

Warren Commission Investigation

The successful "April 23" deception

The following is an analysis of public documents of unquestionable validity to illuminate three facets of the JFK assassination, as follows:

1. The existence of a conspiracy.
2. The existence of a cover-up during Commission hearings.
3. Identity of a prime instigator of the crime.

All documents cited are found in the Warren Commission volumes. Those referred to in this report are located by volume and page number for convenient checking.

Background

During her first testimony before the Commission, Feb. 3-6, 1964 (1), Marina Oswald acknowledged that her husband bought a mail order rifle on Mar. 20, 1963 and, on the evening of April 10, used it in a sniper attempt on the life of Gen. Edwin Walker at the general's Dallas home.

At this time the Oswald family was living at 214 W. Neely St in Dallas. Oswald had lost his job at the photo lab, Jagers, Chiles, Stovall, on April 6, four days before the Walker event.

As throughout her testimony, Marina was consistently vague on specific dates. She said her husband went to New Orleans after the Walker incident and she went to live with Mrs. Ruth Paine, whom she had met at a party in February. She was so vague on the events of April that the dates of these two change Oswald's departure for New Orleans and her removal to Mrs. Paine's home in Irving, were not revealed.

The rent on the Neely St. apartment was paid through Mayl.

At the close of her testimony, Marina was asked repeatedly if, to her knowledge, Oswald had threatened violence to any other public figure. She repeatedly denied it.

Marina's belated recollection

Two weeks later, on Feb. 22, 1964, the Washington POST quote the Houston POST to the effect that Marina had recalled another incident in which Oswald had threatened the life of a well known public figure. (2)

On Feb. 25 she was interviewed by the FBI about the report and now stated that, on April 23, 1963, Oswald had read the morning paper, then got dressed, took out his pistol, and indicated that the "Vice President" was in Dallas and that he was going downtown to try to shoot him. (3)

Marina said she assumed he meant former "Vice President" Nixon. She stated that she persuaded her husband to give her the pistol and kept him confined in the bathroom for three hours, though there was no lock on the outside of the door.

The FBI was deeply unimpressed by the story. There were no witnesses and its credibility rested entirely upon Marina's word. When the report reached Washington it was largely ignored and received no publicity.

Why was the "April 23" story ignored?

In the first place, Oswald had already been identified as a domestic tyrant who dominated his wife and beat her when he was so inclined. His docility on April 23 was beyond belief.

In addition, both the FBI and the Secret Service had tried without success to establish Oswald's whereabouts during the two weeks following the Walker incident on April 10. They had been unable to find any evidence that he was in Dallas after April 11 when he cashed his last pay check from the photo lab (4) and applied for unemployment benefits at the Dallas office of the Texas Employment Commission. (5)

Other than that, there were no job applications, no follow-up on his unemployment claim, no postal or financial transactions, no persons who recalled seeing him after April 12.

The Secret Service concluded that "he must have left Dallas sometime between April 12 and April 29", when he was known to have applied for interstate UC benefits in New Orleans. They listed his address from April 12 to 29 as "757 French St., New Orleans," the home of his aunt and uncle, the Murrets. (6)

Thus, even at this point, Marina's "Nixon" story had all the earmarks of calculated perjury, since logic and all other evidence indicated that Oswald was not even in Dallas on April 23.

Mrs. Ruth Paine's testimony

On March 18-19, 1964, Mrs. Paine appeared as a witness before the Warren Commission. When the events of April, 1963 came into discussion, she volunteered the "recollection" that she and both Oswalds and their child shared a picnic in a Dallas park on April 20, 1963 and that, on April 24, she took Oswald's baggage to a bus station for his departure for New Orleans that evening or the next morning. (7)

She said Marina went to stay at her home on that day, April 24, and remained there until she drove her to New Orleans on May 10, her husband having found work there. She added that she, Mrs. Paine, went to San Antonio on April 26-28, leaving Marina at her home.

In her testimony, Marina had mentioned no "picnic" with Mrs. Paine in April or any other time. She had not specified when her husband left for New Orleans.

As with Marina's "Nixon" story, there were no witnesses to Mrs. Paine's "recollections." But the Warren Commission accepted her statements without question. They had the effect of making Marina's "April 23" incident plausible, at least to the extent that Oswald was now asserted to have been in Dallas then

No one on the Commission appeared to have been aware that, when interviewed right after the assassination (Nov. 27, 1963) by FBI agents Hosty and Odum, Mrs. Paine had told them that "she took Marina to her home" on April 11, 1963 - which was the day after the Walker attempt. (8)

The documents which will now be reviewed will indicate that Mrs. Paine told Agents Hosty and Odum the truth, but lied to the Warren Commission under oath.

Oswald's Unemployment Compensation Claims

April 12, '63 On this date the Dallas UC office received Oswald's initial application for unemployment benefits. The form, filled out in longhand, has several indications of forgery, but it was accepted for processing and a copy forwarded to Austin. (9)

April 16, '63 The Austin headquarters found no record of Oswald's latest employment by Jagers, Chiles, Stoval, the photo lab. It was revealed later that this firm's records had carried Oswald's UC account with two digits of his social security number transposed. So payments to UC in his behalf had not been credited to his account in Austin's records.

Thus, on April 16, Austin mailed him a form rejecting his claim. It was correctly addressed to his Neely St. address in Dallas. It was delivered to that address on either the 17th or 18th. Oswald was not there to receive it. (10)

However, someone else did pick it up. The Neely St. address was crossed out and the forwarding address, "757 France St., New Orleans, La." was added in longhand - and the letter was remailed to New Orleans.

The forwarding address is clearly in Mrs. Paine's handwriting when compared with the same address (but with "France" spelled "French") in her address book, Commission Exhibit 402. (11)

Thus, Mrs. Paine's own script, on a letter Oswald was not there to receive on April 17 or 18, belies her testimony that he was in Dallas for a "picnic" on April 20 and to take a bus to New Orleans on April 24.

The post office in New Orleans was not able to deliver the notice forwarded to "France St." They evidently sent it out on at least two carrier routes that included a "France St." They finally mailed it back to Austin, marked "No such number." The original notice and its envelope were turned over to the Warren Commission by Austin, along with other documents relating to his UC claims. (12)

April 26, '63

On this date Oswald made an initial claim for interstate unemployment benefits at the New Orleans Division of Unemployment Security. He had not received the rejection notice from Austin and, as of this date, did not know his claim had been questioned there. (13)

April 29, '63

On this date he returned to the New Orleans UC office and filled out various forms, one of which was a "request for reconsideration" of his status. He noted that two digits in his social security number had been transposed in the photo lab records. (14)

(Only Mrs. Paine had seen the rejection form from Austin. Yet, between April 26 and 29, Oswald had learned of the rejection and the error that caused it. Mrs. Paine testified that she went to "San Antonio" on April 26, 27, 28. Obviously, Mrs. Paine and Oswald had been in touch in that period.)

In filling out the above form, Oswald wrote "75 France St." as his address - the same incorrect street name Mrs. Paine had used for his forward address. When a copy of the form was forwarded to Austin they checked the error and mailed Oswald a form approving his claim to "757 France St." This mail was also undeliverable in New Orleans and returned to Austin.

His use of the "France St." address on the 29th indicated that Oswald had not yet gone to his uncle's home on French St. When he did arrive there around May 1, he phoned from a bus station and told the Murrelts he had arrived ~~in~~ Dallas

from

that same day. That evening Mr. Murrett drove him to the bus station to pick up baggage he had checked there. Oswald did not want his uncle and aunt to know he had been in New Orleans for two weeks.

April 29, '63 In other forms Oswald filled out on this date, he himself answers the question as to whether he had been in Dallas on April 23. Since he had no evident reason to falsify on this occasion, and knew he would get no payments if he were caught doing so by the UC authorities, one can suppose he wrote the truth:

1. In answer to the question, "When did you arrive here?" he wrote, "April 12." (16)
2. Asked to indicate on how many of the past seven days he had been in New Orleans "able to work and available for work," he wrote in all seven beginning with April 23 and ending with the 29th. (17)

From Oswald's own statements, the history of the rejection notice mailed from Austin on April 16, and Mrs. Paine's original statement to Agents Hosty and Odum, it would appear that the taking of Oswald's baggage to the Dallas bus station and Marina's removal to Mrs. Paine's home occurred on April 11, not April 24.

By the same token, Marina's "Nixon" story on April 23 was patently false.

The motive for the "April 23" deception

Anyone who had detected these perjuries during the first five months of 1964, while the Warren Commission investigations proceeded, would have been baffled by them. They had no purpose. April 23 had no evident significance in relationship to the JFK assassination.

Although no one on the Commission staff seemed to believe Marina's "Nixon" yarn, no one seemed to express the least curiosity as to why she would invent the lie. But the "Nixon" story filled in an awkward blank space in April, 1963, so it was made a part of the official record. Except for the persistence of an FBI team in Dallas, its purpose might have remained an enigma.

Ever since the assassination the FBI had been trying without success to pinpoint the origin of President Kennedy's junket to Texas that included the Dallas motorcade. No one seemed to know how the idea got started.

In late May of 1964 FBI agents finally hit pay dirt via a study of Dallas newspapers for 1963 on microfilm. Their report filed on June 1, 1964, reflected that, on April 23, 1963, Vice President Lyndon Johnson had visited the city to address a NASA convention at the Trade Mart - the same auditorium at which JFK was to have spoken on Nov. 22, 1963.

After his speech he held a news conference for local editors and politicians in which he stressed his hope for a Presidential visit to Dallas at an early date. (18) A reference to this news conference in the Dallas TIMES HERALD of Sept. 13, 1963 credits LBJ with launching the Kennedy visit on this occasion. (19)

Though not highly publicized at first, this was taken to be the genesis of the Nov. 22 visit to Dallas. It was a documented contradiction to LBJ's constant public assertions ever since the assassination that he had opposed the Kennedy visit to Texas from the beginning.

The "Nixon" story in the spotlight

Immediately after the release of this revelation, and well before it could be digested and interpreted by the Commission and the media, Marina Oswald was hastily recalled to the witness stand to tell her "Unbelievable" story about "April 23" in the world news spotlight.

On June 11, 1964 she took the witness stand again (20) and was defensive from the beginning, protesting too frequently that she was telling the truth. She startled her interrogator at the outset by saying, "I did not think up this incident with Nixon myself." (21)

Her story was substantially the same as it had been in February, and just as implausible. She asserted that "Nixon" was the only Vice President she had ever heard of, so supposed he was the "Vice President" her husband allegedly wanted to shoot on April 23.

When questioned about other events in April that Mrs. Paine had told about, Marina still remembered no picnic on April 20, and her account of Oswald's departure from Dallas for New Orleans differed from Mrs. Paine's in every important respect.

The uncritical Commission bought her story. But her own statements didn't make it clear enough what the "Nixon" affair really meant. It became the function of Commission Counsel Rankin to spell it out for the record:

That Nixon was no where near Dallas on April 23, but Vice Pr

dent Lyndon Johnson was. Thus it followed that it was LBJ that Lee Oswald (by now identified as the assassin of President Kennedy) intended to kill on April 23, seven months earlier.

Powerful forces behind the scenes of the Warren Commission had been preparing to advance this proposition (if it became necessary) since back in February, 1964, when the "Nixon" story first surfaced. These were forces able to suborn the perjury of star witnesses right under the nose of the Commission.

The FBI report of June 1 made the revelation "necessary." Its prompt effect, with the help of wide publication, was to completely obliterate the implications to be drawn from discovery that LBJ had launched the idea for the Texas visit on April 23, 1963.

A classic strategy of conspirators in a political murder to avoid suspicion (literally the only sure strategy) had worked again:

"No individual will participate in a murder conspiracy of which he himself is an intended victim."

* * *

This outline of the "April 23" deception only identifies the players of the leading roles in the scenario. Several other persons involved in the deception are identifiable in the Commission records.

The trail of investigation would lead to the FBI in Washington and certainly to the staff of the Warren Commission. For various efforts were made to back-date Marina's first mention of the "Nixon" incident to as early as Dec. 14, 1963, and Mrs. Paine's "reflections" about April to an even earlier date.

Before its publication in the Commission volumes, Hosty and Odum's report of Nov. 27, 1963 was "corrected" to show two events in April following the item that Mrs. Paine took Marina to her home on the 11th. Both the "picnic" on the 20th and Oswald's departure on the 24th were made to conform to Mrs. Paine's testimony in March, 1964.

In short, the "April 23" deception provides a wide open door for new investigation leading to the core of the John F. Kennedy assassination conspiracy.

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Research report by [REDACTED]
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References

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3. Vol. XXII, pp 786-88
4. Vol. XXIV, p 900
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7. Vol. II, pp 430-517
8. Vol. XXIV, p 692
9. Vol. XIX, p 215
10. Vol. XIX, p 216
11. Vol. XVII, p 74
12. Vol. XIX, p 201 (envelope)
13. Vol. XIX, p 217
14. Vol. XIX, p 208
15. Vol. VIII, pp 91-154, 180-188
16. Vol. XIX, p 217
17. Vol. XIX, p 205
18. Vol. XXIII, pp 830-31
19. Vol. XXII, p 618
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