos. 1-7, respectively.

AFFIDAVIT OF ROBERT J. CREEL

The following affidavit was executed by Robert J. Creel on June 26, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF LOUISIANA,
Parish of Orleans, ss:

Robert J. Creel, of New Orleans, La., being duly sworn, says :

1. My name is Robert J. Creel. I am employed by the State of Louisiana, Department of Labor, Division of Employment Security, Employment Service and Unemployment Compensation, 630 Camp Street, New Orleans, Louisiana, and have been so employed since prior to the year 1962.

2. I am familiar with the records and documents maintained by said Division of Employment Security.

3. The several Louisiana Department of Labor Exhibits Nos. 12 through 19,* both inclusive, which have been submitted to me and which I have examined are either original or exact copies of records of the State of Louisiana, Department of Labor, Division of Employment Security, Unemployment Insurance Service, maintained by it in the usual and regular course of business. Said exhibits relate to the interstate claim of Lee Harvey Oswald against the State of Texas, and record the investigation and disposition of said claim by the State of Louisiana and the State of Texas.

Signed this 26th day of June, 1964.

(S) Robert J. Creel,
ROBERT J. CREEL.

AFFIDAVIT OF HELEN P. CUNNINGHAM

The following affidavit was executed by Helen P. Cunningham on June 11, 1964.

PRESIDENT'S COMMISSION
AN THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

Mrs. Helen P. Cunningham, being duly sworn, says :

1. I am in the employ of the Texas Employment Commission as an Employment Counselor. As appears from my deposition I had occasion in my official capacity to counsel with Lee Harvey Oswald. I am familiar with the official books and records of the Texas Employment Commission maintained at its Dallas, Texas, office. Cunningham Exhibit No. 4 is the original copy of the Counseling Record Card which was prepared in the course of and in connection with the counseling service rendered by me.

2. All of the handwriting appearing on both sides of the Counseling Record Card is in my hand and consists of entries made by me at the time I interviewed Lee Harvey Oswald on October 9 and 10, 1962. The entries under the portion of the exhibit entitled "Counselor's Notes" reflect that Oswald was referred on October 10, 1962, for a position at Harrell and Huntington, architects, for a position as messenger at \$1.50 an hour, and thereafter to Jaggars Printing for a position as photo-printing trainee at \$1.35 an hour. The entry "10-15-62" on the face of the Counseling Record Card reflects the fact that Oswald had obtained employment at Jaggars Printing and that the case was closed successfully.

*Louisiana Department of Labor Exhibits Nos. 12-19 were subsequently relabeled Creel Exhibits Nos. 1-8, respectively.

3. On the face of the card is reflected the fact that Mr. Don Brooks, Counselor in the Industrial Division of the Texas Employment Commission, interviewed Oswald previous to October 9, 10 and 11, 1962.

4. As it appears from the entries in my hand on the reverse side of Cunningham Exhibit No. 4, I recorded the fact that I obtained Oswald's "General Aptitude Test" battery results from the Fort Worth office of the Texas Employment Commission. I concluded after examining the GATB obtained from the Fort Worth office and after interviewing Oswald that because he was in great financial need for immediate employment, that I should classify him for clerical work and I noted on the face of the card the proper clerical code, being 1-X 4.9. I also recorded the fact that on October 11, 1962, Oswald was referred to Jaggars-Chiles-Stovall Printing Company as a photo-print trainee and that Oswald was enthusiastic about the possibility of his being employed. I also recorded the fact that Oswald reported on October 15, 1962, that he had obtained the Jaggars-Chiles-Stovall position and that he was pleased.

5. In my counseling with Oswald and as appears from my entry under the heading "Other Plans" Oswald told me that he hoped to develop through a work-study program at Dallas College or Arlington State qualification for responsible junior executive employment but that this must be delayed because of his and his family's immediate financial needs and responsibilities.

6. The notation "D. Brooks" appearing on the face of Cunningham Exhibit No. 4 refers to Don Brooks, who is identified above; my signature appears to the right of the notation of Mr. Brooks' name. I wrote "D. Brooks" name on the face of Cunningham Exhibit No. 4.

7. Cunningham Exhibits 1-A, 2-A and 3-A are, respectively, originals of Cunningham Exhibits 1, 2 and 3.

8. The green-ink entry on the facing side of Cunningham Exhibit No. 1-A, "10-30-62", means that on that date it was confirmed that Oswald was employed. The succeeding entry being "4-8-63" records the fact that Oswald came to the Commission on that date, seeking employment; he having lost his position with Jaggars-Chiles-Stovall. The succeeding entry "4-12-63" records the fact that Oswald visited the Commission offices in further pursuit of employment. The succeeding entry, which is in green crayon, "5-8-63" when considered with the entry dated "5-3-63" in the referral section of the exhibit, records the fact that on that day Oswald was mailed a call-in card for possible referral to Texas Power and Light Company for a position as meter reader but failed to respond. The next entry on the face of Cunningham Exhibit No. 1-A which is "Ri-10-3-63" records the fact that his case was reactivated as of that date and the final entry "10-17-63" in green crayon records the closing of his case due to his having obtained employment. This entry is related to the final entry in the referral section of Cunningham Exhibit No. 1-A which recites under the heading "Remarks" that at 10:30 a.m. on October 16, 1963, it was ascertained by Robert L. Adams that Oswald had obtained employment.

Signed this 11th day of June 1964.

(S) Helen P. Cunningham,
HELEN P. CUNNINGHAM.

AFFIDAVIT OF THEODORE FRANK GANGL

The following affidavit was executed by Theodore Frank Gangl on June 16, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

I, Theodore Frank Gangl, 7903 Mohawk Drive, Dallas, Tex., being duly sworn, depose and say:

1. That I am Plant Superintendent for the Padgett Printing Corporation, 1313 North Industrial, Dallas, Texas.

2. On October 4, 1963, I interviewed Lee Harvey Oswald, who had applied for employment in response to an advertisement the Padgett Printing Corporation placed in the local newspaper. We were seeking a typesetter in the composing room.

3. Oswald was well dressed and neat. He made a favorable impression on the foreman of the department to whom I introduced Oswald. Since Oswald had worked in a trade plant I was interested in him as a possible employee.

4. Oswald filled out the application. Padgett Printing Corporation Exhibit No. 1* is a photostatic copy of the original application which was filled in during the course of my interview with Oswald. The original application was prepared and maintained among the records of Padgett Printing Corporation in the usual and regular course of its business. The exhibit is a copy of the application as it was when it was completed by me on or about October 4, 1963. It is entirely in Oswald's handwriting except for my initials in the blank, "Interviewed by", the date, the word "over", and the handwriting on the reverse side, all of which are in my handwriting.

5. Oswald said he could be reached at the Irving, Texas, phone number he listed on the application, and he suggested particular periods of the week he would most likely be available to respond to a telephone call.

6. Shortly after the interview, I called Mr. Stovall at Jagggers-Chiles-Stovall, where Oswald had previously worked. Mr. Stovall was not there, so I spoke with somebody who had worked with Oswald there. He implied that Oswald's fellow employees did not like him because he was propagandizing and had been seen reading a foreign newspaper.

7. I later talked with Mr. Robert Stovall, who is a friend of mine, and he said Oswald could not get along there and he could not adapt himself to the type of work assigned to him.

8. As a result of this conversation I wrote the comments that appear on the back of the application and decided that we would not hire him.

9. I called Oswald at the Irving, Texas, telephone number he had written on the application and told him that we had hired somebody with better qualifications.

Signed this 16th day of June 1964.

(S) Theo. F. Gangl,
THEODORE F. GANGL.

AFFIDAVIT OF GENE GRAVES

The following affidavit was executed by Gene Graves on June 16, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Tarrant, ss:

My name is Gene Graves and I am employed as a secretary with the Leslie Welding Co., Inc., 200 E-North Vacek, Fort Worth, Tex.

I certify that the attached copies** of time cards of Lee Harvey Oswald are true and correct.

Signed this 16th day of June 1964.

(S) Gene Graves,
GENE GRAVES.

*Padgett Printing Corp. Exhibit No. 1 was subsequently relabeled Gangl Exhibit No. 1.

**These attachments were subsequently relabeled Graves Exhibit No. 1.

AFFIDAVIT OF ROBERT L. ADAMS

The following affidavit was executed by Robert L. Adams on August 4, 1964.

PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

I, Robert L. Adams, being duly sworn, say:

1. I am now, and during all of the year 1963 was an employee of the Texas Employment Commission as an employment interviewer. As appears from my deposition, I had occasion, during the month of October, 1963, to refer Lee Harvey Oswald to several employment opportunities that had come to the attention of the Texas Employment Commission.

2. I am familiar with the official books and records of the Texas Employment Commission maintained at its Dallas, Texas, office. Cunningham Exhibit 1-A is the original of the Texas Employment Commission employment, application, counseling, and referral card or record, familiarly known as an "E-13," respecting Lee Harvey Oswald. It was prepared and maintained in the usual course of the business and services rendered by the Texas Employment Commission. The entries thereon are true and correct.

3. Cunningham Exhibit 1-A is a single-fold card. The last three lines of entries on the lower portion of the inside (when folded) of Cunningham Exhibit 1-A are in my hand. All of those entries were made by me.

4. At the time that my deposition was taken, I did not have before me either Cunningham Exhibit 1-A or a copy or duplicate thereof. However, since that time I have had an opportunity to examine Cunningham Exhibit 1-A. This has served to refresh my recollection of my contacts with Lee Harvey Oswald and the job employment opportunity references which I made for him on October 7, 9, and 15, 1963.

5. As appears from the last three sets of entries in my hand on the lower portion of the inside pages of Cunningham Exhibit 1-A:

(a) On October 7, 1963, the Texas Employment Commission had on hand an order from the Solid State Electronics Company of Texas for a sales clerk at an indicated compensation of \$350 per month, for permanent employment, for which they desired the Commission to refer an applicant. On that day I called BL3-1628, which is the telephone number in Irving, Texas, that appears on the face of Cunningham Exhibit 1-A. I was told that Oswald was not in. I left a message with the person who answered, requesting that Mr. Oswald contact me. The entry "Left MSG to call under the column headed "Remarks" is my notation of the fact that I made the telephone call and left the message on October 7, as I have just stated. Oswald contacted me the next day either by telephone or in person in the Commission offices. My present recollection does not serve me to say which. I had in the meantime contacted the prospective employer and discussed with him the matter of Oswald's qualifications for the position they had in mind. As a result of that conversation, I had received authority to send Oswald for an interview. Since I had authority to refer Oswald, I did not call the prospective employer again, but sent Oswald directly. Accordingly, the word "Direct," which I wrote in the column headed "Remarks," records that fact. Later that day I personally checked with Solid State Electronics Company of Texas and was advised that Oswald had followed through on my job reference, had been interviewed, but had not been hired. The initials "NH" that appear under the column headed "Results" mean "Not Hired." I made that entry when I learned that Oswald had responded to the job opportunity but had not been hired.

(b) On October 9, 1963, I referred Oswald on a clerk trainee job opportunity at \$1.25 an hour with the Burton-Dixie Company of Dallas. I made this reference directly, that is, while he was in the Texas Employment Commission offices. Later that day I checked with Burton-Dixie Company and learned that Oswald had responded to the reference but had not been hired. The word "Direct"

appearing under the column headed "Remarks" is my recording of the fact that I referred Oswald directly to the employer on this order.

(c) On October 15, 1963, I was advised by Mr. Roy of Trans Texas Airways that the company was contemplating expansion and that he would need possibly as many as twelve or fourteen ramp agents, as they are called by the airlines industry; we call them baggage or cargo handlers. He advised me of the minimum qualifications and asked me to send out job applicants who met them. He advised that the salary was \$310 per month and that the employment was permanent. Oswald was one of the possible applicants whom I referred for interview on this order. My best recollection is that on that day I called the BL3-1628 Irving, Texas, telephone number listed on the face of Cunningham Exhibit 1-A. I learned from the person who answered the phone that Oswald was not there. I left a message with that person that Oswald should contact me at the Commission. My further recollection is that the following morning at 10:30 o'clock I again called the BL3-1628 Irving, Texas, number and learned from the person who answered that Oswald was not there and that he had in the meantime obtained employment and was working. I thereupon made the entry, appearing in the column headed "Remarks," which reads: "Working 10:30 A 10-16 RLA," in order to record the information I had received as a result of my telephone call. On the following day, October 17, 1963, I "green dated" the face of Cunningham Exhibit 1-A. This means, as appears from the face of Cunningham Exhibit 1-A, that I entered in green crayon the date October 17, 1963, which is our way of recording the fact that the applicant is no longer available for employment. The initials "NR" appearing under the column headed "Results" mean "Non-report" or, in other words, that the man referred on the job application did not report. I included that designation under the column headed "Results" as a result of the information I received when I made the foregoing telephone call at 10:30 in the morning of October 16, 1963. Inasmuch as I did not talk with Oswald either by telephone or in person in connection with this job order, I do not know whether he was ever advised of this referral, but under the circumstances I do not see how he could have been.

Signed this 4th day of August 1964.

(S) Robert L Adams,
ROBERT L. ADAMS.

AFFIDAVIT OF IVAN D. LEE

The following affidavit was executed by Ivan D. Lee on June 1, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

I, Ivan D. Lee, being duly sworn, depose as follows:

In my performance of duties as a Special Agent of the Federal Bureau of Investigation, I was assigned to take photographs of the rear of Major Edwin A. Walker's residence at 4011 Turtle Creek Boulevard, Dallas, Texas.

On February 1, 1964, accompanied by Special Agent W. James Wood, I proceeded to the alley area located behind the residence of Major General Walker and took photographs from an automobile of the Federal Bureau of Investigation proceeding slowly through the alleyway. These photographs were taken at approximately 10:00 a.m. on February 1, 1964. At approximately 10:30 a.m., I returned to the area on foot and took two photographs, looking south by southwest down the alleyway behind Major General Walker's residence toward Avondale Street, Dallas. After returning to the Bureau automobile, we proceeded through the alley once again at approximately 10:45 a.m. and took another photograph of the rear of the residence of Major General Edwin A. Walker. At approximately 11:15 a.m. another trip was made through the

alley and another photograph was taken of the rear of the residence of Major General Edwin A. Walker.

Photographs numbered on the back as DL 36* depict rear views of the residence of Major General Edwin A. Walker, and is the same residence as depicted in Commission exhibit number 5 and marked as FBI inventory number 369. Photographs numbered as DL 35** depict the alleyway looking south by southwest from the Church of Jesus Christ Latter Day Saints parking lot which is located adjacent to and north of the property of Major General Edwin A. Walker. In the left hand side of the photographs of the alleyway, a driveway is noted, which is the driveway leading to the back of Major General Edwin A. Walker's residence.

I used a Federal Bureau of Investigation owned 35 millimeter Robot camera in taking the above photographs.

Signed this 1st day of June 1964, at Dallas, Tex.

(S) Ivan D. Lee,
IVAN D. LEE.

AFFIDAVIT OF JAMES D. CROWLEY

The following affidavit was executed by James D. Crowley on June 12, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

DISTRICT OF COLUMBIA, ss:

James D. Crowley, being duly sworn, deposes and says:

On August 13, 1961, he was duly appointed an officer in the Department of State, as a specialist in intelligence matters; that he has continued to serve in that capacity since that time, and that he has personal knowledge of the matters related in this affidavit:

1. I am one of the officers in the Department of State responsible for disseminating throughout the Department various reports, memoranda and documents which are received from other United States Government agencies.

2. The first time I remember learning of Oswald's existence was when I received copies of a telegraphic message, dated October 10, 1963, from the Central Intelligence Agency, which contained information pertaining to his current activities. I requested that a search of the Office of Security records be made on October 11, 1963, to determine if the Department had received any information previously. Based on a quick review of the Office of Security file on Oswald, I disseminated copies of the Central Intelligence Agency message to the various offices within the Department which were interested in receiving this type of material.

3. I also briefly reviewed Oswald's Office of Security file on November 14, 1963. Although I am not certain, I believe the impetus for this review was either my receipt of a Federal Bureau of Investigation report dated October 31, 1963 on Lee Harvey Oswald or my receipt of a Federal Bureau of Investigation report dated October 25, 1963 on the Fair Play for Cuba Committee—New Orleans Division. Both of these reports were received in the Intelligence Processing Section on November 8, 1963.

4. In both instances, I reviewed the Office of Security file in a routine manner and had it returned to the Office of Security File Room the same day in which it was charged to me.

Signed this 12th day of June 1964.

(S) James D. Crowley,
JAMES D. CROWLEY.

*This photograph was labeled Ivan Lee Exhibit A.

**This photograph was labeled Ivan Lee Exhibit B.

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