

File No. **100-10461- 1A 344**

Date Received **6-15-64**

From **Bureau**
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By _____
(NAME OF SPECIAL AGENT)

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Description: **Copy of transcript
of testimony of SA
James P. Hunt, Jr.**

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I noticed it, and then because of the domestic difficulty and the fact that I knew I would be interviewing his wife in the near future, I requested that the case be re-opened. I requested the supervisor in Dallas to re-open the case to me.

Mr. Stern. Was that in writing or verbally?

Mr. Hosty. Actually, it was, it would appear in writing. - I did this by sending a letter to the Bureau, to the F.B.I. Headquarters in Washington, setting forth the information I had developed, and then on our office copy I made a request that this case be re-opened. This is a normal procedure that we go through when we open cases, or re-open cases.

The Chairman. Mr. Hosty, did the letter from your New York office say what the nature of the contact with the Daily Worker was?

Mr. Hosty. It said he was on the mailing list, sir, of the Daily Worker.

The Chairman. On the mailing list?

Mr. Hosty. Yes, sir.

The Chairman. Proceed.

Mr. Hosty. Then, like I ^{said} say, I made a judgment that it would be best not to interview Mrs. Oswald at this time until there was a certain cooling off of their domestic difficulty, because it is not wise to interview a person of that type under a strain.

So I set it up that I would go back and recheck in 45 days.

10 This was not highly urgent at the time. We had waited a period of time, and it wouldn't hurt to wait another 45 days.

When I went back to check again in May, the middle of May, I found out that they had moved from their ^{NEELY} Neeley Street address and had left no forwarding address.

Mr. Stern. Stop there and go back and cover a few details.

Mr. Hosty. All right, sir.

Mr. Stern. Your recommendation to re-open the case of Lee Harvey Oswald was made at the end of March 1963?

Mr. Hosty. Right. I believe the letter would be dated March 31.

Mr. Stern. Was your recommendation accepted?

Mr. Hosty. Yes, and it was re-opened.

Mr. Stern. With respect to the pending inactive investigation of Marina Oswald, had any work been done previous to the time when you thought about interviewing her?

Mr. Hosty. No, sir, in a pending inactive case it is really almost in the same status as a closed case. - We do nothing on it, and it was just a waiting period of six months that we had set up.

Mr. Stern. Had that case been an active case?

Mr. Hosty. No, sir, it never had been. It was open as a pending inactive case.

Mr. Stern. So that no work had been done?

Mr. Hosty. No, sir.

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Mr. Stern. Until the point in time when you were considering the possibility of interviewing Mrs. Oswald?

Mr. Hosty. The only work that had been done was the work which I did in connection with the Lee Oswald case for Mr. Fain. I checked the immigration records on Marina Oswald and got her background, just put her background, her name, her description, her place of birth, and that sort of thing in the file.

Mr. Stern. What is the difference administratively between a pending inactive and a closed case?

Mr. Hosty. In a pending inactive case, any information coming into the office would be routed to the agent, it would not be put in the file and be missed by the agent.

Mr. Stern. Could Lee Harvey Oswald's case have been put in a pending inactive status rather than a closed status in 1962?

Mr. Hosty. I wasn't involved in that. Mr. Fain was the one.

Mr. Stern. But as far as administrative procedures are concerned?

Mr. Hosty. If they had so desired, I think they could have, yes.

Mr. Stern. There was no policy or procedure?

Mr. Hosty. If there was some more work to be done, if they had decided to, say, re-interview him at, say, in six months, they could have.

Mr. Stern. But it would have taken something of that sort?

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Mr. Hosty. Yes, it would have to be some more work to be done on the case in the opinion of the agent.

Mr. Stern. So that pending inactive is part of pending?

Mr. Hosty. It is sort of midway between.

Mr. Stern. Only the work you have decided to do is more remote?

Mr. Hosty. Right.

Mr. Stern. More in the future?

Mr. Hosty. Right.

Mr. Stern. You say that you were considering interviewing Marina Oswald?

Mr. Hosty. Right.

Mr. Stern. Did you know that she did not speak English?

Mr. Hosty. Yes. I knew that. In fact, I determined that when I did the neighborhood check on the third of March.

Mrs. Tobias told me that she didn't speak a word of English and couldn't communicate with anybody except her husband who spoke Russian.

Mr. Stern. I show you a report of four pages, marked "Report of James P. Hosty, Jr."

Mr. Hosty. Right

Mr. Stern. Dated 9-10-63.

Mr. Hosty. Right.

Mr. Stern. And marked for identification Commission Exhibit No. 829.

(The document referred to was marked Commission Exhibit 829

for identification.)

Mr. Stern. Can you identify that report for us?

Mr. Hosty. Yes, sir, that is my report.

Mr. Stern. Tell us how you came to prepare this report?

Mr. Hosty. Well, as I told you earlier, in May I found that they had left, Marina and Lee Oswald had apparently left the Dallas area.

In June, I believe it was the middle of June, we received a communication from our New Orleans office advising that one Lee Oswald was apparently in New Orleans, and requested information on him. They had ^{had} previous correspondence with the Dallas office in connection with the Lee Oswald case, as an auxiliary office, and we ^{were} ~~are~~ aware that we did have a case on him. They asked if this could be the same man, and I wrote back and told them that Lee Oswald had left the Dallas area, and for them to attempt to verify the presence of Lee Oswald and Marina Oswald in New Orleans.

Mr. Stern. This was at what time, Mr. Hosty?

Mr. Hosty. This was June 17th, I believe, they notified us, and by the time I got the letter back to them within a week or two it would have been the end of June, ^{and the} early part of July. I sent a request back that they verify his presence in New Orleans. They then wrote back a letter to me, within two or three weeks. It would have been in August when it came back, that they had

verified Oswald's presence in New Orleans, and that he was working in New Orleans.

Now, this meant under our procedure that since Lee Oswald and Marina Oswald were now located in the New Orleans division, they would take control of the case.

Mr. Stern. Would you explain briefly for the Commission the terms "Office of Origin" "Auxiliary Office" and how you use those terms?

Mr. Hosty. Office of Origin is the office covering the area of the residence of the individual under investigation. This is the office which controls the case.

Now, an auxiliary office is any other office which has investigation in the case and assists the office of origin in this matter. 14

New Orleans had earlier been an auxiliary office. Dallas had been the office of origin.

Now, the situation was reversed, because Lee Oswald and Marina Oswald were now in New Orleans.

This had been verified.

Mr. Stern. Would you just summarize the relevant dates from March 1963 through August 1963 in terms of your concern and what you found out about his movements and your communications with the New Orleans office?

Mr. Hosty. All right. This would be March the 4th I got the address in Dallas.

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March when I determined that they had moved from that one address to another address in Dallas.

March 14th I verified that address. I sent the communication to the Bureau and requested the case be re-opened on March 25th.

I rechecked in the middle part of May as to ^{whether} they were still at that address in Dallas and determined that they were gone.

On June 17th New Orleans contacted our office, and advised that they had information that the Oswalds were in New Orleans.

Early July I wrote to New Orleans and requested that they verify this information and let me know.

Early August they did so verify it.

Mr. Stern. If you will look at page 2 of the report we have marked for identification No. 829 --

Mr. Hosty. Yes, sir.

Mr. Stern. The last paragraph on that page relates -- well, tell us what information that refers to.

Mr. Hosty. It says, "On April 21, 1963 Dallas confidential informant T-2 advised that Lee H. Oswald of Dallas, Texas, was in contact with the Fair Play for Cuba Committee in New York City at which time he advised that he passed out pamphlets for the Fair Play for Cuba Committee. According to T-2, Oswald had a placard around his neck reading, 'Hands Off Cuba Viva Fidel.'" "

Mr. Stern. Did you attempt to verify that information?

Mr. Hosty. When I got it, it was approximately six or seven

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16 weeks old, past the date it allegedly took place, and we had received no information to the effect that anyone had been in the downtown streets of Dallas or anywhere in Dallas with a sign around their neck saying "Hands Off Cuba, Viva Fidel." It appeared highly unlikely to me that such an occurrence could have happened in Dallas without having been brought to our attention.

So by the time I got it, it was, you might say, stale information and we did not attempt to verify it.

Mr. Stern. When you record this as something that an informant advised about on April 21, that doesn't mean he advised you or the Dallas office on April 21?

Mr. Hosty. That is right.

Mr. Stern. Did this information come from another part of the F.B.I.?

Mr. Hosty. Yes, sir, it came from the New York office of the F.B.I. They were advised on the 21st of April.

Mr. Stern. But the information didn't get to you until some time after?

Mr. Hosty. In June, I believe.

Mr. Stern. Did you have any information apart from this that there was an organization active in the Dallas area called, "The Fair Play for Cuba Committee"?

Mr. Hosty. No, sir, we had no information of any organization by that name.

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Mr. Stern. Had you at this time ever heard of such an organization?

Mr. Hosty. Yes, sir, I had.

Mr. Stern. In what connection?

Mr. Hosty. The New York office had advised all offices of the F.B.I. to be on the alert for the possible formation of chapters of this organization which was headquartered in New York.

Mr. Stern. Had you investigated the Dallas area in that connection?

Mr. Hosty. We had checked our sources, I had and other agents assigned to the Internal Security Division had checked sources. We were on the alert for it.

Mr. Stern. And you found what?

Mr. Hosty. We found no evidence that there was any such organization in Dallas.

Mr. Stern. Have you reviewed this report marked for identification 829, Mr. Hosty?

Mr. Hosty. Yes, sir, I have.

Mr. Stern. In connection with your preparation for testimony today?

Mr. Hosty. Yes, sir.

Mr. Stern. Is there any change you would like to make in anything set forth in it?

Mr. Hosty. No, sir, I wish it to stand as it reads.

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Rep. Fore. On the other side?

Mr. Hosty. Right. This is a vacant house.

Mr. Stern. The top of that page is north.

Mr. Hosty. Right.

This would be 2519, 2515, and probably 2511 here.

Mr. Stern. 2511, you are indicating the east side of that diagram?

Mr. Hosty. East, yes. It would go east.

Mr. Stern. 2519 the west side?

Mr. Hosty. West side, that is correct.

Mr. Stern. North being the top?

Mr. Hosty. Right.

Mr. Stern. Now, tell us in detail of your interview with Mrs. Paine starting from the time you rang the doorbell.

Mr. Hosty. All right. As I said, when I entered the house I immediately identified myself. I showed her my credentials, identified myself as a Special Agent of the F.B.I., and requested to talk to her.

She invited me into the house.

Mr. Stern. Did she seem surprised at your visit?

Mr. Hosty. No, she didn't. She was quite friendly and invited me in, said this is the first time she had ever met an F.B.I. agent. ^{She was} Very cordial.

As I said it is my recollection I sat here on the couch and she sat across the room from me.

I then told her the purpose of my visit, that I was interested in locating the whereabouts of Lee Oswald.

She readily admitted that Mrs. Marina Oswald and Lee Oswald's two children were staying with her. She said that Lee Oswald was living somewhere in Dallas. She didn't know where. She said it was in the ^{OAK CLIFF} Oak Cliff area but she didn't have his address

I asked her if she knew where he worked. After a moment's hesitation, she told me that he worked at the Texas School Book Depository near the downtown area of Dallas. She didn't have the exact address, and it is my recollection that we went to the phone book and looked it up, found it to be 411 Elm Street.

Mr. Stern. You looked it up while you were there?

Mr. Hosty. Yes, that is my recollection that we looked it up in her telephone book to show it at 411 Elm Street, Dallas, Texas.

She told me at this time that she did not know where he was living, but she thought she could find out and she would let me know.

Mr. Stern. Did she tell you why she thought he was living alone in Dallas at that time?

Mr. Hosty. Well, she said that she did not want him at her house, that she was willing to take Marina Oswald and the two children, but she didn't have room for him and she didn't want him at the house. She was willing to let him visit his wife and family, but she did not want him residing there.

Mr. Stern. What did she say about his visits?

Mr. Hosty. She remarked that he came out there periodically to visit his wife and children on weekends.

Mr. Stern. Did she say when she expected his next visit might be?

Mr. Hosty. I don't recall her stating when she expected him, no.

Mr. Stern. Did she say anything about the possibility of his coming later that day?

Mr. Hosty. No, sir.

Mr. Stern. You say the interview started at about 2:30?

Mr. Hosty. Approximately 2:30, yes, sir.

Mr. Stern. About how long did it last?

Mr. Hosty. At the very most 20-25 minutes.

Mr. Stern. Were you alone with Mrs. Paine throughout this period?

Mr. Hosty. No. Towards the conclusion of the interview, Marina Oswald, who had apparently been napping, entered the living room.

Mr. Stern. Had you ever met Mrs. Oswald before?

Mr. Hosty. Never before, no. As I had learned previously, and as Mrs. Paine had told me, she did not speak any English, so Mrs. Paine then told her in the Russian language who I was, I was an agent with the F.B.I.

I could tell from her eyes and her expression that she became

✓ quite alarmed, quite upset. I had had previous experience
with people who come from Communist-controlled countries that
✓ they get excited when they see the ^{FBI} police. They must think that
we are like the gestapo or something like that.

✓ She became quite alarmed, and like I said I knew that she just
had a baby the week before. So I didn't want to leave her in
that state, so rather than just walking out and leaving her and
not saying anything to her, I told Mrs. Paine to relate to her
in the Russian language that I was not there for the purpose of
harming her, harassing her, and that it wasn't the job of the
F.B.I. to harm people. It was our job to protect people.

Mrs. Paine relayed this information.

I assume she relayed it correctly. I don't speak Russian.

Rep. Ford. What was the reaction, if any, on the part of
Marina following that comment by Mrs. Paine?

Mr. Hosty. The information I had her relay? She seemed
to calm down a little bit, and when I left she was smiling.
I left her in a relaxed mood. I didn't want to leave her alarmed
and upset, a woman with a new baby. It is not the thing to do.
So she apparently was smiling, happy, and she shook hands with me
as I left, I wanted to leave her in a good frame of mind. I then
left.

Mr. Stern. Did you address any questions to Marina Oswald
through Mrs. Paine?

Mr. Hosty. Not questions, no. I just relayed the information

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to her of this nature I just gave.

Mr. Stern. Anything else that you said?

Mr. Hosty. No, sir, that is all I can recall.

Mr. Stern. To be translated for Marina Oswald?

Mr. Hosty. No.

Mr. Stern. Anything else about your interview with Mrs. Paine?

Mr. Hosty. Yes. After Mrs. Paine told me that she would like to find out where Lee Oswald was living, I then gave her my name and telephone number I wrote it down on a piece of paper for her. I am fairly certain I printed it so she would be able to read it all right. I printed my name and wrote down my office telephone number, and handed it to Mrs. Paine.

Mr. Stern. Did you put anything else on this piece of paper?

Mr. Hosty. No, sir, that was all.

Mr. Stern. Are you quite sure about your recollection of that, or are you telling us on the basis of your ordinary experience? Is this what you remember of the incident?

Mr. Hosty. This is what I remember of it, yes, sir.

Mr. Stern. You don't remember putting anything on this paper other than your name?

Mr. Hosty. My name and telephone number.

Mr. Stern. Office telephone?

Mr. Hosty. Office telephone, right.

Mr. Stern. And no other telephone number?

Mr. Hosty. No, sir.

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Mr. Stern. No address?

Mr. Hosty. No, sir.

Mr. Stern. License number?

Mr. Hosty. No, sir.

Mr. Stern. You are quite certain that you can recall now only those two things?

Mr. Hosty. Yes. I do this as a standard procedure. I do this all the time. I will write my name out if a person says they want to contact me. I will give them my name and telephone number, write it on a piece of paper and give it to them.

Rep. Ford. Did you write on notepaper you had or paper provided by Mrs. Paine, or what?

Mr. Hosty. It was my recollection it was on my paper. I took a piece of paper off ^{my table} tore it in half, printed my name and telephone number on it that I gave to her.

Mr. Stern. Do you have cards?

Mr. Hosty. No, sir, we don't have cards. We are not allowed to carry cards.

Mr. Stern. When Mrs. Paine told you that Lee Harvey Oswald was working at the School Book Depository, did that mean anything to you? Did you remember the building?

Mr. Hosty. No, sir. I knew of the building in the outskirts of the downtown area. That is about all. I looked up the address, and I recognized the address, but it meant nothing to me.

Mr. Stern. Is there anything else at all that you can recall

37 being said on November 1st?

Mr. Hosty. As I said earlier, I think I should bring this in, that Mrs. Paine was a little bit reluctant to give me his place of employment at first. She said that Lee Oswald had alleged that the F.B.I. had had him fired from every job he ever had. I told her this was not true, that I had never had anyone fired from any job nor did I know of any other F.B.I. agents that had ever done this.

I reassured her that I wanted to know his place of employment for the purpose of determining whether or not he was employed in a sensitive industry, and when I found out that he was working in a warehouse as a laborer, I realized this was not a sensitive industry.

Mr. Stern. You were acting for the New Orleans Office at this time?

Mr. Hosty. At this time, yes, sir.

Mr. Stern. In trying to locate him?

Mr. Hosty. Right.

Mr. Stern. Had they asked you to try to determine what kind of work he was doing and whether he might be in a sensitive position?

Mr. Hosty. Well, this is automatically considered, yes. They didn't have to ask me. I knew I was to do that.

Mr. Dulles. Did you clear this with the Dallas or Fort Worth Office? How do you work out that liaison?

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Mr. Hosty. How do you mean, sir?

Mr. Dulles. I mean with the F.B.I. At this time this was the territory, I assume, of Dallas or Fort Worth.

Mr. Hosty. Right. Irving, Texas, is in the Dallas territory, yes, sir.

Mr. Dulles. The Dallas territory?

Mr. Hosty. Right.

Mr. Dulles. Did you clear or notify the Dallas office either before or after?

Mr. Hosty. You mean after I determined this?

Mr. Dulles. Yes.

Mr. Hosty. Oh, yes, sir. This occurred on the 1st. This was a Friday. I returned to the Dallas office. I covered a couple of other leads on the way back. I got in shortly after five o'clock and all our stenos had gone home. This information has to go registered mail, and it could not go then until Monday morning.

Monday morning -- shall I continue?

Mr. Stern. Yes.

Mr. Hosty. On Monday morning, I made a pretext telephone call to the Texas School Book Depository. I called up and asked for the personnel department, asked if a Lee Oswald was employed there. They said yes he was. I said what address does he show? They said 2515 West Fifth Street, Irving, Texas, which I knew not to be his correct address.

I then sent a communication, airmail communication to the New Orleans office advising them -- and to the headquarters of the F.B.I. advising them -- and then instructing the New Orleans office to make the Dallas office the Office of Origin.

We were now assuming control, because he had now been verified in our division.

Rep. Ford. When you say you made several other checks on the way to the office, did this involve --

Mr. Hosty. Not in this case; other cases. I run anywhere from 25 to 40 cases any one time. I have to work them all, fit them in as I go.

Rep. Ford. These other checks did not involve this case?

Mr. Hosty. No, other cases I was working on.

Mr. Stern. Mr. Hosty, at your interview on November 1st with Mrs. Paine, do you recall whether you asked her whether there was any telephone number that she knew of where Lee Harvey Oswald could be reached?

Mr. Hosty. No, sir, I didn't ask her about a telephone number, no, sir.

Mr. Stern. And she didn't tell you?

Mr. Hosty. She didn't volunteer. She told me she did not know where he lived.

Mr. Stern. Why don't you continue with the chronological report?

Mr. Hosty. As I say, then I forwarded this airmail

communication.

Mr. McCloy. May I ask at this point, did she indicate whether there were any belongings of Lee Oswald in the house?

Mr. Hosty. She did not indicate, but, of course, she did tell me his wife and children were there, and I assumed that their personal effects would be there. We didn't go into that.

Mr. McCloy. You made no search of the house?

Mr. Hosty. No, sir. That would have been illegal.

I couldn't have done it without his consent. There was no attempt to do that.

Mr. Stern. Did you have any thought of interviewing Marina Oswald at the time she came into Mrs. Paine's living room in connection with the investigation that you had started out thinking about in March of Marina Oswald?

Mr. Hosty. Yes, I could have interviewed her here, but I thought at the time she was under a little emotional stress, this was maybe not a good time. Also, as I said before, we have a requirement to have two agents present when a subject is interviewed. I was alone. And, also, I wanted to get the New Orleans office to check their files to see if there was anything that I didn't have. For all I knew they could have already interviewed her. I didn't know this.

So before I would proceed with that, I wanted to make sure I had all the records, another agent, and at a better time where I could talk in more detail with Mrs. Oswald.

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Then on the 5th of November --

Mr. Stern. Have you told us everything that elapsed, that occurred between November 1 and November 5?

Mr. Hosty. Yes.

Then on the 5th of November, I was on my way to the Fort Worth area, and stopped at Mrs. Paine's very briefly.

Mr. Stern. How did that happen to come about?

Mr. Hosty. Well, I was on my way to Fort Worth, and I did not have his residence. I thought I would stop by. Mrs. Paine told me she would attempt to locate where he was living. It was not too much out of my way, so I just drove over to Mrs. Paine's. I had another agent with me that day.

Mr. Stern. Who was that?

Mr. Hosty. Agent Gary S. Wilson. Agent Wilson was a brand new agent out of training school. And it is the custom to assign a new agent to work with an older agent for a period of six weeks. They work with different agents every day to observe what they are doing. This is the only reason he was with me, the only reason I had another man.

We went to the front porch. I rang the bell, talked to Mrs. Paine, at which time she advised me that Lee Oswald had been out to visit her, visit his wife, at her house over the weekend, but she had still not determined where he was living in Dallas, and she also made the remark that she considered him to be a very illogical person, that he had told her that weekend that he

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was a Trotskyite Communist. Since she did not have his address, I thanked her and left.

Mr. Stern. Did she indicate how she felt about this description of Trotskyite Communist that he pinned on himself?

Mr. Hosty. Well, she thought he was rather illogical, in the way she put it. She was a little more amused than anything else. She thought he was illogical, as I say was the term she used.

Mr. Stern. Was Marina Oswald present at all?

Mr. Hosty. I didn't see her. She was probably in the house, but I didn't see her. I didn't go in the house. I just went in the front door.

Mr. Stern. How long do you think it was?

Mr. Hosty. Not more than one or two minutes.

Then I got in the car and left.

Mr. Stern. Where was your car parked at that time?

Mr. Hosty. I believe in the same place, because here, again this second car of Michael Faine's was still in front of the Faine house, and Mrs. Faine's station wagon was in the driveway. So I am fairly sure I parked here at the same spot.

Mr. Stern. And you are indicating the spot on Exhibit 430 where you initialed?

Mr. Hosty. Right, where I parked on the first of November, to the best of my recollection that is where I parked.

Rep. Ford. Did Agent Wilson accompany you to the door?

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Mr. Hosty. Yes, he walked up.

Rep. Ford. And heard the conversation?

Mr. Hosty. Yes, sir, he did.

Mr. Stern. Did you report anything about this conversation to the New Orleans office?

Mr. Hosty. No, because there was nothing new to report. I knew I was to become the office of Origin. There would be a report which I would be preparing and I would incorporate it in my report. There was nothing new that they didn't already know that would aid them.

Mr. Stern. Is there anything else about this interview on November 5th that you can tell us?

Mr. Hosty. No, sir, that is about all.

Rep. Ford. Was this comment by Mrs. Paine that Oswald had said he was a Trotskyite --

Mr. Hosty. Trotskyite Communist was the word she used, yes, sir.

Rep. Ford. Was that new as far as your knowledge or your file was concerned?

Mr. Hosty. Well, he was a self-admitted Marxist. He had stated that earlier.

The New Orleans office had reported that.

He had been on television and made that statement in New Orleans, so this appeared to be in keeping with his character.

Rep. Ford. The use of the word Trotskyite didn't add anything

to the previous Marxist identification?

Mr. Hosty. Well, of course, that is a particular type of Marxism, Trotskyite, the followers of Leon Trotsky's particular deviation, but this did show that he was not a member of the Communist Party USA, follower of the Leninist -- Stalinist -- Khrushchev movement, but would be an independent Marxist ^{just that} would be what it would show me, not tied in with the regular Communist Party USA.

Rep. Ford. Is there anything particularly identifiable with the Trotskyite element that might alert you to anything?

Mr. Hosty. Well, yes. The Socialist Workers Party is the Trotskyite Party in the United States, and they are supposedly the key element in the Fair Play for Cuba Committee, or were the key element in the Fair Play for Cuba Committee. So this would tie in with the fact that he was a member of the Fair Play for Cuba Committee, and, therefore, he claimed to be a Trotskyite, this would follow.

Mr. McCloy. Do you associate with Trotskyite Communists any great ^{or} disposition to acts of violence than the normal Communist?

Mr. Hosty. No, sir, no more than the others.

Mr. McCloy. No doctrine of policy by assassination?

Mr. Hosty. No, sir.

Mr. Stern. Have you reviewed, Mr. Hosty, the document that has been marked No. 831 for identification preliminary to your testimony today?

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Mr. Hosty. Which one is that?

I don't believe I have it with me.

Mr. Stern. 830, I am sorry.

Mr. Hosty. Oh, yes, this one you gave me earlier, yes, sir.

Mr. Dulles. I don't find a date on that. Maybe there is one there.

Mr. Hosty. This is an insert, sir. The date of the various information will appear at the head of each paragraph.

Mr. Dulles. I see. But the date of preparation is not --

Mr. Hosty. The date of preparation would be some time after the 22nd of November.

Rep. Ford. What do those identification numbers at the top in the left-hand corner mean?

Mr. Hosty. That is our Dallas office file number 105-1716.

Rep. Ford. Does that appear on the other documents?

Mr. Hosty. Wait a minute, this relates to a control file. I believe that is the control file on Mrs. Paine, Mrs. Paine's file number.

Mr. Dulles. I wonder if I could just interrupt.

This is on the record. I am not quite clear, maybe because I came in late.

Are you from the Dallas or New Orleans office?

Mr. Hosty. I am from the Dallas Division.

Mr. Dulles. From the Dallas Division?

Mr. Hosty. Yes, sir.

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The man right before me was from the New Orleans Division. I am from the Dallas Division.

Mr. Dulles. You are from the Dallas Division?

Mr. Hosty. Yes, sir.

Rep. Ford. May I pursue this just a minute.

These identification numbers at the top in the upper left, as I understand it now, you are saying related to Mrs. Paine's file?

Mr. Hosty. Right.

Rep. Ford. Now, would this, even though it was from Mrs. Paine's file, have been in either Marina or Lee Harvey Oswald file or both?

Mr. Hosty. This did appear in the report on Lee Harvey Oswald. That was the report of 11-29, I believe was the date. That was the first report. You probably have that over-all report don't you?

(Discussion off the record.)

Rep. Ford. Did this material which was in Mrs. Paine's file --

Mr. Hosty. Right.

Rep. Ford. -- appear in either Marina or Lee Harvey Oswald's file prior to the assassination?

Mr. Hosty. Let me see. Part of it would have, this paragraph on page 11, this November first, Mrs. Ruth Paine was interviewed. This appeared in the communication I sent out to the New Orleans

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office advising them where he was employed.

Mr. Dulles. When was that sent?

Mr. Hosty. The fourth of November, sir.

The rest of it was in note form. I hadn't reduced it to writing yet.

Rep. Ford. I am still not clear what part was in Mrs. Paine's file and what part was in Marina's file and what part was in Lee Harvey Oswald's file prior to November 22nd.

Mr. Hosty. Prior to November 22nd just -- there was no file for Mrs. Paine prior to November 22nd.

Rep. Ford. So this didn't appear in her file?

Mr. Hosty. No.

Rep. Ford. Until subsequent to?

Mr. Hosty. Right.

Rep. Ford. To the assassination?

Mr. Hosty. There was no file for Mrs. Paine until after the assassination.

Rep. Ford. Then what part appeared in Marina's file or Lee Harvey's file prior to November 22nd?

Mr. Hosty. Just the second paragraph of this page 11 or the second page.

Mr. Dulles. Would this have constituted a re-opening of the Lee Harvey Oswald file, because I think we had testimony this morning that the file had been closed.

Mr. Hosty. This would constitute having the New Orleans

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office change origin to Dallas. At this time the file on Lee Oswald was open. We were open as an auxiliary office.

Mr. Dulles. In?

Mr. Hosty. In Dallas.

Mr. Dulles. In Dallas?

Mr. Hosty. Right, and this communication to New Orleans was a request that we be made origin.

Mr. Stern. I wonder if I might summarize this?

Mr. Dulles. It is not clear to me.

Mr. Hosty. You missed a lot of this.

Mr. Stern. The file was closed, sir, until March of 1963 when Mr. Hosty decided it should be re-opened on the basis of the items of information, one of them the fact that Lee Harvey Oswald was listed as a subscriber to the Worker newspaper.

Mr. Dulles. This is the Dallas file you are now talking of?

Mr. Stern. Dallas.

The case was closed in the Dallas Office. He re-opened it in the Dallas office. He subsequently found that Oswald had moved, apparently permanently, to New Orleans, and had the file and the case administratively shifted as far as his responsibility as far as his primary responsibility, to the New Orleans office.

Mr. Dulles. Does that mean the papers were also shifted?

Mr. Hosty. No, sir, just those papers which they lacked.

I reviewed our file. I could tell what communications they had

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and which communications they didn't. I then gave them all communications which I was not certain that they had.

Mr. Dulles. But the other communications remained in the Dallas file?

Mr. Hosty. Right.

Mr. Dulles. But the Dallas file, then, was not, in a sense, reactivated since the action had been transferred to New Orleans, is that correct?

Mr. Hosty. To New Orleans, right.

Then in October the case was shifted back to Dallas again.

Mr. Dulles. At what time?

Mr. Hosty. Well, actually, November ^{4th} 1st would be our request to have the case transferred back to Dallas office of origin.

Mr. Stern. I think you ought to make clear, Mr. Hosty, to Mr. Dulles, that early in October you started doing something for the New Orleans office at their request.

Mr. Hosty. Yes.

Mr. Stern. New Orleans found that they couldn't locate Lee Harvey Oswald in New Orleans.

Mr. Dulles. He had left in the meantime?

Mr. Hosty. Right.

Mr. Stern. Yes, from their leads he seemed to have gone back into the Dallas area, and they asked the Dallas office to see if they could locate him.

Mr. Hosty was doing this work at the end of October and the

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beginning of November when he ran these interviews.

Just to complete that, Mr. Hosty, you expected, did you not, that the case would be reassigned?

Mr. Hosty. Oh, yes.

Mr. Stern. To the Dallas office?

Mr. Hosty. Oh, yes. This was tantamount to requesting it be shifted to us, yes, when I sent this communication.

Mr. Stern. And you were beginning to think in terms of the case being your problem again?

Mr. Hosty. Right.

Mr. Stern. Even though formally at the time you were only --

Mr. Hosty. Auxiliary office.

Mr. Stern. Operating on the request of the New Orleans office to try to locate him, is that correct?

Mr. Hosty. That is correct.

Mr. McCloy. This has all been previously testified to?

Mr. Dulles. I am sorry to have missed that.

Mr. Hosty. That is all right, Mr. Dulles, that is entirely *al* right.

Mr. Dulles. Just one question. Are cases of this kind administratively transferred by agreement between two offices, or does that have to go up to Washington?

Mr. Hosty. Washington always gets a copy of these communications. They know what we are doing.

Actually the original is sent to Washington, and a carbon ^{copy} is

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sent to the other field office.

Mr. Dulles. But you can transfer it directly from one office to another?

Mr. Hosty. Right.

Mr. Dulles. And just notify Washington as to the possibility of its being transferred?

Mr. Hosty. Right, because he is now residing and employed in our division, ^{and} there is no more ^{that} needs to be done.

Mr. Dulles. I am clear. Thank you very much.

Mr. Stern. I think perhaps we can just complete the line of inquiry started by Congressman Ford.

Do your records or notes show when you first reduced to writing your notes on the interviews that began on October 29th and the last one of which occurred on November 5th?

Mr. Hosty. I can only say that it would have been some time between the 22nd of November and the 29th of November, because it went out in a report on the 29th of November.

Mr. Stern. Until then they were in the form of?

Mr. Hosty. Notes.

Mr. Stern. Raw notes?

Mr. Hosty. Right.

Mr. Stern. Do you take shorthand or any other form of speed-writing?

Mr. Hosty. No.

Mr. Stern. Have you preserved the notes?

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Mr. Hosty. I don't have them with me, no, because once it is reduced to writing then we destroy the notes. That is the procedure.

Mr. Stern. You say you don't have them with you. Did you preserve these notes?

Mr. Hosty. No. They were thrown away.

Mr. Stern. And this is the only record now that you have?

Mr. Hosty. Right.

Mr. Stern. Of these activities?

Mr. McCloy. Do you have any record in your office as to when that was put into type? Does your secretary have it?

Mr. Hosty. They might, sir. I think they might. I couldn't say for sure.

Mr. McCloy. I think you might look that up and see if you have any record, and give it to us.

Mr. Hosty. All right, sir.

Mr. Stern. But you are clear that it occurred after the assassination?

Mr. Hosty. Oh, yes, sir, positive.

Mr. Stern. Is that usual, that you would --

Mr. Hosty. Something of this nature, yes, sir, no reason to reduce it to writing right away.

Mr. Stern. It is true, isn't it, that some of this information had already been --

Mr. Hosty. Transmitted in letter form to New Orleans, right.

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Mr. [redacted]. Prior to the assassination?

Mr. Hosty. Prior to the assassination, yes, sir.

Rep. Ford. That part on the second page?

Mr. Hosty. Right, this second paragraph starting, "On November 1, 1963, Mrs. Ruth Paine" --

Rep. Ford. What did you do, dictate that to a stenographer?

Mr. Hosty. Right.

Rep. Ford. And she typed it and it was sent officially?

Mr. Hosty. On the fourth of November, right, airmail letter to New Orleans.

Mr. Stern. Would that be sent to your headquarters in Washington?

Mr. Hosty. Also....

Excuse me, the original goes to headquarters in Washington, a copy goes to New Orleans. It is addressed to the headquarters.

Mr. Stern. But the only information sent was the information in that paragraph beginning "On November 1, 1963".

Mr. McCloy. But you had your original notes with you?

Mr. Hosty. Right.

Mr. McCloy. And still intact?

Mr. Hosty. Right.

Mr. McCloy. At the time you put this --

Mr. Hosty. Because I knew I was going to get this into a report. The next report was written, and I would put it in a report form and destroy the notes.

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Mr. Dulles. Do we have a copy of that letter of November fourth?

Mr. Hosty. I don't know.

Mr. Dulles. That you sent to headquarters and to New Orleans

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(Discussion off the record.)

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Mr. Stern. You tell us you have reviewed these two pages?

Mr. Hosty. Yes.

Mr. Stern. Is there anything you would like to add?

Mr. Hosty. No, sir.

Mr. Stern. Anything you would like to correct?

Mr. Hosty. No, sir.

Mr. Stern. This accurately states the interviews that you covered. May this be admitted in the record?

The Chairman. It may be admitted, number 830.

(The document marked Commission Exhibit 830 for identification was received in evidence.)

Rep. Ford. May I ask one question here?

Mr. Hosty. Yes, sir.

Rep. Ford. Why in these notes that are now Commission Exhibit 830 didn't you mention the fact that Mrs. Paine had said that Oswald was a Trotskyite Marxist?

Mr. Hosty. No, that is set forth down here, sir.

Rep. Ford. Yes, right.

Mr. Hosty. In this second to the last paragraph, the last line.

Mr. McCloy. May I ask you this, Mr. Hosty. In your contact with Mrs. Paine, did you get the impression that she was cooperative throughout?

Mr. Hosty. Yes, sir, yes, sir.

Mr. McCloy. Nothing that she said seemed to be inconsistent

with any facts that you knew?

Mr. Hosty. No.

Sen. Cooper. May I ask a question? I believe you said that all the papers that you had respecting Lee Harvey Oswald were supplied to the office at New Orleans.

✓ Mr. Hosty. At the time they were made origin, yes, sir, in the summer of '63, that is correct, all the ^{reports} files.

Sen. Cooper. At the time that he was engaged in --

Mr. Hosty. In the Fair Play for Cuba work, yes, sir.

Sen. Cooper. What do you call it -- Fair Play for Cuba?

Mr. Hosty. Fair Play for Cuba, yes, sir.

Sen. Cooper. Now Mr. Fain testified that he had interviewed Oswald I think in 19 --

Mr. Hosty. '62.

Sen. Cooper. '62.

Mr. Hosty. That is correct.

Sen. Cooper. The year before. Mr. Quigley testified that Oswald told him that he had married a Russian girl whose maiden name was Prossa, and also in that file there was another statement in which Oswald had said that he had been married, that he had married a girl in Fort Worth. Now were all those papers available to the office in New Orleans?

Mr. Hosty. Yes, sir.

Sen. Cooper. I suppose this would be a question of Mr. Quigley really, but if all those factors were known, it would appear that

the facts that Mr. Fain had secured, which showed the defection and his marriage in Russia, and the fact that he had told someone else he was married in Texas, that there would have been some further investigation of it in New Orleans.

Mr. Hosty. Well, this would be something that Mr. Quigley would have to answer.

Mr. McCloy. You had a record of inconsistent statements in there.

Mr. Hosty. Yes, sir.

Mr. Stern. Continuing that line, Mr. Hosty, do you recognize Commission Exhibit 826 I now hand you?

Mr. Hosty. Yes.

Mr. Stern. That is the report of --

Mr. Hosty. Milton R. Kaack.

Mr. Stern. And it is dated?

Mr. Hosty. October 31, 1963. I received it on November 1st.

Mr. Dulles. Do you recall whether that inconsistent statement, that inconsistency was picked up in New Orleans at this time, in the New Orleans office?

Mr. Hosty. I don't, no, sir. You mean about --

Mr. Dulles. About marriage.

Mr. Hosty. About marriage? I picked it up when I saw it.

Mr. Dulles. At what time was that?

Mr. Hosty. November 1st when we got the report.

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Mr. Stern. When you reviewed Mr. Kaack's report?

Mr. Hosty. Right.

Mr. Stern. You were aware when you read that report that he had --

Mr. Hosty. Lied, or was inconsistent.

Mr. Stern. He had said in New Orleans that he had been married in Fort Worth, married a girl named Prossa, that he had originally told the New Orleans police that he had been born in Cuba.

Mr. Hosty. Yes.

Mr. Stern. You were aware of all these inconsistencies?

Mr. Hosty. Right.

Mr. Stern. What did these suggest to you in view of what you knew about ^{Oswald} ~~Kaack~~?

Mr. Hosty. I knew that he was not telling the truth in his interview in New Orleans, because I had previously checked the background of his wife and himself, and I knew that she was born in Russia and her name was not Prossa. They were not married in Fort Worth, so I knew he was not telling the truth.

Mr. Stern. You knew that on November 1.

Mr. Hosty. Right.

Mr. Stern. And at what time did you know of Oswald's trip to Mexico City and his apparent appearance there at the Russian Embassy?

Mr. Hosty. The 25th of October.

Mr. Stern. Had you received any --

Mr. McCloy. Get those years right.

Mr. Hosty. The 25th of October, 1963.

Mr. Stern. Had you received any information about any other contacts with Russian officials by Lee Harvey Oswald?

Mr. Hosty. Not at that time.

Mr. Stern. What other information did you have at any time about that?

Mr. Hosty. On November 22, after the assassination of President Kennedy, I was advised that our Washington Field Office of the FBI had determined that he, Lee Oswald, had been in contact with the Soviet Embassy in Washington, D.C. I learned that after the assassination.

Mr. Stern. After the assassination?

Mr. Hosty. Right, sir.

Mr. Stern. Putting that aside for the moment, what was your evaluation of Lee Harvey Oswald based on the work that you had done and the reports that you had made, the information you gathered early in November?

Mr. Hosty. Well, there were many questions to be resolved. I was quite interested in determining the nature of his contact with the Soviet Embassy in Mexico City. I had not resolved that on the 22nd of November. We were still waiting to resolve that. Prior to that, I mean that would be the only thing --

Mr. Stern. What had you planned to do after November 5

about this case?

Mr. Hosty. Well, as I had previously stated, I have between 25 and 40 cases assigned to me at any one time. I had other matters to take care of. I had now established that Lee Oswald was not employed in a sensitive industry.

✓ ^{could}
I ~~can~~ now afford to wait until New Orleans forwarded the necessary papers to me to show me I now had all the information. It was then my plan to interview Marina Oswald in detail concerning both herself and her husband's background.

Mr. Stern. Had you planned any steps beyond that point?

Mr. Hosty. No. I would have to wait until I had talked to Marina to see what I could determine, and from there I could make my plans.

Mr. Stern. Did you take any action on this case between November 5 and November 22?

Mr. Hosty. No, sir.

Mr. Stern. I think we can then turn to the events of November 22, and have you tell us what transpired that day, beginning with the morning.

Mr. Hosty. All right. The first order of business from 8:00 to 9:00 o'clock the Special Agent in ^C charge held the regular bi-weekly conference. Now we held a conference in our office every other Friday morning.

It so happened that this was the Friday morning which we would hold this conference, at which time the Agent in charge would

bring various items to our attention. Among the items he brought to our attention was the fact that President Kennedy would be in Dallas on that date.

Mr. Dulles. Who was the Special Agent in charge?

✓ Mr. Hosty. Gordon ~~Shanklin~~ ^{Shanklin} ~~Gordon B. Shanklin~~ ^{Gordon B. Shanklin}.

Rep. Ford. How many others besides yourself were under his jurisdiction?

Mr. Hosty. About 75 agents.

Rep. Ford. 75?

Mr. Hosty. Yes. Now only the ones at headquarters city in Dallas were present. That would be about 40 of the agents were present at this conference.

Mr. ^SShanklin advised us, among other things, that in view of the President's visit to Dallas, that if anyone had any indication of any possibility of any acts of violence or any demonstrations against the President, or Vice President, to immediately notify the Secret Service and confirm it in writing. He had made the same statement about a week prior at another special conference which we had held. I don't recall the exact date. It was about a week prior.

Mr. Stern. Did you know that there was going to be a motorcade on November 22?

Mr. Hosty. I found out about nine p.m. the night before that there was to be a motorcade in downtown Dallas. I read it in the newspaper. That was the first time I knew of it.

Mr. Stern. Did you know that the motorcade would pass the School Book Depository Building?

Mr. Hosty. No, sir.

Mr. Stern. Did you know the route of the motorcade?

Mr. Hosty. No, sir.

Mr. Dulles. Had there been any contact between you or the Dallas Office with the Secret Service on this point?

Mr. Hosty. On the motorcade route, sir?

Mr. Dulles. Yes.

Mr. Hosty. No.

Mr. Dulles. Had not been?

Mr. Hosty. No.

Mr. Stern. The newspaper stories did not as far as you can recall tell what the motorcade route would be?

Mr. Hosty. Yes, they did. There was a description of the motorcade route, but as I said I didn't bother to read it in detail. I noticed that it was coming up Main Street. That was the only thing I was interested in, where maybe I could watch it if I had a chance.

Mr. Stern. So that the fact that Lee Harvey Oswald was working in the Texas School Book Depository meant nothing?

Mr. Hosty. No.

Mr. Stern. In connection with the motorcade route.

Mr. Hosty. No.

Mr. Stern. Did you think of him at all in connection with the

President's trip?

Mr. Hosty. No, sir.

Rep. Ford. Did you have any others among the cases that were assigned to you that came to your attention in reference to the President's visit?

Mr. Hosty. I did turn over one item of information to the Secret Service on the 21st, yes, sir. I did bring some matters to their attention.

There were some scurrilous pamphlets circulated around Dallas on the 21st of November. You may have seen them. It was a poster of President Kennedy with a front and a profile view saying, "Wanted for Treason." I took those pamphlets over to the Secret Service Office the morning of the 21st. Then I assisted another Agent in our division in giving the Secret Service some information on an individual in Denton, Texas, who had made some remarks about the President, and another member of my squad had also given some information to the Secret Service the evening of the 21st about the possibility of a demonstration at the Trade Mart against President Kennedy, ^{that is} some picketing.

Rep. Ford. Do you recall to whom you gave this information?

Mr. Hosty. The one piece of information I gave, I gave to an Agent Warner of the Secret Service.

Rep. Ford. That was the information about what?

Mr. Hosty. The pamphlets, the "Wanted for Treason" pamphlets.

Rep. Ford. Those are the only documents or contacts you

personally had?

Mr. Hosty. That I personally had, that is correct.

The Chairman. Was it a pamphlet or a dodger?

Mr. Hosty. It was, I guess you would call it a dodger.

The Chairman. Single sheet?

Mr. Hosty. Single sheet, yes, sir.

The Chairman. . single sheet, was it not?

Mr. Hosty. Yes.

The Chairman. Did you ever ascertain who put that out?

Mr. Hosty. No, sir, I never did.

The Chairman. Did you ever investigate it?

Mr. Hosty. I didn't.

The Chairman. Do you know whether your office did?

Mr. Hosty. I am not sure, no, sir.

Mr. Stern. What next occurred on the 22nd, Mr. Hosty?

Mr. Hosty. All right. After the conference that lasted until about nine a.m., I then left the office and joined an Army Intelligence Agent, and an Agent of the Alcohol Tax Unit of the Treasury Department. We had a conference concerning a case not related to Lee Oswald. This conference lasted most of the morning until about eleven-forty-five. At eleven-forty-five the Army Intelligence Agent and myself left, and walked over towards Main Street. The motorcade was scheduled to pass down Main Street near our office at approximately noon. I was now on my lunch hour, so I stood and watched the motorcade go by at the corner of Field and

Main Street in Dallas.

After the President passed by, I then went across the street, started eating lunch. While I was eating my lunch, the waitress came up and told me she had just heard a radio report that the President and the Vice President had both been shot. I immediately stopped my lunch.

Mr. Stern. The President and the Vice President?

Mr. Hosty. That was the earliest report, that the Vice President had been shot too. These were the rumors. I then of course left the lunchroom immediately and headed back for the office, which is only a block away. I got back to the office.

One of the Supervisors told me to get a radio car and get out on the street right away and I would get further instructions. I did that. I got in the car and started out. I gave the signal that I was on the air and I was told to proceed towards Parkland Hospital. Just as I got to Parkland Hospital I got a call to return to the office immediately.

Mr. Stern. Do you know why you were sent to Parkland Hospital?

Mr. Hosty. No. We were just told they wanted four cars to proceed to Parkland Hospital to stand by for further orders.

Mr. Stern. Were you told why you were ordered to return to the office?

Mr. Hosty. When I got back they told me they wanted me to start reviewing our files to see if I could develop any information,

any leads at all on the possible assassin, to help out administratively in the office.

Mr. Stern. Did the case of Oswald come to your mind at that time?

Mr. Hosty. No, sir.

Mr. Stern. As a possible --

Mr. Hosty. No, sir. It was approximately one-thirty that we got the report that a police officer had been killed in the Oak Cliff area of Dallas, and that the police were surrounding a movie theater where the suspect was allegedly located.

Shortly after two o'clock, we received information that this man had been captured and taken to the Dallas Police Department. One of our agents called from the Dallas Police Department and identified this man as Lee Harvey Oswald. I immediately recognized the name.

Mr. Stern. What was your reaction?

Mr. Hosty. Shock, complete surprise.

Mr. Stern. Because?

Mr. Hosty. I had no reason prior to this time to believe that he was capable or potentially an assassin of the President of the United States.

Mr. Stern. What happened next?

Mr. Hosty. I immediately got the file on Lee Oswald, and I determined that on the 21st of November this change of origin from New Orleans had arrived. It had not been routed to me as yet.

It apparently arrived on the afternoon of the 21st. I got it for the first time *after the assassination*

Mr. Stern. That is the administrative --

Mr. Hosty. Administrative form showing that I was now origin that we now had all the information on the case.

Mr. Stern. Did they send any other information with that?

Mr. Hosty. The only other thing that they sent was a photograph of Lee Oswald taken at the New Orleans Police Department when he was arrested during the summer of 1963. The report of Milton Kaack of the 31st had covered everything else.

Mr. Stern. Just to be clear, you were not ~~waiting~~^{waiting} for this shift of administrative responsibility before you did anything.

Mr. Hosty. No. I mean if there was anything else to do, I would have gone ahead and done it.

Mr. Dulles. Was that action in Washington or New Orleans?

Mr. Hosty. New Orleans.

Mr. Stern. Had anything else arrived at your Dallas Office that you were told about at that point?

Mr. Hosty. Not at that point, no, nothing had arrived then. I then took the file to the *Agent in Charge*

Mr. Dulles. May I ask one point here?

Mr. Hosty. Yes, sir.

Mr. Dulles. From the point of view of the administration, isn't the New Orleans office over the Dallas office, or are they equal?

Mr. Hosty. They are equal, sir.

Mr. Dulles. They are equal?

Mr. Hosty. We have fifty-five offices. They are all equal.

Mr. Dulles. ^AAll equal?

Mr. Hosty. Right.. There are no regional offices.

I then took the file to the Agent in charge, told him that we had a case on Lee Harvey Oswald. While I sat there he immediately called headquarters and advised headquarters here in Washington, D.C. that Lee Harvey Oswald was under arrest down at Dallas and had been observed shooting a police officer. They had eye witnesses to his killing of Officer Tippitt

Mr. Stern. How do you know that?

Mr. Hosty. This had been given to us by one of our agents ^{who} ~~from the call~~ ^{ed} from the Dallas Police Department who had given the information. I don't know who it was. I did not receive the call.

I sat there and assisted the Agent in charge while he talked to the Bureau Headquarters here. I knew the file. Of course he would need some information. I would leaf through the file and get it for him so that he could relay the pertinent information.

Then sometime after that, the Agent in charge instructed me to proceed to the Dallas Police Department and to sit in on the interview of Lee Oswald, which was apparently in progress at this time. Just prior to my leaving, I was told that a communication had just come in ~~that~~ day from the Washington Field Office

advising that Lee Oswald had been in contact with the Soviet Embassy in Washington, D.C.

Mr. Stern. Were you told anything more about that?

Mr. Hosty. No. I mean ^{at} this ~~is the~~ point I was ^{just} given this information. I then went and got a car and drove to the Dallas Police Department, pulled my car into the basement garage of the Dallas Police Department, parked my car.

Mr. Stern. What were conditions like?

Mr. Hosty. Very chaotic. The press was swarming all over the Police Station. There were television cameras being brought into the building. Many people were running, coming and going. The place was a beehive of activity.

I parked the car, got out, and started in the door of the basement, at which time I observed a Dallas police car, an unmarked car, drive in, in which there were four ^{Dallas Texas} detectives. The man sitting on the righthand side of the front seat next to the driver was a man I recognized as ^{Jack} ~~Police Dept~~ ^{Revill} Lieut. ~~Parsons~~. He signaled me that he wanted to talk to me, at which time he jumped out of the car ^{at the head} ahead of the ramp and came over towards me. The rest of the detectives in the car continued down the ramp to ^{park their car} be parked.

We then proceeded in, Lieut. Revill and I proceeded into the Police Department and started up the stairs. Lieut. Revill advised me that -- I might add he was in a very excited state -- he advised me that he had a hot lead, that he had just determined that the only employee from the Texas School Book Depository who

could not be accounted for was a man named Lee.

Now this conversation took place at approximately three p.m., about an hour after Lee Harvey Oswald had been arrested by the Dallas Police Department. I told Lieut. Ryvell that Lee Harvey Oswald had been arrested about an hour ago, that he was an employee of the Texas School Book Depository, and that he was the man who had defected to Russia and had returned to the United States in 1962.

Now either Lieut. Ryvell -- I don't recall if he made a statement doubting that Oswald was the one who assassinated the President, or whether it was just a look of doubt on his face, but there was doubt came into Lieut. Ryvell's ^e mind -- at this time. I stated to him that Lee Oswald was the main suspect in this case.

Now this conversation took place running up the stairs from the basement to the third floor. At this time the level of noise was very high. As I said, there were many press representatives, TV representatives, curious bystanders, police officers, everybody running all over the place.

It was not too much unlike Grand Central Station at rush hour, maybe like the Yankee Stadium during the World Series games, quite noisy. We got to the head of the stairs and I left Lieut. Ryvell and went into Captain Fritz's office.

Mr. Stern. Was anyone else with you and Lieut. Ryvell as you came up the stairs, as you recall?

Mr. Hosty. As I say, the place was swarming with people.

Just the two of us were going up the stairs together. My conversation was with Lieut. ^eRy~~x~~vill only.

Mr. Stern. I now show you a document marked for identification Commission 831, a letter dated April 27, 1964, from Director Hoover to Mr. Rankin, the General Counsel of this Commission, having attached a one-page copy of a newspaper article and an affidavit. Do you recognize this letter?

Mr. Hosty. Yes, sir, I do.

Mr. Stern. Where have you seen it?

Mr. Hosty. I have seen the file copy of this letter in the FBI files.

Mr. Stern. Do you recognize the newspaper article which is the first attachment to this letter?

Mr. Hosty. Yes, sir. It appeared in the Dallas Morning News on April 24, 1964, I believe.

Mr. Stern. And the attachment after this is?

Mr. Hosty. My affidavit.

Mr. Stern. Your affidavit of five pages?

Mr. Hosty. Of five pages, bearing my signature.

Mr. Stern. Now tell us what the reason for your making this affidavit was.

Mr. Hosty. ^(I) was to refute the story that appeared in the Dallas Morning News on April 24, 1964, to set the record straight as to what actually did take place in my conversation with Lieut ^eRy~~x~~vill.

Mr. Stern. What did that story state?

Mr. Hosty. It stated in substance, alleged that I was aware that Lee Harvey Oswald was capable of assassinating the President of the United States, but did not dream he would do it.

Mr. Stern. Did you say that?

Mr. Hosty. No, sir. I want to state for the record at this time that I unequivocally deny ever having made the statement to Lieut. ^eRyvill or to anyone else that, "We knew Lee Harvey Oswald was capable of assassinating the President of the United States, we didn't dream he would do it."

I also want to state at this time that I made no statement to Lieut. ^eRyvill or to any other individual at any time that I or anyone else in the FBI knew that Lee Harvey Oswald was capable of assassinating the President of the United States or possessed any potential for violence.

Prior to the assassination of the President of the United States, I had no information indicating violence on the part of Lee Harvey Oswald. I wish the record to so read.

Mr. Stern. The newspaper story also mentioned another officer of the Dallas ^{Texas} Police Force, V.J. "Jackie" Bryan.

Mr. Hosty. I know him as Jackie Bryan. ^{Police Dept}

Mr. Stern. Do you know this officer?

Mr. Hosty. I know him to see him. I don't know him too well.

Mr. Stern. Do you recall whether or not he was present when you had your conversation with Lieut. ^SRyvill?

Mr. Hosty. I don't recall him being present. I was addressing my remarks to Lieut. ^eRxvill.

Mr. Stern. Have you heard that there was a rumor to the effect of this story at any time before this newspaper article appeared?

Mr. Hosty. About two weeks prior I heard a rumor, but I didn't know exactly what the story was all about. I did hear a rumor.

Mr. Stern. What was the tone and tenor of the rumor?

Mr. Hosty. That I had made some statement concerning Oswald's assassinating the President. I wasn't clear. I was never given the exact wording. It involved my conversation with Lieut ^eRxvill.

Mr. Stern. Have you talked to Lieut. ^eRxvill since this news story appeared?

Mr. Hosty. No, sir, not since the news story appeared.

Mr. Stern. To Chief ~~Curry~~ Jesse

Dallas Texas
Police Chief

Mr. Hosty. No, sir.

Mr. Stern. To any supervising official of the Dallas Police Force?

Mr. Hosty. No, sir.

Mr. Stern. To any newspaper reporter for any Dallas newspaper or otherwise?

Mr. Hosty. They had contacted me for comment, and I have had no comment other than the first person who called me, I denied the story. Since then I have had no comment on instructions from

headquarters.

Mr. Stern. Have you reviewed your affidavit in preparation for your testimony here today?

Mr. Hosty. Yes, sir.

Mr. Stern. Is there anything you would like to add to it other than what you have already said?

Mr. Hosty. No, sir. I think it speaks for itself.

Mr. Stern. Any change you would like to make in it?

Mr. Hosty. No, sir.

The Chairman. Off the record.

(Discussion off the record)

The Chairman. Will you put this on the record, please?

Mr. Rankin, is there anything in the record of the Commission showing that Lieut. Ryvill made a report to his superior officers concerning this statement that is alleged to have been made by Agent Hosty in this newspaper article?

Mr. Rankin. The only thing that we have is this affidavit which you will note as Commission's Exhibit 709.

The Chairman. Yes.

Mr. Rankin. And it bears the date November 22, 1963 at the top, and is sworn to as of the seventh day of April, 1964. That is what Chief Curry testified he received from Lieut. Ryvill.

The Chairman. Has Lieut. Ryvill been a witness before the Commission or has he made a statement, a deposition of any kind?

Mr. Rankin. He has not been a witness before the Commission.

right Redlich?
Redlich

Mr. Rankin. He was talked to in Dallas.

Mr. Rankin. He was a deposition witness.

The Chairman. When was that?

Mr. Rankin. I will have to check that.

The Chairman. Was it before or after this affidavit?

Mr. Rankin. I will have to check that, Mr. Chief Justice, to be sure.

The Chairman. Did he in that deposition state that Agent Hosty had made such a statement to him?

Mr. Rankin. I haven't examined the deposition. I don't know. We have the deposition now, but I have not examined it.

The Chairman. Do you know, Professor Redlich?

Mr. Redlich. Mr. Chief Justice, I asked that question, and the information I have is that he was not questioned about this particular allegation. He was questioned on other matters.

Rep. Ford. Did he volunteer that information?

The Chairman. Yes. Is it in the deposition at all?

Mr. Redlich. To the best of my knowledge, it is not, Mr. Chief Justice.

Mr. McCloy. Don't we have the deposition here? Can't we get it?

Mr. Rankin. Mr. Chief Justice, I would like to be sure to check that before we have that on the record. I will report by morning, if that is all right, and be sure of it.

The Chairman. What was the date of this newspaper article?

It isn't dated here.

Mr. Stern. The cover letter, Mr. Chief Justice, states that it appeared on April 24, 1964.

The Chairman. Do I understand that Chief Curry said that no statement of that kind had been made by Lieut. ^eRayill at or about the time the statement was supposed to have been made by Agent Hosty?

Mr. Rankin. I don't think his testimony was in that form, Mr. Chief Justice. I was in the form that this was given to him and there wasn't any indication that it was given as of the date of November 22 in his testimony.

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The Chairman. I should like to see Lieutenant Revill's deposition.

Mr. Rankin. Mr. Redlich has gone out for it.

The Chairman. We won't delay that now. We will proceed. Go right ahead, Mr. Stern.

Mr. Stern. What happened next?

Mr. Hosty. As I said, I left Lieutenant Revill. ^{Dallas Police Dept} I entered the office of Captain Will Fritz. After a short delay, ^{TEXAS} Agent James W. Bookhout and myself entered the inner office of Captain Will Fritz of the Homicide Section, Dallas Police Department, where Lee Harvey Oswald was being questioned.

Mr. Stern. I show you a two-page document marked Commission No. 832 for identification. Can you identify that?

Mr. Hosty. Yes, sir. This is an interview form which I made for my interview with Lee Harvey Oswald on the 22nd of November 1963. It was dictated as the form will indicate, on the 23rd of November 1963.

Mr. Stern. Let me ask you there, Mr. Hosty, about your practice in reducing to formal form your notes of interviews. This happened the next day?

Mr. Hosty. Right.

Mr. Stern. Is that faster than usual because of the circumstances?

Mr. Hosty. Because of the circumstances. We have to reduce them to writing within five days.

Mr. Stern. In five days?

Mr. Hosty. Five working days.

Mr. Stern. Did you retain the notes of this?

Mr. Hosty. No. After the interview is reduced to writing, I get it back and proof read it. My notes are then destroyed because this is the record.

Mr. Stern. And in this particular instance did you destroy your notes of this?

Mr. Hosty. Yes, sir.

Mr. Stern. Now you say that you are required to reduce your notes of an interview to writing within five working days.

Mr. Hosty. Right.

Mr. Stern. Did that happen with respect to the interviews you conducted on October 29, November 1 and November 5?

Mr. Hosty. To make this a little clearer, this would be an interview of a subject, not of a witness, unless this witness has something that was quite pertinent to the investigation.

Routine-type matters do not have to be put on these interview forms, but pertinent interviews would be. Now everything in this case after the assassination was declared to be pertinent. All interviews, regardless of how insignificant, were to be put on these forms.

Mr. Stern. But the interviews you conducted at the beginning of November and the end of October were not within this rule?

Mr. Hosty. No, because they were not an interview of the

subject or anything that contained anything of major importance.

Mr. Stern. Do you yourself destroy the notes?

Mr. Hosty. Yes.

Mr. Stern. Do you recall specifically destroying the notes of your interview?

Mr. Hosty. Yes, sir, in the wastebasket.

Mr. Stern. Your interview of Oswald, on November 22, you put them in the wastebasket?

Mr. Hosty. Right.

Mr. Stern. Do you recall specifically what you did with the notes of your interviews of October 29, November 1 and November 5?

Mr. Hosty. After I reduced them to writing, such as I did here, and I got the form back, I proof read it, then I threw them away.

Mr. Stern. And you testified that the notes of your end of October -- early November interviews were transcribed after November 22, is that correct?

Mr. Hosty. Right.

Mr. Stern. Were the notes destroyed after you transcribed those interviews, also after November 22?

Mr. Hosty. Yes.

Mr. Stern. Did you give any consideration to retaining the notes in view of the turn that the case had taken?

Mr. Hosty. No.

Mr. Stern. The intervening assassination?

Mr. Hosty. No, because this is the record and the notes would not be as good as this record, because the notes are not written out fully as this is. It would just be abbreviations and things of that type.

Mr. Stern. And you received no instructions about retaining notes?

Mr. Hosty. No, we had no instructions. We were following the same rule we had always followed.

Mr. Stern. Why don't you tell us now, turning to your memorandum of the November 22 interview of Lee Harvey Oswald, what transpired from the time you first entered Captain Fritz' office.

Mr. Hosty. As this interview form will show, the interview commenced at 3:15 p.m. I am certain of that time because I checked my wrist watch, and Agent Bookhout checked my wrist watch. We both agreed on the time, 3:15. We came in and identified ourselves as agents of the FBI. I told Oswald my name and he reacted violently.

Mr. Stern. How do you mean?

Mr. Hosty. To both Agent Bookhout and myself. He adopted an extremely hostile attitude towards the FBI.

Mr. Stern. Was it the FBI or the name Hosty?

Mr. Hosty. Both. He reacted to the fact that we were FBI, and he made the remark to me, "Oh, so you are Hosty. I've heard

about you."

He then started to cuss at us, and so forth, and I tried to talk to him to calm him down. The more I talked to him the worse he got, so I just stopped talking to him, just sat back in the corner and pretty soon he stopped his ranting and raving.

Mr. Stern. What was he saying? Please be specific.

Mr. Hosty. Well, he said, "I am going to fix you FBI," and he made some derogatory remarks about the Director and about FBI agents in general. I don't specifically recall the exact wording he used.

Rep. Ford. Had this been the attitude that existed prior to you and Bookhout coming into the --

Mr. Hosty. Apparently not, apparently not. I couldn't say because I wasn't in the room. We walked into the room. I immediately identified myself, told him I was with the FBI, and was a law enforcement officer, and anything he said to me could be used against him. He did not have to talk to us.

Sen. Cooper. Can you describe the tone of his voice and his manner?

Mr. Hosty. I beg your pardon, sir?

Sen. Cooper. Can you describe the tone of his voice?

Mr. Hosty. He was highly excited. He was very surly. I think would be about the best way to describe him, very surly, and he was curt in his answers to us, snarled at us. That would be his general attitude.

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Rep. Ford. Did he use profanity?

Mr. Hosty. Yes, sir. I can't recall any specific statements he made, however.

Mr. McCloy. Did he complain that you had been abusing or harassing his wife in any way?

Mr. Hosty. He made the statement "If you want to talk to me don't bother my wife. Come and see me."

He didn't say that I had abused his wife in any manner, and I hadn't. He did criticize me for talking to her. He said, "Come talk to me if you want to talk to me."

Rep. Ford. Is that why he knew your name, because of your conversations with her?

Mr. Hosty. Yes, apparently.

Mr. Stern. Had you ever seen Oswald before?

Mr. Hosty. Not until that time. That was the first time I had seen him.

Senator Cooper. Can you remember what he said about the [redacted] specifically?

Mr. Hosty. He called us gestapo, secret police, we were harassing people. It was along that line. I don't recall the exact wording.

Mr. Stern. Was he handcuffed at this time?

Mr. Hosty. He was handcuffed behind him. After he calmed down he asked Captain Fritz if they could remove the handcuffs. Captain Fritz ordered one of his detectives to remove them from

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the rear, and they handcuffed him in front.

Mr. Stern. This happened right after you came into the room?

Mr. Hosty. Shortly after we came in the room.

Mr. Stern. Before or after his outburst?

Mr. Hosty. After his outburst, after he had calmed down.

Mr. Stern. Please continue.

Mr. Hosty. Captain Fritz actually conducted the interview. Agent Bookhout and myself sat back in the corner and observed. Captain Fritz asked Oswald if he had ever owned the rifle. He denied he had ever owned a rifle. He said that he had seen the superintendent of the School Book Depository with a rifle in his office a couple of days before the assassination, but that he had never had a rifle in the building.

He then told Captain Fritz that he had been to the Soviet Union and resided there for three years, and he had many friends in the Soviet Union. Captain Fritz then showed him a piece of paper which had "Fair Play for Cuba" on it, and Oswald admitted to Captain Fritz that he was secretary for the Fair Play for Cuba Committee in New Orleans a few months ago.

He told Captain Fritz that the Fair Play for Cuba Committee had its headquarters in New York City. Captain Fritz then showed Oswald a marksman's medal from the Marine Corps, and Oswald admitted that this was his medal, that he had received a sharp-shooter's medal while in the Marine Corps.

Mr. McCloy. Was it a sharpshooter's or a marksman? There are two different types, you know.

Mr. Kosty. I believe it was a sharpshooter, sir.

He then told Captain Fritz that he had been living at 1026 North Beckley, that is in Dallas, Texas, at 1026 North Beckley under the name O. H. Lee and not under his true name.

Oswald admitted that he was present in the Texas School Book Depository Building on the 22nd of November, 1963, where he had been employed since the 15th of October. Oswald told Captain Fritz that he was a laborer in this building and had access to the entire building. It had offices on the first and second floors with storage on third, fourth, fifth and sixth floors.

Oswald told Captain Fritz that he went to lunch at approximately noon on the 22nd of November, ate his lunch in the lunchroom, and had gone and gotten a Coca Cola from the Coca Cola machine to have with his lunch. He claimed that he was in the lunchroom at the time President Kennedy passed the building.

He was asked why he left the School Book Depository that day, and he stated that in all the confusion he was certain that there would be no more work for the rest of the day, that everybody was too upset, there was too much confusion, so he just decided that there would be no work for the rest of the day and so he went home. He got on a bus and went home. He went to his residence on North Beckley, changed his clothes, and then went to a movie.

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✓ Captain Fritz asked him if he always carried a pistol when he went to the movie, and he said he carried it because he felt like it. He admitted that he did have a pistol on him at the time of his arrest, in this theater, in the ^{OAK CLIFF} Oak Cliff area of Dallas. He further admitted that he had resisted arrest and had received a bump and a cut as a result of his resisting of arrest. ✓ He then denied that he had killed Officer ^{TIPPETT} Tippett or President Kennedy.

Mr. Stern. The memorandum says, "Oswald frantically denied shooting."

Mr. Hosty. It should be emphatically, I believe, rather than frantically. I think this probably should be emphatically denied.

Mr. Stern. Is this your memorandum?

Mr. Hosty. Yes, sir.

Mr. Stern. It is signed or initialed both by you and by Mr. Bockholt.

Mr. Hosty. Right. The procedure is that when there are two agents involved, they both must approve it, so there can be no discrepancies.

Mr. Stern. But you dictated it.

Mr. Hosty. I dictated it and he read it and we both approved it.

Mr. Stern. Have you been over it recently in preparation for your testimony?

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Mr. Hosty. Yes, sir.

Mr. Stern. Is it accurate? Is there anything you would like to add to it?

Mr. Hosty. I think it is correct as it stands.

Mr. McCloy. I didn't hear you repeating your testimony that he denied ever having been in Mexico.

Mr. Hosty. Oh yes. He was being questioned about his activities outside of the United States, where he had been outside of the United States. He told Captain Fritz that he had only been to Mexico to visit at Tijuana on the border, and then he did admit having been in Russia.

Mr. McCloy. He only admitted to having been at Tijuana in Mexico?

Mr. Hosty. Right.

Mr. McCloy. Not to Mexico City.

Mr. Hosty. Not to Mexico City, that is right.

Rep. Ford. There was no recording made of this interrogation.

Mr. Hosty. No, sir. It was notes I took. Agent Bookhout and I took notes, and we dictated from the notes the next day.

Mr. Stern. Did you ask him any questions?

Mr. Hosty. No. Like I say, he was acting in such a hostile ~~conclusion~~ ^{man} towards us that we did not. This was Captain Fritz' interview anyway. We were just sitting in as observers.

Mr. Stern. Did you tell Captain Fritz at this time any of the information you had about Oswald, about his trip to Mexico,

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for example?

Mr. Hosty. No.

Mr. Stern. About his being in touch with the Russian authorities seeking a visa?

Mr. Hosty. No.

Mr. Stern. About his previous residence in the Soviet Union?

Mr. Hosty. Oswald himself told Captain Fritz of this. I didn't have to. Oswald came right out and told him.

Mr. Stern. About the affair in New Orleans and his arrest there?

Mr. Hosty. No.

Mr. Stern. Did you subsequently tell Captain Fritz?

Mr. Hosty. No, I didn't tell Captain Fritz, no.

Mr. Stern. Was any of this information provided to the Dallas police as far as you know?

Mr. Hosty. I provided it to Lieutenant Revill earlier, as I pointed out. He would have been the person I would have furnish this information to as the head of the Intelligence Section. He would be the logical and correct person to give this information to.

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Mr. Stern. Was that the extent of your advice to the Dallas Police?

Mr. Hosty. Right.

Mr. McCloy. Did you tell ^{Chief} Captain Curry that you had a file?

Mr. Hosty. No, sir, I haven't talked to Chief Curry in several years. Of course I don't deal with him too much ^{the chief} on ^{the} chief level.

Mr. Stern. Wouldn't it been difficult for Lieut. ^e Ryvill to have gotten this information from you under the conditions that you described, running up the stairway and the rest of it, do you think he heard enough of this?

Mr. Hosty. Well, that is true, he might not have. But you see Oswald then proceeded to tell himself, he told the police all this information, so there was no point in me repeating it when he himself, Oswald, had furnished it directly to the police.

Mr. McCloy. But you did tell Ryvill that you had a file on Oswald?

Mr. Hosty. No, I didn't tell him I had a file, no, sir.

Mr. McCloy. You did not?

Mr. Hosty. Just as I related here in the affidavit.

The Chairman. Mr. Hosty, I think the answer to this question is implicit in your testimony, but I would just like to ask it directly. Did you or anyone in the FBI to your knowledge for compensation or in any manner whatsoever use Oswald as an informant in any way, shape or form?

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Mr. Hosty. I have previously furnished a sworn affidavit to this Commission to the effect that I had never seen or talked to Lee Harvey Oswald prior to the 22nd of November, 1963. I had never made payments of any kind to him, and, in addition, I had never made any attempt to develop him as an informant or source of information. I have made a sworn affidavit to that effect.

The Chairman. Your answer to my question then is "No."

Mr. Hosty. Correct.

Mr. Stern. This might be a good opportunity, Mr. Chairman, to have him identify this affidavit. I show you from Commission Exhibit 825 a one-page affidavit. Can you --

Mr. Hosty. This is my affidavit. This is my signature.

Mr. Stern. And it was made when?

Mr. Hosty. On the fifth day of February, 1964.

Mr. Stern. Why don't you read that?

Mr. Hosty. "I, James P. Hosty, Jr., Special Agent of the Federal Bureau of Investigation since January 21, 1952, having been duly sworn, make the following statement:

"At no time prior to the assassination of President John F. Kennedy did I ever see or talk to Lee Harvey Oswald. I have never made payments of any kind to him. In addition, I have never made any attempt to develop him as an informant or source of information."

Signed, James P. Hosty, Jr., Special Agent, Federal Bureau of Investigation.

3 Mr. Stern. Mr. Chairman, may we have admitted Exhibit 831 and 832, which Mr. Hosty has identified, letter from the Director of the FBI enclosing Mr. Hosty's affidavit, as 831 and 832, which is his two-page memorandum on the interview?

The Chairman. That may be admitted with those numbers.

(The items marked Commission Exhibits 831 and 832 for identification were received in evidence.)

The Chairman. Is that all, Mr. Stern?

Mr. Stern. There are a few other points.

The Chairman. Let's hurry them along.

Mr. Stern. To conclude that last point, Mr. Hosty, do you have any knowledge of anyone else in the Government Service, either FBI or any other branch --

Mr. Hosty. No, sir.

Mr. Stern. That tried or was successful in recruiting Lee Harvey Oswald as an informant or employee or agent?

Mr. Hosty. No, sir.

Mr. Stern. Did you see Oswald again after the interview that Captain Fritz conducted?

Mr. Hosty. No.

Mr. Stern. What did you do when this interview concluded?

Mr. Hosty. As I stated here, he was removed from Captain Fritz's office at 4:05 p.m. Here again I checked my wristwatch, so I am certain the time is correct.

I ^{then} ~~then~~ went to the outer office of Captain Will Fritz and

remained there until approximately eight p.m. that evening.

Mr. Stern. You did not attend any of the lineups?

Mr. Hosty. No, sir.

Mr. Stern. Did you talk to any member of the Secret Service at this time?

Mr. Hosty. Yes, sir. At approximately six p.m. on the 22nd of November, 1963, Special Agent in charge Forrest V. Sorrells of the United States Secret Service entered Captain Fritz's office with about five or six Secret Service Agents. He then proceeded to interview Lee Harvey Oswald. I was not present during this interview.

I did see him take Lee Oswald to the rear of Captain Fritz's outer office and interview Lee Oswald. It appeared to me that Forrest Sorrells of the Secret Service had appeared for the purpose of representing the United States Secret Service in this investigation. I was aware at this time that the FBI did not have jurisdiction over this matter, that is, the assassination of the President of the United States, and that if any Federal agency did have jurisdiction, it would be the United States Secret Service. As I later determined, no Federal agency had jurisdiction over this assassination.

✓ When Forrest Sorrells concluded his interview with Lee Oswald I called him aside and advised him that there was some additional information on Lee Oswald which the FBI headquarters in Washington could furnish to the headquarters of the Secret Service in

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Washington, and that there were two items, and that I did not feel that I could give them to him directly since they were secret in nature.

Mr. Stern. Was anyone else present during this conversation?

Mr. Hosty. As I said, this took place in the outer office of Captain Will Pritz. There were about thirty or forty people milling around out there. There were three or four Texas Rangers. There were perhaps a dozen Dallas Police Officers. There were, as I said, five or six Secret Service Agents.

There were three other FBI Agents besides myself, various clerical personnel from the Police Department who were assigned to the Homicide Division. I recognized two Postal Inspectors. I directed this conversation to Mr. Scirelly. I called him to one side and directed this to him directly.

Mr. Stern. Did you repeat the same information to anyone else later on?

Mr. Hosty. No, sir.

Mr. Stern. What did you have in mind? What were the two pieces of information?

Mr. Hosty. The two pieces of information I had in mind were the contacts that Lee Oswald had with the Soviet Embassy in Mexico City, and the contact that he had had with the Soviet Embassy in Washington, D.C.

Mr. Stern. Were you in touch with your Dallas Office from the Police Headquarters regularly during the evening of the 22nd?

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Mr. Hosty. Yes. I went out and made phone calls to them, advised them of my interview and how things were going.

Mr. Stern. Did you make any calls directly to Bureau headquarters in Washington?

Mr. Hosty. I didn't, no, sir.

Mr. Stern. Were you advised at any time on the 22nd after you left your office for the first time -- no, you were only in your office once -- of other information, any other information with regard to Lee Harvey Oswald that had been supplied by Bureau headquarters in Washington through your Dallas Office?

Mr. Hosty. No, that was all, just what I previously related.

Mr. Stern. Just what you mentioned, nothing else came through?

Mr. Hosty. Nothing else.

Mr. Stern. Were you in the Police Headquarters on Saturday, the 23rd, or Sunday, the 24th, at all?

Mr. Hosty. No, sir.

Mr. Stern. Did you have any further discussions with Lieutenant Revill that week-end?

Mr. Hosty. No...

Mr. Stern. At any time until now?

Mr. Hosty. I have had discussions with him on two occasions since then. We did not discuss this matter of the 22nd of November, this conversation of the 22nd.

Mr. Stern. Did you discuss the assassination with him on either of these two occasions that you recall?

Mr. Hosty. No, sir.

Mr. Stern. The only conversation you had with him was going up the stairway from the basement to the third floor of the Police Headquarters on November 22?

Mr. Hosty. That is correct.

Rep. Ford. Do you recall the dates of these two subsequent meetings with him?

Mr. Hosty. No, sir, I don't. Just the first time was maybe in January, January sometime, possibly February, and that was at his office. Then he came to our office maybe in March. I just don't recall the dates.

Rep. Ford. But those visits were on matters not at all related to the assassination or the events surrounding it?

Mr. Hosty. Actually, when he came to our office he was coming to talk to another Agent, and I just said "Hello" to him, and we didn't discuss anything official. I just nodded "hello" to him, "How are you doing?" when I went to his office it was in connection with another matter.

Mr. Stern. But on another occasion did you discuss the assassination or the events surrounding it?

Mr. Hosty. No, sir.

The Chairman. Have you any further questions, Congressman Ford?

Rep. Ford. What did you do on Saturday and Sunday following in rough outline, involving the assassination, if anything?

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Mr. Hosty. I worked practically round the clock Saturday night. I didn't go to bed at all, as I recall, Friday night and Saturday. I was covering various leads in connection with the assassination, talking to people who knew Lee Oswald.

I talked to Mrs. Paine, to give you an example, the first thing Saturday morning. I talked to various people that knew Oswald, just covering general investigative leads in connection with the assassination, like everyone else was. But I wasn't working at the Police Department.

Rep. Ford. You weren't at the Police Department at all on Saturday or Sunday?

Mr. Hosty. That is correct.

The Chairman. Mr. McCloy, have you anything?

Mr. McCloy. I noticed you mentioned Lieut. Revill and Jackie Bryan. There is another name mentioned here, Gordon Shanklin.

Mr. Hosty. He is the Agent in charge of the Dallas FBI Office.

Mr. McCloy. It doesn't say so in this article, but it may be in this by implication. You said nothing or anything that is comparable to the alleged statement, "We have a suspect who is capable of the assassination of the President, but I never dreamed of it," to your colleague Gordon Shanklin?

Mr. Hosty. No, sir.

Mr. McCloy. When you went to talk to Mrs. Paine, did you go

over the premises then with her? Did she, for example, show you where Oswald is alleged to have kept the rifle in the garage?

Mr. Hosty. No, sir, I didn't do that, no.

Mr. McCloy. Did you, in the course of your follow-up leads, talk to Mr. TruXly? Roy ~~TruXly~~ Dallas

Mr. Hosty. Yes, sir. TEXAS

Mr. McCloy. Can you tell us what transpired between you and Mr. TruXly?

Mr. Hosty. Yes, sir. I talked to him about --

Mr. McCloy. Is this anticipating something you have got?

Mr. Stern. No.

Mr. Hosty. This interview took place quite a bit after the assassination. I did talk to Mr. TruXly about I believe it was in January or February of '64, and it concerned the time that he, Mr. TruXly, was aware of the fact that there would be a parade through downtown Dallas. And his recollection was that he was not aware of the fact that the motorcade would pass in front of his building until shortly before noon on the 21st when an article appeared in the Dallas Times Herald.

Now the Dallas Times Herald appears on the street at approximately 10:30 a.m., and Mr. TruXly said shortly before noon someone from his office saw this article and mentioned it to the office employees and said they all became excited, and this was apparently the first time anyone at the Texas School Book Depository realized the motorcade was going to pass directly in front of their building.

Rep. Ford. This was Thursday?

Mr. Hosty. Thursday before, yes. It was shortly before noon.

Rep. Ford. The 21st?

Mr. Hosty. On the 21st of November, yes.

Mr. McCloy. But according to your recollection of what he said, all the employees were excited and became aware of the fact that the motorcade --

Mr. Hosty. At that time.

Mr. McCloy. At that time was going to pass the School Book Depository.

Mr. Hosty. Right.

Mr. McCloy. Did you notice that Oswald said in the course of his interview by Capt. Fritz that he had not had a rifle but he had seen a rifle in the possession of Mr. TruXly?

Mr. Hosty. Right.

Mr. McCloy. Did you interrogate Mr. TruXly about that?

Mr. Hosty. No, I didn't.

Mr. McCloy. Do you know whether anyone else did?

Mr. Hosty. I can't say for certain, no.

(Discussion off the record.)

Mr. McCloy. Back on the record.

Do you know, Mr. Rankin, whether or not Mr. TruXly has been interviewed on this subject?

Mr. Rankin. It has been reported to me by the staff that he has.

Mr. McCloy. Does he deny it, do you know?

Mr. Rankin. He denies it.

Mr. McCloy. He denies it?

Mr. Rankin. Yes.

Mr. McCloy. But we have no deposition from him in that regard as yet.

Mr. Liebeler. No, we do not.

The Chairman. May I ask first as to Exhibit No. 830, you have it?

Mr. Hosty. Yes, sir.

Sen. Cooper. Does that represent statements made to you?

Mr. Hosty. Yes, sir.

Sen. Cooper. On November 5th, did Mrs. Ruth Payne tell you that she thought Lee Oswald was an illogical person?

Mr. Hosty. Yes, sir.

Sen. Cooper. And that he admitted to her being a Trotskyite Communist?

Mr. Hosty. Yes, sir.

Sen. Cooper. Did you know that he had engaged in this Fair Play for Cuba demonstration in New Orleans and had been arrested?

Mr. Hosty. Yes, sir.

Sen. Cooper. You were told on November 1st that he was employed at the Texas School Book Depository?

Mr. Hosty. Yes, sir.

Sen. Cooper. Had you checked there to see if he was employed?

Mr. Hosty. I made a pretext interview on the 4th.

Sen. Cooper. On what day?

Mr. Hosty. The 4th of November.

Sen. Cooper. Considering that he was a defector, you know he was a defector?

Mr. Hosty. Yes, sir.

Sen. Cooper. And considering that he had been engaged in this demonstration in New Orleans, and the statement that Mrs. Payne had made to you, did it occur to you at all that he was a potentially dangerous person?

Mr. Hosty. No, sir.

Sen. Cooper. Why?

Mr. Hosty. There is no indication from something of that type that he would commit a violent act. This is not the form that a person of that type would necessarily take.

This would not in any way indicate to me that he was capable of violence.

Sen. Cooper. I believe you testified that you didn't know the route of the --

Mr. Hosty. That is correct, sir.

Sen. Cooper. Of the procession which passed the Texas School Book Depository?

Mr. Hosty. That is correct, sir.

Sen. Cooper. Did it occur to you to communicate this information to the Secret Service or the Dallas police about Oswald?

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Mr. Hosty. No, sir. There would be no reason for us to give it to them.

Mr. McCloy. You did know he was lying though, didn't you?

Mr. Hosty. Yes, sir.

Mr. McCloy. Don't you think the combination of the fact that you knew that he was lying and that he was a defector and that he had this record with the Fair Play for Cuba, that he might be involved in some intrigue that would be if not necessarily violent, he was a dangerous security risk?

Mr. Hosty. He was a security risk of a sort, but not the type of person who would engage in violence. That would be the indication.

Rep. Ford. What is the criteria for a man being a potential violent man? Is this a subjective test?

Mr. Hosty. You mean to the point where we would report him to the Secret Service?

Rep. Ford. Yes.

✓ Mr. Hosty. ^{was the} It is instructions we had as of the 22nd of November, we had to have some indication that the person planned to take some action against the safety of the President of the United States or the Vice-President.

Rep. Ford. How do you evaluate that? Do you have any criteria?

Mr. Hosty. No. At that time it was that there had to be some actual indication of plan or a plot.

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Rep. Ford. There had to be a conspiracy of some sort?

✓
Mr. Hosty. Well, ^{or} a single person doing something if anyone was going to take any action against the safety of the President or Vice-President.

Rep. Ford. I think you testified earlier that at the time of the motorcade you were at your lunch hour.

Mr. Hosty. Right.

Rep. Ford. And were actually eating lunch. When a President visits a community, is the FBI or its people assigned any responsibilities as far as the security of the President is concerned?

Mr. Hosty. Prior to November 22, I know of no incidents where the FBI was called in to help the Secret Service, to my knowledge.

Rep. Ford. And particularly on this day none of the --

Mr. Hosty. Definitely not.

Rep. Ford. -- of the people in the FBI in the Dallas area were given any assignments?

Mr. Hosty. That is correct.

Rep. Ford. For the security of the President?

Mr. Hosty. That is correct.

Mr. McCloy. Mr. Hosty, let me ask you this: Suppose you had known that that motorcade was going to go past the School Book Depository, do you think your action would have been any different?

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Mr. Hosty. No, sir, it wouldn't have been any different.

Mr. McCloy. Even though you knew that he was located there?

Mr. Hosty. Right.

Mr. McCloy. And that he was a defector?

Mr. Hosty. Right.

The Chairman. Senator.

Sen. Cooper. Have you received any evidence that any person other than Lee Oswald was involved in the assassination of President Kennedy?

Mr. Hosty. No, sir, I have no knowledge of anyone else.

Sen. Cooper. Did you know anything about the attempt on General Walker's life? *Yes* *TS*

Mr. Hosty. I have read in the newspapers about the attempt on General Walker's life, yes.

Sen. Cooper. Your office was not connected with any investigation of that?

Mr. Hosty. No, this was not a matter under the jurisdiction of the FBI. It was under the jurisdiction of the Dallas police department.

The Chairman. Mr. Hosty, you told us what your instructions were concerning dangerous persons as of the 22nd of November. Have they been changed?

Mr. Hosty. I think Mr. Belmont will bring that up tomorrow if it is all right. Yes, they have been.

The Chairman. You will be sure to ask him that to get

that from him.

Are there any other questions, gentlemen?

Mr. McCloy. Mr. Hosty, are you still engaged in any aspect of the assassination?

Mr. Hosty. Oh, yes. I am still involved in the investigation of it, what investigation we still have.

Mr. McCloy. And any odds and ends that come up?

Mr. Hosty. Right.

Mr. McCloy. You are still in the process of investigating?

Mr. Hosty. Yes, sir.

The Chairman. I would like to ask Professor Redlich, did you find anything in the deposition of Lieutenant, what was his name?

Mr. Redlich. Revill.

The Chairman. Revill, on this subject?

Mr. Redlich. No, sir.

It. Revill was deposed on Tuesday, March 31st, by Mr. Hubert of the Commission's staff.

The Chairman. What date?

Mr. Redlich. March 31, 1964. The deposition consisted almost entirely of questions relating to Mr. Revill's responsibilities in connection with the investigation of the murder of Lee Harvey Oswald, and during the course of that interrogation there is nothing at all on the matter which was the subject of Commission Exhibit No. ~~709~~ 709.

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The Chairman. Is there any reference in his testimony to his going up the stairs with Agent Hosty on the 22nd of November?

Mr. Redlich. No, sir.

The Chairman. Nothing concerning that particular time in the police station?

Mr. Redlich. No, there was not.

The Chairman. Very well. That is all.

Mr. Rankin. Mr. Chief Justice, I answered Mr. McCloy's question in error by Mr. Tru~~x~~ly.

Mr. Belin tells me that he examined the FBI statement, and there is a statement by Mr. Tru~~x~~ly in regard to two rifles in which he explains is, as he says, innocently.

Mr. Belin, would you tell for the record what that is?

Mr. Belin. I would almost rather wait until tomorrow morning to have the FBI reports before the Commission, if I can. I think it is a friend brought a rifle.

The Chairman. It would be better to have the report itself here.

Mr. Belin. I will have that for the Commission tomorrow morning, sir.

Mr. McCloy. I think, Mr. Hosty, you have probably answered this question which is very closely related to that which Senator Cooper asked you.

You testified that you were continuing your investigation of

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various aspects of this case. You have not thus far at least unearthed anything which could be called in the nature of a conspiracy?

Mr. Hosty. No, sir.

Mr. McCloy. In connection with this assassination?

Mr. Hosty. You mean involving someone else?

Mr. McCloy. Someone else?

Mr. Hosty. No.

Mr. McCloy. Other than --

Mr. Hosty. Lee Oswald.

Mr. McCloy. Oswald. And that would cover certainly any connection with Mr. Ruby? *Yes* *7/11/62*

Mr. Hosty. That is correct.

Mr. McCloy. Have you ever interviewed Mr. Ruby?

Mr. Hosty. No, sir.

Mr. McCloy. I think that is all I have.

The Chairman. Are there any other questions?

Congressman Ford?

Rep. Ford. I think earlier, Mr. Hosty, you indicated that the case of Oswald was under your jurisdiction?

Mr. Hosty. Was assigned to me, yes, sir.

Rep. Ford. Assigned to you?

Mr. Hosty. Yes, sir.

Rep. Ford. As I recall the language you indicated that documents or papers or reports came to you?

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Mr. Hosty. Correct.

Rep. Ford. Would this go through the Special Agent in Charge of the Dallas area or what would it be?

Mr. Hosty. Here would be the procedure. The mail would be received at the chief clerk's office. They would then match it up with the proper file, and take it to the supervisor in question.

Rep. Ford. Who is that?

Mr. Hosty. Mr. Kenneth Howe was supervisor of the Internal Security squad, and he would get it first, would read it, and then route it to the agent to whom the case was assigned.

Rep. Ford. So Mr. Howe --

Mr. Hosty. Yes.

Rep. Ford. --was knowledgeable about the Oswald case?

Mr. Hosty. Right.

Rep. Ford. Now how knowledgeable would a person in that capacity be about this case?

Mr. Hosty. Well, I might point out where I would have 25 to 40 cases that I was working on, he might have 500 to 700 cases he was supervising, so obviously he couldn't pay as much attention to the details of the case as the agent to whom it was assigned.

Rep. Ford. He saw all the documents that came in or went out involving this case?

Mr. Hosty. This case and many other cases.

Rep. Ford. Did you and Mr. Howe ever discuss the Oswald case prior to the assassination?

Mr. Hosty. I have no recollection of any discussion of the case, no.

Rep. Ford. Is this unusual or is this typical?

Mr. Hosty. There would be a discussion if in my opinion there was something I wanted to consult him on or if in his opinion there was something he wanted to consult me on.

If he thought I was handling the case all right, and I had no questions, we would not discuss the case.

Rep. Ford. Your recollection is that in this instance you and Mr. Howe had no such discussion?

Mr. Hosty. That is my recollection.

Mr. McCloy. After this one interview in which you participated at least in part with Lt or Capt Fritz, I forgot what his rank is --

Mr. Hosty. Capt. Fritz.

Mr. McCloy. Capt Fritz, did you ever interview or were you ever a participant in an interview of Oswald thereafter?

Mr. Hosty. No. This was the only time I participated.

Mr. McCloy. Did you return to the police headquarters the next day?

Mr. Hosty. No, sir.

Mr. McCloy. You weren't there when Oswald was shot?

Mr. Hosty. No, sir.

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The Chairman. Thank you very much, Mr. Hosty.

Mr. Hosty. Thank you, Mr. Chief Justice.

The Chairman. Thank you for your help. We are very glad to have seen you, sir.

The meeting will adjourn.

(Whereupon, at 5:10 o'clock, the Commission recessed to reconvene at 9:00 o'clock a.m., Wednesday, May 6, 1964.)

end