

# OSWALD ASSASSIN BEYOND A DOUBT, F. B. I. CONCLUDES

He Acted Alone and Did Not  
Know Ruby, Says Report  
to Warren Inquiry Panel

By JOSEPH A. LOFTUS

Special to The New York Times

WASHINGTON, Dec. 9—A Federal Bureau of Investigation report went to a special Presidential commission today and named Lee H. Oswald as the assassin of President Kennedy.

The report is known to emphasize that Oswald was beyond doubt the assassin and that he acted alone. The report further concludes that there was no link between Oswald and Jack Ruby, the man who killed him in the Dallas police garage.

The Department of Justice, declining all comment on the content of the report, announced only that on instructions of President Johnson the report was sent directly to the special commission of which Chief Justice Earl Warren is chairman.

The commission asked that the report not be made public until it had had an opportunity to review it and had taken "whatever action it may feel appropriate."

## Investigation Continues

The Justice Department said that the F. B. I. investigation was continuing and that any further facts that were found would be reported to the Warren commission.

Speculation that Oswald and Ruby knew each other, or in some way were part of a prior vendetta or association, is com-

pletely discounted in the report.

The slaying of Oswald by Ruby, an act witnessed by millions on television, is simply reported in the F. B. I. document. There is no attempt to find Ruby guilty in a legal sense. This is a matter for a jury.

Ruby's lawyer has said his client will plead temporary insanity. Hence, a jury could find that though a man committed the act of killing Oswald he was not guilty by reason of insanity.

## Subpoena Power Given

Congress, meantime, gave the Warren commission subpoena powers. When the commission next meets will be determined by the Chief Justice. Its course after that will be determined in the light of the facts in the F. B. I. report.

Among the findings that point to Oswald as the assassin are clothing fragments and fingerprints.

The bits of clothing were found on the rifle used in the assassination. The prints were found on wrapping paper that covered the rifle when it was carried into the Dallas building from which the shots were fired.

Oswald worked in that building and was there at the time of the assassination on Nov. 22. The rifle was identical with one he ordered under an assumed name last March.

Oswald, who had defected to the Soviet Union but returned on June 13, 1962, was a pro-Castro agitator and apparently a paranoid personality who believed himself put upon by society. The F. B. I. had been aware of his agitating but had found no evidence that he was an agent of a foreign power.

Ruby operated a night-spot joint in Dallas and was emotionally volatile. The evidence is that he appointed himself the avenger of the crime against the President.