

UNITED STATES GOVERNMENT

Memorandum

TO : FILE (100-10461)

DATE: 2/3/64

FROM : SAC SHANKLIN

SUBJECT: LEE HARVEY OSWALD, aka
IS - R - CUBA

At approximately 5:00 PM Feb. 1, 1964, Supv. ROBERT E. LENIHAN telephonically advised that the President's Commission had requested that we obtain from the Police the trousers and shoes that LEE HARVEY OSWALD was wearing at the time of his arrest and any other evidence the Police have relevant to this matter.

It was pointed out to Mr. LENIHAN that our inquiries have determined that the Police state that OSWALD was wearing the same trousers and shoes at the time he was shot by RUBY that he was wearing at the time he was arrested. He was wearing a different short and a sweater, and that the Police are holding all this clothing as evidence in the RUBY case and have indicated that these items are necessary in the trial of the RUBY case.

I attempted to contact Chief of Police JESSE CURRY at the office and at his home and was informed that he was not available. I contacted the next in command, Deputy Police Chief CHARLES BATCHELOR and he stated he had no objections to the FBI taking the evidence to Washington and that he would instruct that the same be released to SA VINCENT E. DRAIN, but that he definitely would not agree to release this evidence to be retained by the Commission, and that it would have to be returned to Dallas by the end of the week of February 8th. He noted that the hearing on the motion for a change of venue is set for the 10th and that the actual murder trial is set for February 17th. He advised these items were in the crime laboratory at Parkland Hospital and that Capt. DOWDY would make arrangements to deliver them to SA DRAIN.

I advised both Assistant to the Director BELMONT and Supervisor LENIHAN of the above, and I also pointed out that I thought we should definitely clear this matter with District Attorney HENRY WADE because if we were to take the

*Shanklin
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arrangement
by SAC
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items without consulting him, I had no idea what he might say to the press. Mr. BELMONT stated definitely that WADE should be contacted and that if he refused to permit the items to be brought in to the Commission, then just advise the Bureau.

WADE was reached at 7:15 AM, 2/2/64. He stated that it would be OK for DRAIN to take the items to Washington for inspection by the Commission, but that he could not release these items to the Commission as they were important evidence in the RUBY prosecution and he must definitely have them back by Feb. 11, 1964.

Supv. LENIHAN was telephonically advised of the above on 2/2/64 and the fact that SA DRAIN was bringing these items to Washington on Flight 58, American Airlines, leaving Dallas at 12:30 PM, arriving Dulles International Airport 4:06 PM. He stated that an Agent from Washington Field Office would meet Agent DRAIN and take him to Assistant Director SULLIVAN's office.