

Evidence Against Oswald Described as Conclusive

By GLADWIN HILL
Special to The New York Times

NY-11/23

DALLAS, Nov. 23—Police officials said today they had amassed evidence enough to convict Lee Harvey Oswald of the assassination of President Kennedy.

"We're convinced beyond any doubt that he killed the President," said Capt. Will Fritz, chief of the Dallas Police Homicide Bureau, after questioning Oswald and others.

"I think the case is cinched," he said.

While the 24-year-old warehouse worker continued to deny the killing under prolonged questioning, the Dallas County District Attorney, Henry Wade, said this afternoon: "I think we have enough evidence to convict him now—but we anticipate a lot more evidence in the next few days."

Oswald was arrested yesterday afternoon after the President had been killed by a sniper's rifle bullet. He was charged also with the slaying of a Dallas policeman.

District Attorney Wade said he planned to present the case to the grand jury next Wednesday or the following Monday. He thought the case might come to trial in mid-January.

As a major item of evidence, the prosecutor cited at a news conference at police headquarters

Continued on Page 1, Column 1

ters a statement to the police by Oswald's Russian-born wife, Marina. She was questioned last night and this morning.

Mr. Wade quoted her as saying that Oswald had a rifle, similar in appearance to that used in the assassination, in their garage in suburban Irving on Thursday night. She was said to have added that it was not there after Oswald went to work yesterday morning at the book warehouse from which came the shots that felled the President and Texas' Gov. John Connally.

Police Chief Jesse Curry quoted an unidentified witness as saying that when Oswald walked into the warehouse yesterday morning, he was carrying a long package wrapped in brown paper. He told somebody this was a window shade.

No oral statements by the defendant or other witnesses are admissible as trial evidence under Texas law, the District Attorney noted. Such evidence must be in the form either of sworn written statements or testimony on the witness stand.

Late today Chief Curry said: "We're sure of our case." He said "new evidence" had been obtained this morning, strongly supporting Oswald's guilt.

He would not discuss the nature of this evidence, except to indicate that it did not involve the assassination rifle. He said no report had yet been received from the Federal Bureau of Investigation laboratory in Washington, where the rifle was taken last night for examination.

Found Near Window

The rifle was found near a sixth-floor window of the warehouse shortly after the crime. Other employees were quoted as stating that Oswald had stayed upstairs when they went out to watch the President go by.

District Attorney Wade said he had mistakenly identified the assassination rifle last night as a German Mauser.

Today the police said it had not been classified more sensitively than as one of foreign make—possibly Italian—of about 1940, the sort of old foreign guns that have been sold in large quantities by war surplus stores.

Officers starting a canvass of such outlets observed that odd-sized ammunition—smaller than ordinary .30 caliber—might provide an important clue. The assassination,

they said, involved excellent marksmanship that could only have come from regular practice recently, and this in turn would have required sizable quantities of the special ammunition.

[United Press International quoted Dallas police officers as saying the rifle was an outmoded Italian-made 6.5 Carcano, popular now among sportsmen. Homicide Inspector L. C. Graves said the rifle was capable of firing six rounds of .270-.280 ammunition at speeds of 2,500-2,800 feet a second. Its barrel was measured at 30 3/4 inches and its overall length at 50 1/2 inches.

A Japanese four-power telescopic sight was attached to the murder weapon.]

Wants to Talk

Oswald's only utterance directed to outsiders today was an exclamation, as he was led handcuffed through a police headquarters corridor:

"I want to talk to Mr. . . . in New York."

The name sounded like Abt or Apt.

[In New York, John J. Abt, who has represented the Communist party in a number of litigations, said he had never heard of Oswald.]

District Attorney Wade said Oswald refused to take a lie detector test.

He said the defendant had been advised repeatedly of his rights to counsel, and that he understood that relatives who have come to police headquarters were trying to raise money for a lawyer.

If they were unsuccessful, he added, counsel would be appointed by the county.

The prosecutor said he expected to seek the electric chair for the former marine. Mr. Wade has a record of 23 convictions in 24 capital cases.

Oswald, a former Marine who had recently lived in the Soviet Union and married a Russian girl, was said to have acknowledged that he was "a Marxist but not a Communist."

Investigators have discovered no organizational connection with the crime.

The police chief said there were believed to be only 25 or 30 Communist party members in the Dallas area; that the police had had "no trouble" with them lately, and that his organization had had no contacts with the pro-Castro "Fair Play for Cuba Committee," of which Oswald was said to have been an adherent.

In pursuing the left-wing aspect of the case, officers last night and this morning questioned José Rodriguez Molinas, a bookkeeper at the warehouse and a man who, according to police files, has had some associations with left-wing causes.

The investigator's main interest was any indication of rapport between Mr. Molinas and Oswald. But Mr. Molinas

had merely a nodding acquaintance with Oswald, who worked at the warehouse only a few weeks. He appeared voluntarily for questioning and underwent a lie detector test and was released.

Oswald was arraigned at police headquarters on a murder charge last midnight and held without bail for grand jury action.

Questioning Resumed

He spent the night in a cell on the fourth floor of the Police Headquarters building, with a special one-man guard.

This morning at 10:30 o'clock Central Standard Time, Oswald was brought down to the Homicide Bureau on the third floor for resumption of the prolonged interrogation of yesterday.

His Russian-born wife, from whom he was separated, was brought to the Homicide Bureau for a second time.

Deputy Police Chief M. W. Stevenson said eventual examination by a county psychiatrist would be routine in such a case. None has been specifically scheduled as yet by Dallas County District Attorney Henry Wade.

Chief Curry said that a palm print on a cardboard carton near the window from which the fatal shots came had been identified positively as Oswald's and was considered important evidence.

The officer said also that a paraffin test of Oswald's hands had proved positive, meaning that he had fired a weapon. However, the chief noted this could have been the .38-caliber revolver Oswald was carrying when arrested. He is alleged to have used it to kill a policeman in the Oak Cliff District shortly before going into the theater.

Chief Curry said his department had had no record about Oswald up to yesterday, but that the local office of the Federal Bureau of Investigation had a long "subversive" record on him.