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Newsweek

THE ASSASSINATION

THE WARREN COMMISSION REPORT



THE ASSASSINATION



The Warren Commission Report

'These conclusions represent the reasoned judgment of all members of the Commission and are presented after an investigation . . . concerning the assassination of President Kennedy'



Ten months had passed since the outrage of John F. Kennedy's murder—ten months without an official public accounting of a crime that wrenched the hearts of men and the course of history. This week it finally came pouring out—a gush of some 300,000 words in a light-blue-covered, 888-page, 43-ounce volume, "Report of the President's Commission on the Assassination of President John F. Kennedy."*

The unanimous report held no major surprise. The assassin, it found, was a 24-year-old misfit named Lee Harvey Oswald, who acted alone—without any conspiracy, foreign or domestic—out of motives dimly seen in the murk of a twisted mind. He had a "deep-rooted resentment of all authority" and "a hostility toward every society in which he lived"; he was dogged by "isolation, frustration, and failure"; he imagined himself a future political leader, had a demonstrated capacity for violence and an "urge to try to find a place in history." He was a man, in the informal words of one member of the commission, "who did only one thing well in his entire life—assassinate the President."

The report was calm, measured, and

overwhelming—in the weight of its evidence against Oswald, in the glint of fresh and authentic detail, and the sheer scope, intensity, and thoroughness of the investigation reflected in its pages. Apart from a tightly woven web of physical evidence, the commission even turned up an eyewitness who saw Oswald shooting the President from the Texas School Book Depository, as well as two eyewitnesses who saw him kill Dallas patrolman J.D. Tippit 45 minutes later.

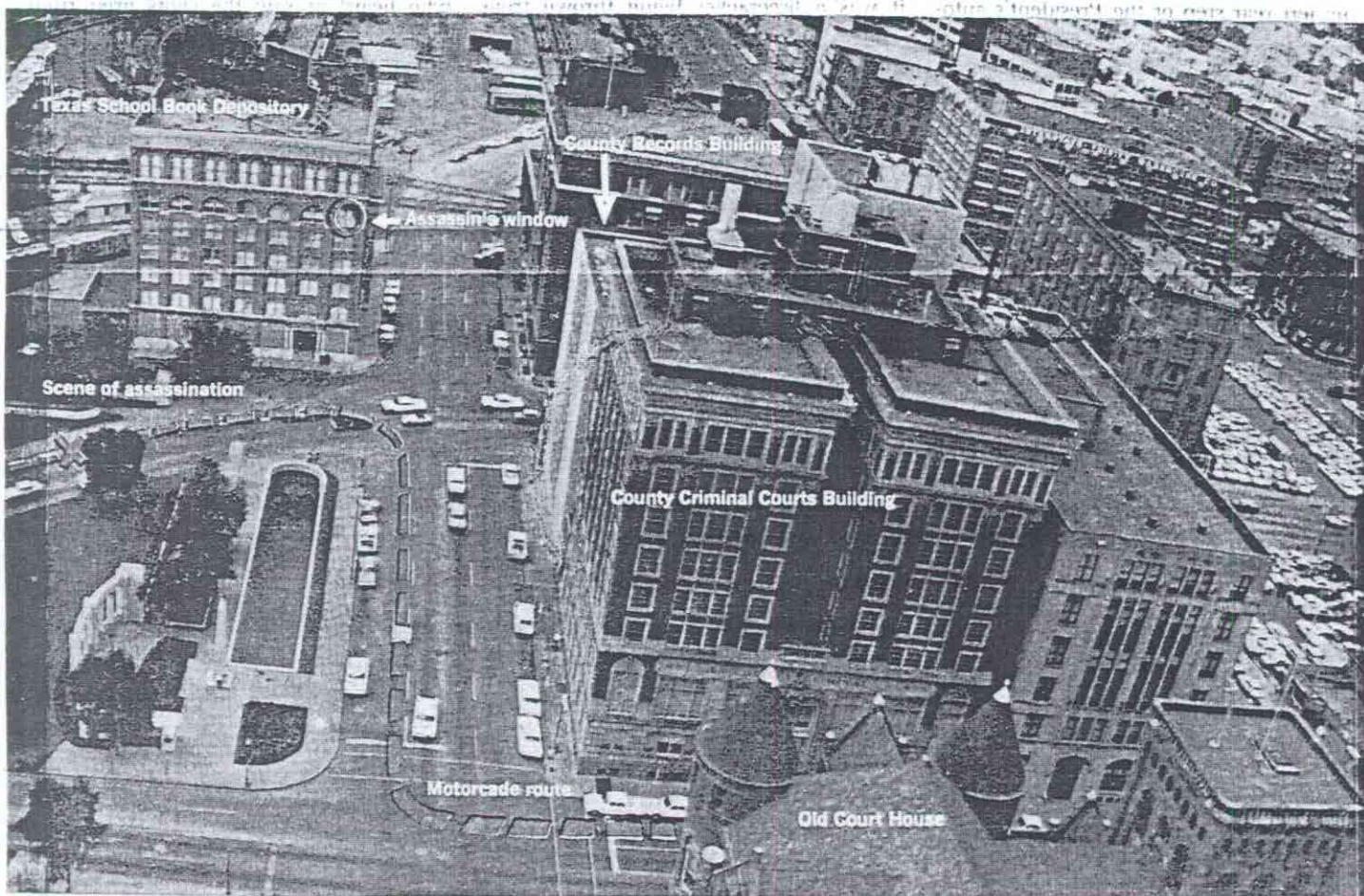
The Big Question: Reconstructing the events of Nov. 22 was a monumental job. It involved not only minute calculation of bullet trajectories from the Texas School Book Depository but exhaustive tests conducted with animal tissue in Arlington, Va., to demonstrate the difference between an entry and an exit bullet hole and to trace the course of a high-powered rifle bullet that strikes a human skull. Yet the toughest part of the investigation was not to prove what happened in Dallas that terrible day but to disprove what might have happened—to find out if there was any truth in a welter of rumor, gossip, and speculation pointing to a conspiracy.

By its very silence for so long, the commission headed by Chief Justice Earl Warren made its own task that

much harder. It gave a long head start to confusion and conjecture even among the best intentioned; and it nourished a whole mythology of assassination literature, ranging from outlandish theories to cunningly plausible doubts. And, indeed, there have been hypotheses resting on premises the commission itself felt deserved "critical examination."

The myths sprang in the first place from faulty information, the report shows. Dallas authorities themselves released some erroneous and misleading "facts." Some witnesses were unreliable, some reporters inaccurate. Yet every scrap—even typographical errors in press reports—was seized upon by the conspiracy-theorists. The theories flourished especially among Europeans, agape at the bizarre spectacle of Jack Ruby's murder of Oswald in police custody, live on TV—and accustomed, out of their own experience, to believe that things are never what they seem in politics. Such wild imaginings as "Who Killed Kennedy?" by an American ex-Communist named Thomas Buchanan have won respectable attention and high sales in book and magazine form. As recently as last week, a top French official who once served in Washington asked: "How is it possible that President Kennedy,

*U.S. Government Printing Office, \$2.50 in paper covers; \$3.25 clothbound.



Arthur Sebatz

st the orange brick Texas School Book Depository building on the way to the Stemmons Freeway

right because the shot appeared to come from over his right shoulder. Unable to see the President as he turned to the right, the governor started to look back over his left shoulder, but he never completed the turn because he felt something strike him in the back. In his testimony before the commission, Governor Connally was certain that he was hit by the second shot, which he stated he did not hear.

"Mrs. Connally, too, heard a frightening noise from her right. Looking over her right shoulder, she saw that the President had both hands at his neck but she observed no blood and heard nothing. She watched as he slumped down with an empty expression on his face. Roy Kellerman, in the right front seat of the limousine, heard a report like a firecracker pop. Turning to his right in the direction of the noise, Kellerman heard the President say, 'My God, I am hit,' and saw both of the President's hands move up toward his neck. As he told the driver, 'Let's get out of here; we are hit,' Kellerman grabbed his microphone and radioed ahead to the lead car, 'We are hit. Get us to the hospital immediately.'

"The driver, William Greer, heard a noise which he took to be the backfire from one of the motorcycles flanking the

Presidential car. When he heard the same noise again, Greer glanced over his shoulder and saw Governor Connally fall. At the sound of the second shot, he realized that something was wrong and he pressed down on the accelerator as Kellerman said, 'Get out of here fast.' As he issued his instructions to Greer and to the lead car, Kellerman heard a 'flurry of shots' within five seconds of the first noise. According to Kellerman, Mrs. Kennedy then cried out: 'What are they doing to you?' Looking back from the front seat, Kellerman saw Governor Connally in his wife's lap and Special Agent Clinton J. Hill lying across the trunk...

"Mrs. Connally heard a second shot fired and pulled her husband down into her lap. Observing his blood-covered chest as he was pulled into his wife's lap, the governor believed himself mortally wounded. He cried out, 'Oh, no, no, no. My God, they are going to kill us all.' At first Mrs. Connally thought that her husband had been killed, but then she noticed an almost imperceptible movement and knew that he was still alive. She said, 'It's all right. Be still.' The governor was lying with his head on his wife's lap when he heard a shot hit the President. At that point, both Governor and Mrs. Connally ob-

served brain tissue splattered over the interior of the car. According to Governor and Mrs. Connally, it was after this shot that Kellerman issued his emergency instructions to accelerate.

"From the left front running board of the President's follow-up car, Special Agent Hill was scanning the few people standing on the south side of Elm Street after the motorcade had turned off Houston Street. He estimated that the motorcade had slowed down to approximately 9 or 10 miles per hour on the turn at the intersection of Houston and Elm Streets and then proceeded at the rate of 12 to 15 miles per hour with the follow-up car trailing the President's automobile by approximately 5 feet. Hill heard a noise, which seemed to be a firecracker, coming from his right rear. He immediately looked to his right, and, in so doing, my eyes had to cross the Presidential limousine and I saw President Kennedy grab at himself and lurch forward and to the left.' Hill jumped from the follow-up car and ran to the President's automobile. At about the time he reached the President's automobile, Hill heard a second shot, approximately 5 seconds after the first, which removed a portion of the President's head.

"At the instant that Hill stepped onto

the left rear step of the President's automobile and grasped the handhold, the car lurched forward, causing him to lose his footing. He ran three or four steps, regained his position and mounted the car. Between the time he originally seized the handhold and the time he mounted the car, Hill recalled that—

"Mrs. Kennedy had jumped from the seat and was, it appeared to me, reaching for something coming off the right rear bumper of the car, the right rear fender, when she noticed that I was trying to climb on the car. She turned toward me and I grabbed her and put her back in the back seat, crawled up on top of the back seat and lay there."

"David Powers, who witnessed the scene from the President's follow-up car, stated that Mrs. Kennedy would probably have fallen off the rear end of the car and been killed if Hill had not pushed her back into the Presidential automobile. Mrs. Kennedy has no recollection of climbing onto the back of the car. . . . Special Agent George W. Hickey Jr. in the rear seat of the Presidential follow-up, picked up and cocked an automatic rifle as he heard the last shot. At this point the cars were speeding through the underpass and had left the scene of the shooting, but Hickey kept the automatic weapon ready as the car raced to the hospital. Most of the other Secret Service agents in the motorcade had drawn their sidearms."

In an instant, the President had been shot down. The commission spent months analyzing the moment of the shooting, to determine "the source, effect, number, and timing of the shots . . ."

The passengers "had the impression that the shots came from the rear and from the right, the general direction of the Texas School Book Depository Building, although none of the passengers saw anyone fire the shots." The commission located spectators, however, who "did see a rifle fired in the direction of the President's car from the easternmost window of the sixth floor on the south side of the building."

One key witness was Howard L. Brennan, a 45-year-old steam fitter who watched the motorcade from a concrete retaining wall directly across the street from the depository building. His presence was corroborated by Zapruder's movie, which shows him "wearing gray khaki work clothes and gray work helmet, seated on the retaining wall." While waiting for the motorcade to arrive, Brennan testified, "he had noticed a man in the southeast corner window of the sixth floor, and observed him leave the window a couple of times." Just after the President's limousine passed, Brennan "heard an explosion like the backfire of a motorcycle." He recalled:

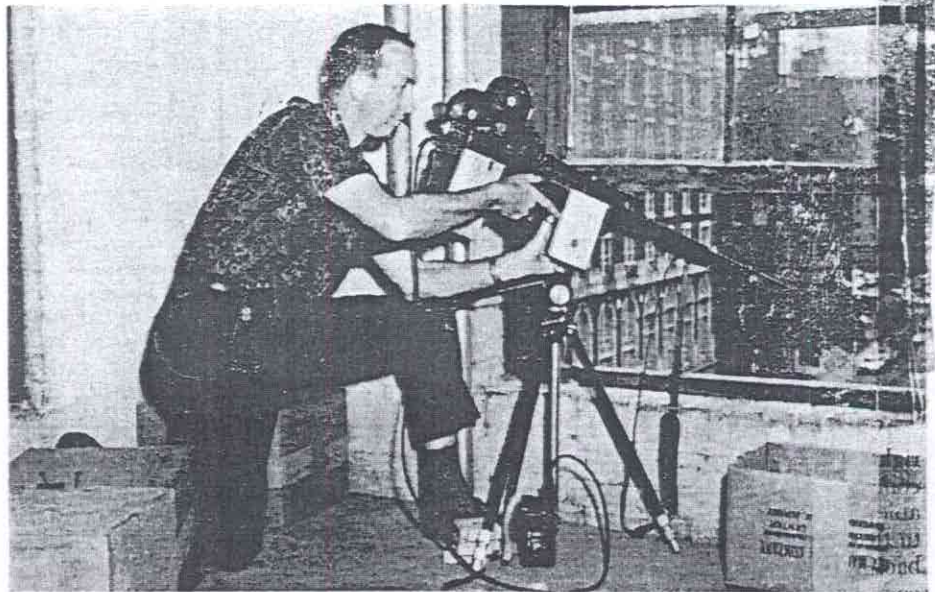
"Well, then something, just right after this explosion, made me think that

it was a firecracker being thrown from the Texas Book Store. And I glanced up. And this man that I saw previously was aiming for his last shot . . . Well, as it appeared to me he was standing up and resting against the left window sill, with gun shouldered to his right shoulder, holding the gun with his left hand and taking positive aim and fired his last shot." (Largely on the basis of Brennan's account, police broadcast a description of the suspected assassin at 12:45 p.m.)

'This Pipe Thing': Another witness, 15-year-old Amos Lee Euins, also facing the depository, testified he looked up and "seen this pipe thing sticking out the window." After the shooting, Euins told a policeman that the shots came from the last window of the floor "under the ledge." Other witnesses, the com-

who heard or saw the shots fired from the depository, the report notes "the Commission's investigation has closed no credible evidence that shots were fired from anywhere else. In particular, the inquiry yielded evidence that shots were fired from bridge over the Triple Underpass from the railroad yards."

As further corroboration of the accounts of witnesses that the shots came from the direction of the School Book Depository, the commission cites the discovery of two bullet fragments in the front seat of the Presidential car. It was returned to Washington on Nov. 22, 1963, and of "a small residue of lead on the inside surface of the laminated windshield and a very small pattern of cracks on the outer layer of the



Re-enactment: Investigator sights the camera-mounted murder weapon

mission reports, "saw a rifle in the window after the shots were fired." Among them were Robert H. Jackson, staff photographer of The Dallas Times-Herald, and Thomas Dillard, chief photographer of The Dallas Morning News. Dillard immediately photographed the southeast corner of the building.

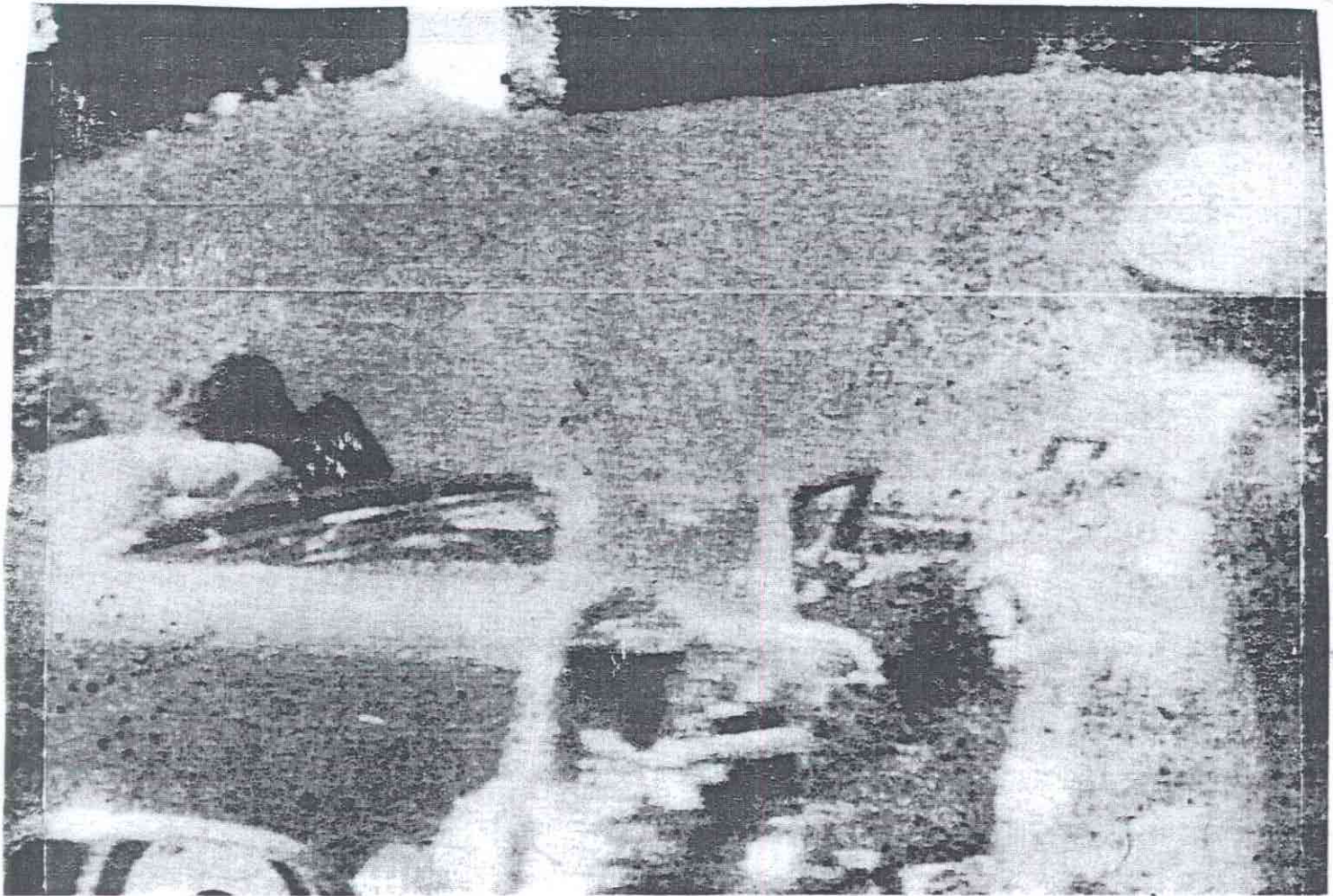
Dillard's shots showed a partially opened window on the sixth floor and three Negro men in the windows of the fifth floor directly below. These three included Bonnie Ray Williams, who had completed his lunch and left the remains of chicken bones, an empty pop bottle, and a paper sack on the sixth floor just ten minutes before.

'Cement Fell': Williams said he "really did not pay any attention" to the first shot but "the second shot, it sounded like it was right in the building, the second and third shot. And it sounded—if even shook the building, the side we were on. Cement fell on my head."

In contrast to the number of witnesses

windshield immediately behind the lead residue." The report flatly states that there was "no penetration." On this basis, it concluded it was "not possible to determine whether two or more of the fragments came from the same bullet," but "the physical characteristics of the windshield after the assassination demonstrate that the windshield was struck on the inside surface."

At approximately 1:12 p.m. on Nov. 22, "Deputy Sheriff Luke Mooney noticed a pile of cartons in front of the window in the southeast corner of the sixth floor." Searching the area, he found "three empty cartridge cases on the floor near the window." Shortly thereafter, "at 1:22 p.m. Deputy Sheriff Eugene Boone and Deputy Constable Seymour Weitzman found a bolt-action rifle with a telescopic sight between two rows of boxes in the northwest corner near the staircase on the sixth floor." It was subsequently identified by the FBI as an Italian-made 6.5 millimeter model



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guarded as he is night and day, can be murdered by one despicable little man, nothing but a clerk in a warehouse who planned the assassination all by himself? I cannot . . . believe that."

"The longer the Warren commission investigated in silence, the more rumors and speculations sprang up—and the more time had to be spent checking them out. Every one of them was tracked down. They "reached into almost every part of the United States and to most of the other continents of the world." For example, investigators checked on "literally dozens" of allegations of conspiratorial contact between Oswald and agents of the Cuban Government.

CIA Check: In the process, interviews were obtained with "all known persons whom Oswald may have met while in Mexico, including passengers on the buses he rode, and the employes and guests of the hotel where he stayed." Both Cuba and the Soviet Union cooperated—but the information they furnished was independently checked on the spot by agents of the CIA.

Indeed, with a five-volume FBI report on the assassination serving merely as a springboard, the seven-man commission enlisted every U.S. investigative arm in its own independent investiga-

tion. General Counsel J. Lee Rankin's commission staff—fourteen assistant counsels and twelve other specialists—called on the FBI, the Secret Service, government cryptanalysts, military intelligence, even the Internal Revenue Service. (Three IRS investigators accounted laboriously for virtually every penny of Oswald's income and expenditures from the time he returned to the U.S. from Russia.) The FBI conducted 25,000 interviews and submitted 2,300 reports; the Secret Service held 1,550 interviews and turned in 800 reports. The commission and its staff heard 552 witnesses—and their testimony will fill a score of volumes to be published soon.

"Because of the difficulty of proving negatives to a certainty," said the report, "the possibility of others being involved with either Oswald or Ruby cannot be established categorically, but if there is any such evidence, it has been beyond the reach of all the investigative agencies and resources of the U.S."

Though it leaned on them in its own investigation, the commission criticized two of these agencies for shortcomings in measures that might have saved the President's life. The brunt of the criticism fell on the Secret Service, which, for example, checked no buildings along

the Presidential route in Dallas. The FBI was faulted for failing to share its intelligence with the Secret Service; it had a file on defector Oswald, but the Service never knew it. And there were recommendations for bolstering Presidential security.

Anticipation: The commission itself may expect some criticism. If it had issued the President's autopsy report promptly, for instance, it might have nipped much speculation in the bud. Perhaps anticipating, the report offered the commission's conclusion that "the premature publication by it of testimony regarding the assassination or the subsequent killing of Oswald might interfere with Ruby's rights to a fair and impartial trial . . ." Also, it added, some testimony out of context might be misleading or hurtful to innocent parties.

How far the voluminous report will go to quell the doubts and the suspicions remains to be seen. But in judging the commission's effort to "appraise this tragedy by the light of reason and the standard of fairness," most Americans, at least, will probably agree with Lyndon Johnson's words discharging the commission last week. He wrote: "You have earned the gratitude of your countrymen."

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'Lee Harvey Oswald Was the Assassin'

The case against Lee Harvey Oswald? There was eyewitness testimony—including the best-kept secret of the investigation—but the brunt of the case finally rested upon a carefully meshed miscellany of private and public documents, fascinating by their very obscurity, and upon the esoteric expertise of those modern technicians—handwriting and fingerprint and ballistics men—who extract truth from the wispiest traces of human activity.

The task of making the case against Oswald—if one could be made—was classically simple in concept: place the murder weapon in his possession and put him at the scene of the crime at the right time. But in execution, the job was laborious, minutely detailed.

Ballistics tests established the Italian carbine found on the sixth floor of the warehouse as the weapon that killed the President. The trail of evidence that

pon that had been clipped out of the February 1963 issue of American Rifleman magazine.

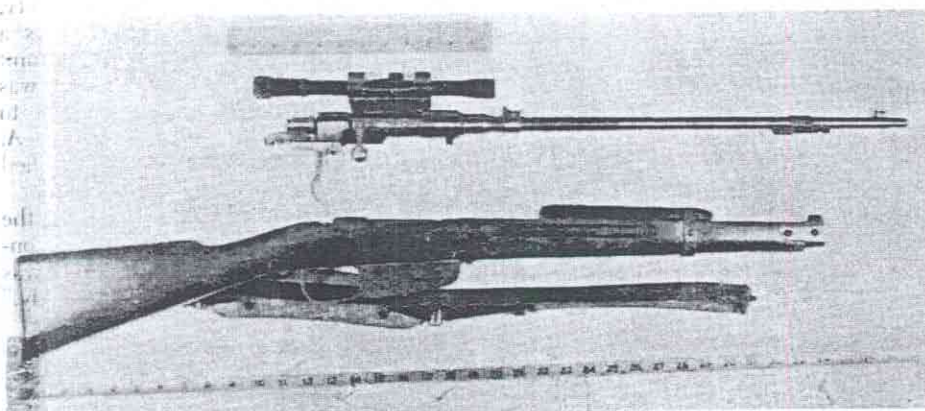
Oswald had a penchant for the alias Hidell. In his wallet he carried a Selective Service card forged in the name of Alek J. Hidell but bearing his own photograph. He chose the name, his widow thought, because it rhymed with Fidel. "Hidell" became the head of the "New Orleans Chapter of the Fair Play for Cuba Committee"—"a fictitious president of an organization of which Oswald was the only member," the commission found. The post-office box to which the rifle went was rented in Oswald's own name.

In the fall of 1963 Mrs. Marina Oswald, while looking for parts to a baby crib, stumbled upon the rifle wrapped in a green and brown blanket, stored with other possessions in the garage of the home where the Oswalds lived—the

Wesley Frazier to give him a lift to Irving on Thursday, Nov. 21. "Frazier, surprised, asked him why he was going to Irving on Thursday night rather than Friday," the report says. "Oswald replied, 'I'm going home to get some curtain rods ... [to] put in an apartment.'" Other evidence proved the explanation phony—fabricated, the commission says, as "an excuse for the carrying of a bulky package the following morning."

Drive to Dallas: Mrs. Linnie Mae Randle, sister of the man with whom Oswald drove to work, looked out of her breakfast-room window the morning of Nov. 22 and saw Oswald carrying just such a package. And before they began the drive back to Dallas that morning, Buell Wesley Frazier noticed that his passenger had placed a brown paper package on the back seat. "What's the package, Lee?" Frazier asked. "Curtain rods," Oswald replied.

The brown paper bag found alongside the sixth-floor window in the School Book Depository after the assassination was 38 inches long—"the appropriate



Warren Commission



Warren Commission

Both the rifle that killed the President and the revolver that killed Tippit were bought by 'A. Hidell'

fixed its ownership led back to March 12, 1963, and the purchase of U.S. postal money order No. 2,202,130,462. The purchaser signed the money order as "A. Hidell, P.O. Box 2915 Dallas, Texas." It was made out to "Kleins Sporting Goods," a Chicago firm, for \$21.45—covering \$19.95 for a rifle with telescopic sight and \$1.50 for postage and handling.

Mr. Hidell: "According to Klein's shipping order form," says the report, "one Italian carbine 6.5 X-4x scope, control number VC836, serial number C2766, was shipped parcel post to 'A. Hidell, P.O. Box 2915, Dallas, Texas,' on March 20, 1963. Information received from the Italian Armed Forces Intelligence Service has established that this particular rifle was the only rifle of its type bearing serial number C2766."

A. Hidell was Lee Harvey Oswald. Experts established that it was Oswald's handwriting on money order No. 2,202,130,462, and upon the order cou-

home of Ruth and Michael Paine in Irving, 15 miles from Dallas. Other evidence established that Oswald handled the rifle. There was the single palmprint that Dallas police Lt. J.C. Day lifted from "near the firing end of the barrel," and there was expert testimony that this proved "that he handled the rifle when it was disassembled." In addition, a tuft of dark blue, gray-black, and orange-yellow fibers was found on the weapon. They "most probably" came from the shirt Oswald wore Nov. 22.

But when did Oswald lift the weapon from the brown and green blanket in the Paines' garage in Irving? And how did he get it unnoticed into the School Book Depository Building in Dallas? The answers were summarized in the report in two sections bearing cryptic headings—"The Curtain Rod Story" and "The Long and Bulky Package."

They tell how Oswald—who roomed in Dallas and ordinarily went to Irving only on Fridays—got co-worker Buell

size" the commission says, "to contain in disassembled form, Oswald's Mannlicher-Carcano rifle ... which was also found on the sixth floor." The bag, constructed from paper and tape like that used in the Depository, bore Oswald's fingerprint and palmprint. Inside were fibers that matched fibers from the brown and green blanket that had been left rolled up in the Paines' garage.

New Witness: Such was the underpinning for a circumstantial case against Oswald. And there were further persuasive indications that he had been in the sixth-floor room from which the shots came—a palmprint and a fingerprint on one of the cartons that had been drawn up to the window, a clipboard that Oswald had been seen carrying a short time earlier. But the commission also had the testimony of a witness never publicly heard from before—an eyewitness to the shooting itself.

He is steam fitter Howard L. Brennan, a slight, gray-haired man of 45,

whose testimony the commission says was "probative in reaching the conclusion that the shots came from the sixth floor, southeast corner window of the depository building." The report continues: "Brennan also testified that Lee Harvey Oswald, whom he viewed in a police line-up on the night of the assassination, was the man he saw fire the shots . . . When the shots were fired, Brennan was in an excellent position to observe anyone in the window. He was sitting on a concrete wall on the southwest corner of Elm and Houston streets, looking north at the depository building which was directly in front of him . . ."

At the Window: From his vantage point, about 120 feet from the sixth-floor window, Brennan saw a man leave and return to the window repeatedly minutes before the motorcade arrived. Then, after hearing the first shot, he looked up. "This man I saw previously was aiming for his last shot," he testified. Brennan's story might have closed the lid on the case against Oswald except for one thing. The night of Nov. 22 at a police line-up Brennan—while identifying Oswald as the man who looked most like the man in the window—declined to make a positive identification. Why? As Brennan explained it to the commission, he felt the assassination was "a Communist activity, and I felt like . . . if it got to be a known fact that I was an eye-witness, my family or I either one, might not be safe." Now, Brennan says he is positive it was Oswald. But because he did not say so at the time, the

commission does not accept his identification as conclusive.

Still, it was shored up by the firsthand testimony of others who saw Oswald during the day—beginning with Frazier who had seen Oswald enter the building carrying his long bulky package. Roughly half an hour before the assassination a member of the floor-laying crew, Charles Givens, saw Oswald on the sixth floor, leaving the southeast corner with a clipboard in his hand. Within minutes after hearing the shots, motorcycle patrolman M.L. Baker rushed into the depository and, with building superintendent Roy S. Truly, confronted Oswald standing calmly in the second floor lunchroom. "He never did say a word or nothing," Baker testified. "He didn't seem to be excited or overly afraid or anything," Truly said.

Re-enact the Crime: Wouldn't Oswald have been out of breath, at least, if he had just come downstairs rapidly from the sixth floor? A Secret Service agent duplicated the trip in one minute fourteen seconds with no shortness of breath. With such carefully timed re-enactments, the commission satisfied itself that "Oswald's known actions in the building immediately after the assassination are consistent with his having been at the southeast corner window of the sixth floor at 12:30 p.m." But wouldn't Oswald have been seen going downstairs by Bonnie Ray Williams and two co-workers who had been in a fifth-floor room—directly under the assassin's window? The report says Williams and

the others, on hearing the shots, rushed to other windows from which "their view of the stairwell was completely blocked by shelves and boxes."

Oswald could have left the depository at 12:33 p.m.—three minutes after the assassination.

Two Witnesses: The Warren commission encountered no difficulties in establishing Oswald's subsequent movements and actions—his trip by bus and cab to his rooming house, his encounter with patrolman J.D. Tippit. Mrs. Helen Markham, a waitress, was one of two witnesses positively identifying Oswald as the man who shot down Tippit, and the commission assembled records proving Oswald had bought the murder weapon, a .38-caliber revolver, using the alias of A.J. Hidell. Oswald had the gun in his belt when patrolman M.N. McDonald, with three other cops, subdued him in the Texas Theater about 34 minutes after Tippit was slain.

There was little else for the commission to determine. It ran thorough tests to prove the capabilities of the Italian carbine. And as to Oswald's capability, the commission found him able (as a Marine-trained marksman) to commit assassination—and willing. That was demonstrated by his earlier attempt to shoot retired Maj. Gen. Edwin A. Walker, an act Oswald's wife testified he admitted to her.

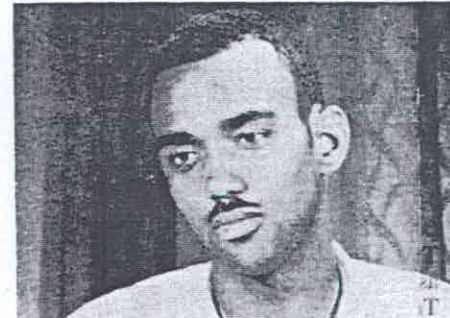
On the basis of these findings," the report says, "the commission has concluded that Lee Harvey Oswald was the assassin of President Kennedy."



RUTH PAINE
The Oswalds lived with her



BUELL WESLEY FRAZIER
Drove Oswald to work Nov. 22



BONNIE RAY WILLIAMS
One floor below Oswald



HOWARD L. BRENNAN
Saw Oswald shoot Kennedy



M.L. BAKER
Met Oswald in the lunchroom



HELEN MARKHAM
Saw Tippit shot down

Photos courtesy of

'His Life: . . . Isolation, Frustration and Failure . . . Overriding Hostility'

Why did Lee Harvey Oswald do it? If there was a single motive in the mind of John F. Kennedy's assassin, the Warren commission's encyclopedic re-creation of his life was unable to pinpoint it. An infinitely complex man, bedeviled by his own insignificance, Oswald acted out of a whirlpool of impulses that began to take shape, in a very real sense, even before he was born. Indeed, if anything, Oswald's quicksilver life itself is the most persuasive explanation the commission could find for the single deed that gave him immortality.

"His life was characterized by isolation, frustration, and failure," observes the commission's report. "It is apparent that Oswald was moved by an overriding hostility to his environment. He does not appear to have been able to establish meaningful relationships with other people. He was perpetually discontented with the world around him. Long before the assassination he expressed his hatred for American society and acted in protest against it. Oswald's search for what he conceived to be the perfect society was doomed from the start. He sought for himself a place in history—a role as the 'great man' who would be recognized as having been in advance of his times.

"His commitment to Marxism and Communism appears to have been another important factor in his motivation. He also had demonstrated a capacity to act decisively and without regard to the consequences when such action would further his aims of the moment. Out of these and the many other factors which may have molded the character of Lee Harvey Oswald there emerged a man capable of assassinating President Kennedy."

Echoes: Marina Oswald thought her husband would never be happy anywhere, "only on the moon, perhaps." Certainly, Oswald was rarely happy on earth. The discordant themes of his life were woven through his 24 years like an ominous fugue. The notes were struck time and again during his chaotic childhood in New Orleans, Texas, and New York, his Marine Corps hitch, his quixotic Russian adventure, and the last turbulent months back in America before he finally found his niche in a sniper's perch overlooking the Presidential motorcade in Dallas.

From the beginning, Oswald was literally a boy only his mother could love. His father, Robert, an insurance premium collector, died of a heart at-

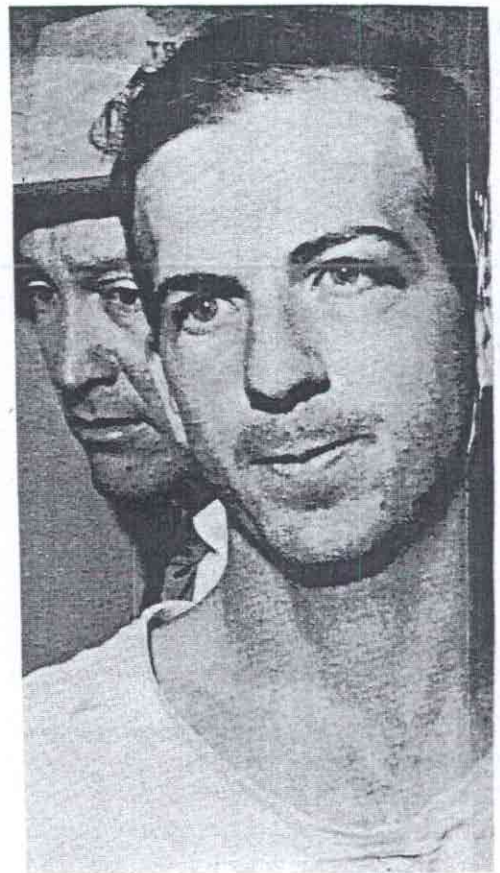
tack before Lee was born—a loss, the report concludes, that left a significant stamp on the boy's personality in years to come. For Oswald, there was only his mother, Marguerite, already a divorcee and a widow at 32, a preoccupied woman prone to complain of life's harsh inequities. For his first few years, while his two older brothers lived in an orphan asylum, Lee had his mother to himself—if only because he was too young to qualify for the orphanage. It was probably his last taste of security.

Gun Play: From then on instability was the pattern. Before the boy was 3, Mrs. Oswald went to work, leaving Lee with an aunt who, with five children of her own, had little attention to spare for the newcomer. Another temporary guardian, a neighbor, found Lee "a bad, unmanageable child who threw his toy gun at her." Soon after his third birthday, Lee joined his brothers in the orphan's home. Thirteen months later, he was back with his mother—this time in Dallas, where she planned to marry an electrical engineer named Edwin A. Ekdahl. Oswald's brother, John, testified that Lee found in Ekdahl "the father he never had." But not for long. The marriage ended in recrimination and divorce within three years. By the time Lee left for New York with his mother just before his thirteenth birthday, he had lived in at least thirteen homes (besides the asylum) in four cities and had attended six schools. His emotional withdrawal had begun.

In New York, Oswald exploded in rebellion against his family and against authority nearly every place he encountered it. A short stay with brother John and his wife in the Bronx ended when Lee whipped out a knife during an argument with his sister-in-law; at least once he struck his mother. Enrolled in junior high school, he was teased by his schoolmates because of his "Western" clothes and Texas accent. He became a chronic truant, once cursed an attendance officer who caught him at the Bronx Zoo as a "damn Yankee," refused to salute the flag, and wound up at the Youth House for delinquents. Now, for the first time, he was examined by psychiatrists.

Signs: They found him anxiety-ridden and shy, says the report, and hobbled by "feelings of awkwardness and insecurity. He was reported to have said 'I don't want a friend and I don't like to talk to people' and 'I dislike everybody.' He was also described as having a 'vivid fantasy life, turning around the topics of omnipotence and power, through which he tries to compensate for his present shortcomings and frustrations' . . . He admitted to fantasies about being powerful and sometimes hurting and killing people . . ."

Chief Youth House psychiatrist Re-



Associated Press

Oswald: 'I dislike everybody'

natus Hartogs noted "schizoid" features in the boy's personality profile. But, the commission points out, "contrary to reports that appeared after the assassination, the psychiatric examination did not indicate that Lee was a potential assassin [or] potentially dangerous." Indeed, one of the three counselors Oswald saw during this period, probation officer John Carro, testified: "There was nothing that would lead me to believe when I saw him . . . that there would be seeds of destruction for somebody . . ." The third counselor concluded: "No one . . . ever met any of his needs for love . . . There are indications that he has suffered serious personality damage but if he can receive help quickly this might be repaired to some extent."

The Outsider: Instead, within a few months Oswald and his mother were back in New Orleans. Even in his birthplace, the youth was an outsider; now his new schoolmates teased him about the Northern accent he had acquired. Out of ignorance, he took a seat in the Negro section of a bus and was beaten up by a gang of white youths for his mistake. He confided in a schoolmate his plan to steal a pistol from a store on Rampart Street (though never did). His school attendance improved, but he spent most of his free time alone, walking, cycling, and, especially, reading. The books were Communist literature from the public library, and they gave a new focus to his life. Why Marxism?

Perhaps, says the report, it was "another manifestation of Oswald's rejection of his environment. In any event, Oswald quickly became an advocate. He urged an acquaintance to join the Communist Party with him; when he proclaimed at a schoolmate's house that he was looking (fruitlessly) for a Communist cell to join, the boy's father threw him out. He told another that he would like to kill President Eisenhower because he was exploiting the working class.

Yet—again perhaps for the same escapist motives—Oswald also had his mind fixed on following his brother, Robert, into the Marines. Not yet 16, he forged a note from his mother and dropped out of school. But although he apparently induced Mrs. Oswald to make a false statement about his age, he was unable to sell himself to the Marines as a 17-year-old. Rejected, he spent a year working at odd jobs and boning up on Robert's Marine manual before finally being accepted.

'Ozzie Rabbit': The Marines, like everything else, turned into a sour disappointment. "All the Marine Corps did was teach you to kill," one recruit testified Oswald told him. He alienated other recruits (who took to calling him "Ozzie Rabbit") and baited his officers. He showed contempt for authority by sloppy dress. Once on duty in Japan, he flaunted his Communist sympathies. He studied Russian, read a Russian-language newspaper, blared Russian music from his barracks phonograph, sprinkled his conversation with "das" and "nyets," and even insisted on using the red pieces in chess. His new nickname was "comrade" or "Oswaldskovitch—and he loved it. He got into trouble, too, once being haled before a court-martial for owning an unauthorized derringer .22-caliber pistol (he accidentally shot himself with it) and for a drunken bout with a sergeant. When he was honorably transferred to the reserves in September 1959, Oswald was happy to be done with the Marines and the corps with him.

Returning to the U.S., he left almost at once for the Soviet Union and attempted to renounce his American citizenship. "At the age of 19," notes the Warren report, "Oswald thus committed an act which was the most striking indication he had yet given of his willingness to act on his beliefs in quite extraordinary ways." Within a month, he was to do so again—when Soviet officials told him he could not stay. He cut his wrists in an attempt at suicide, "a striking indication of how willing . . . he was to act dramatically and decisively when he faced an emotional crisis with few readily available alternatives at hand."

The Russians let Oswald stay, shipping him off to Minsk as a metalworker in a radio-TV plant, where he caused



Mother: Prone to complain

a brief stir among fellow proletarians. The notoriety, the special subsidy the Russians gave him, and the river-view flat they assigned him prompted Oswald to record in his "Historical Diary": "I am living big and am very satisfied."

Love in Gloom: But his satisfaction with life in Russia proved to be as short-lived as his conjugal bliss with Marina, whom he met at a dance and married after another Russian girl rebuffed his marriage proposal. He became resentful when he learned that Marina's uncle, a colonel in the MVD, had a larger apartment than he did. "Reminiscent of his attitude toward his superiors in the Marine Corps, Oswald apparently resented the exercise of authority over him and the better treatment afforded to Communist Party officials," says the Warren report. "After he returned to the U.S. . . . he is reported to have expressed the conclusion that they had 'fat stinking politicians over there just like we have over here.'"

Just eighteen months after his defection—and even before he met Marina—



Wife: Romance and ridicule

Oswald began negotiating to return home. On June 1, 1962, he, Marina, and their baby daughter, June Lee, began the long trip back to America.

Oswald's life after that was full of personal turmoil. He cut himself off from his mother and turned on his wife. "He apparently attempted to be 'the Commander' by dictating many of the details of their married life," says the report. "Oswald struck his wife on occasion, did not want her to drink, smoke, or wear cosmetics . . ." But Marina, too, contributed to the friction, the commission feels. According to the report, she once wrote an old boyfriend in Russia to say that she was sorry she hadn't married him—only to have the letter fall into her husband's hands. She ridiculed Oswald's sexual inadequacy before friends, and left him once at the urging of avuncular members of the small Russian-speaking community of Dallas who had befriended her and had little use for Oswald.

That was only part of Oswald's troubles. He lost his first job, as a photo technician, because he was inefficient, argued with his fellow workers, and brought a Russian-language newspaper to the shop. Just four days later, he took a pot shot at rightist ex-Maj. Gen. Edwin A. Walker after meticulously plotting the operation for at least a month.

The Reason? . . . The Walker incident," says the commission, "indicates that in spite of the belief among those who knew him that he was apparently not dangerous, Oswald did not lack the determination and other traits required to carry out a carefully planned killing of another human being . . . if he thought there was sufficient reason to do so." Oswald's reason? "Marina Oswald indicated that her husband had compared General Walker to Adolf Hitler . . . He said if someone had killed Hitler at that time it would have saved many lives."

Soon after the attack on Walker, Oswald went to New Orleans to find work. He found it as a greaser in a coffee processing plant, but lost the job in two months for malingering in an adjoining garage, reading rifle and hunting magazines. But Oswald's real vocation in New Orleans was the phantom Fair Play for Cuba Committee chapter of which he was the sole member.

The report dwells at length on the Kennedy Administration's antagonism to Castro, especially as detailed in the Communist and leftist publications Oswald read regularly. But the report notes that Oswald praised the President on one score—civil rights—shortly before the assassination, and adds: "Although Oswald could possibly have been

"At about this time, Marina Oswald testified, Oswald made an ambiguous threat to shoot Richard Nixon who, he said, was going to be in Dallas. Not Nixon, but his successor, Lyndon Johnson, made a publicized visit to town on April 23, 1963; in any event, Oswald never left the house that day."

vated in part by his sympathy for the Castro government, it should be remembered that his wife testified that he was disappointed with his failure to get to Cuba and had lost his desire to do so because of the bureaucracy and red tape which he had encountered."

Last Frontier: Cuba was Lee Harvey Oswald's last Land of Prester John—his final hope for paradise just across the horizon. In July 1963, he talked of hijacking a plane and flying to Havana. Late in September, he went to the Cuban Embassy in Mexico City in a vain quest for a visa to Cuba in transit to Russia. "In retrospect . . . [it] may well have been Oswald's last escape hatch," concludes the commission, "his last gambit to extricate himself from the mediocrity and defeat which plagued him through most of his life."

More defeats were awaiting Oswald back in Texas. Still out of a job, he could barely maintain a household, and Marina—about to give birth to their second child—didn't want to live with him. Instead, she boarded with a Russian-speaking American friend, Mrs. Ruth Paine, in Irving. In mid-October, with Mrs. Paine's help, Oswald got a \$1.25-an-hour job filling orders at Dallas's Texas School Book Depository. Four days later, Marina bore their second daughter Rachel. "He was very happy," she later wrote, "and even wept a little." But then the world started closing in again.

Twice during the first week of November, FBI agents visited the Paine home asking questions about Oswald. Two weeks later, he had a terrible row with Marina when she learned he had been living in Dallas under an alias—perhaps, the commission speculates, in reaction to the new FBI interest in him.

"When will all your foolishness come to an end?" Marina stormed at her husband. "All of these comedies?" By now Dallas papers were full of news of the impending Presidential visit, including word that the motorcade would pass along Elm Street, beneath the windows of the depository. Four days later, on the eve of the assassination, Oswald appeared unexpectedly at the Paine house and implored Marina to live with him again in Dallas. Marina hedged her reply, and made no effort to talk when she joined him in bed that night.

The Day: "No one will ever know," the commission observes, "what passed through Oswald's mind during the week before Nov. 22, 1963." What is known is that Oswald awoke on the morning of the most important day of his life before the rest of the Paine household. "placed his wedding band and a wallet containing \$170 on the dresser, snatched up the mail-order Italian rifle he had hidden in the Paine garage months before—and went to the depository to shoot the President of the United States.

'The Very Fact That He Defected . . .'

To kill a President can take only 4.8 seconds, but to kill all doubt about his death in the minds of uneasy men can take forever.

The Warren commission made an extraordinary start—one that reasonable men, at least, will be likely to accept as the last word. To track down every doubt, however farfetched, it stopped at nothing, however arduous or remote. The investigation entailed:

- The submission of every single word Lee Harvey Oswald ever wrote or ever received to the crack cryptographers of the National Security Agency to check for some complicated Soviet code. Their verdict: nothing.

- A search through Cuban airline files in Mexico City—presumably under CIA auspices—for evidence of any flight by Oswald to Castro's Cuba. The evidence: nonexistent.

- The relentless pursuit of even the most peripheral witnesses—the driver who picked up a sometime associate of Jack Ruby, hitchhiking mysteriously from Dallas to Michigan the day after the assassination. His contribution: nil.

The doubts had risen from John Kennedy's hospital deathbed, spawned in the carnival confusion that was Dallas immediately after the assassination, multiplied by the murderer's murder, and

magnified above all by the fact that Lee Harvey Oswald was a self-styled Marxist, a defector to Communist Russia and an agitator for Castro's Cuba.

Was Oswald acting as an agent of a Communist conspiracy when he killed President Kennedy?

To find out, the Warren commission started with Oswald's first known adult interest in Russia (when he started studying the language as a Marine private stationed in Japan), dogged his every step through his defection and his marriage in Russia, to his life in Minsk as a worker in the "Byelorussian Radio and Television Factory," and finally to his return as an outcast in a land that he didn't want and that didn't want him.

Hunting Club: Inside Russia, the Warren commission used every available weapon of espionage to check on Oswald's trail—even to exploring the circumstances surrounding his membership in a hunting club while he was living in Minsk.

"One Russian émigré testified that this was a suspicious circumstance," the report notes, "because no one in the Soviet Union is permitted to own a gun for pleasure. The commission's investigation, however, has established that this is not so. The Central Intelligence Agency has advised the commission that



Гостиница „МЕТРОПОЛЬ“

г. Москва

I Lee Harvey Oswald do hereby request that my present citizenship in the United States of America, be revoked.

I have entered the Soviet Union for the express purpose of applying for citizenship in the Soviet Union, through the means of naturalization.

I affirm that my allegiance is to the Union of Soviet Socialist Republics.

Lee Harvey Oswald

THE WARREN REPORT

hunting societies such as the one to which Oswald belonged are very popular in the Soviet Union. They are frequently sponsored by factories for their employees, as was Oswald's. Moreover, Soviet citizens (or foreigners residing in the Soviet Union) are permitted to own shotguns, but not rifles, without joining a society; all that is necessary is that the gun be registered at the local militia office immediately after it has been purchased.

"Experts from the Central Intelligence Agency have examined Oswald's club membership certificate and gun permit and expressed the opinion that its terms and numbers are consistent with other information the CIA has about the Soviet Union . . . Moreover, the CIA has informed the commission that it is in possession of considerable information on the location of secret Soviet training institutions and that it knows of no such institution in or near Minsk during the time Oswald was there."

Was Oswald—or his wife—ever a Soviet agent?

"The very fact that he defected . . . is itself persuasive evidence that he was not recruited as an agent prior to his defection," the report concludes. "The fact that he had a Russian wife would be likely . . . to increase any surveillance under which he would be kept by American security agencies" and so seriously argues against his recruitment as an agent while he was in Russia.

"Marina Oswald's lack of English training and her complete ignorance of the United States and its customs would scarcely recommend her to the Soviet authorities as one member of an 'agent team' to be sent to the United States on a difficult and dangerous foreign enterprise."

The Big Picture was scanned, too, and Secretary of State Dean Rusk testified: "I have seen no evidence that would indicate to me that the Soviet Union considered that it had an interest in the removal of President Kennedy or that it was in any way involved in the removal of President Kennedy."

But what about the possibility that Oswald was recruited as a Soviet agent after he returned to the U.S.?

Local Russians: To find out, the Warren commission started with a loosely-knit group of 30 Russian-born or Russian-speaking persons in the Dallas-Fort Worth area who befriended one or both of the Oswalds. Twenty-five of them actually testified before the commission or its staff, others "were interviewed on behalf of the commission." Most of them, like George Bouhe of Dallas, openly disliked Oswald and "attempted to dissuade Marina from returning to her husband in November 1962" when she had left him.

The commission's investigation found

nothing which suggested any member of the Russian-speaking community was involved in Lee Oswald's preparations to assassinate President Kennedy, though it did uncover some fascinating details. There was the story of George De Mohrenschildt, for instance, an "eccentric . . . individualistic" character, born in the Russian Ukraine, once a student at a Polish cavalry school with a doctor's degree in international commerce from the University of Liège and a master's in petroleum geology and engineering from the University of Texas.

Pot Shot: "The De Mohrenschildts came to Oswald's apartment on Neely Street [in Dallas] for the first time on the evening of April 13, 1963, apparently to bring an Easter gift for the Oswald child. Mrs. De Mohrenschildt testified that while Marina Oswald was showing her the apartment, she saw a rifle with a scope in a closet. Mrs. De Mohrenschildt then told her husband in the presence of the Oswalds, that there was

place for extremist or revolutionary organizations", and even got an intelligence report on the reaction to the assassination of President Kennedy of the Cuban Embassy employe who handled Oswald's application for a visa to Cuba. An avowed Marxist, "she was 'genuinely upset.'" (Oswald never got the visa.)

One incident involving the investigation into Oswald's possible connection with Castro's Cuba dramatically illustrates the attention given by the commission to these possibilities of conspiracy. It sprang from the testimony of Mrs. Sylvia Odio, 27, a native of Havana whose parents she alleged are political prisoners of the Castro regime. She testified that late in September three men came to her Dallas apartment, to ask her help soliciting funds for the Cuban Revolutionary Junta, an anti-Castro organization of which she is a member. She testified that two of the men used fictitious underground war



Jack Ruby at Dallas Police headquarters the night of the assassination

a rifle in the closet. Mrs. De Mohrenschildt testified that "George, of course, with his sense of humor—[ex-Maj. Gen. Edwin A.] Walker was shot a few days ago, within that time. He said, "Did you take a pot shot at Walker by any chance?"' At that point, Mr. De Mohrenschildt testified, Oswald 'sort of shriveled . . . made a peculiar face' . . . According to the De Mohrenschildts, Mr. De Mohrenschildt's remark was intended as a joke, and he had no knowledge of Oswald's involvement in the attack on Walker . . . The De Mohrenschildts left 'very soon afterwards. They never saw either of the Oswalds again.'

To explore every facet of Oswald's flirtation with Castro, the Warren commission retraced his bus trip to Mexico City from New Orleans on September 25, 1963, interviewed his fellow passengers, employes, and fellow guests at the Hotel del Comercio ("not especially popular among Cubans, and there is no indication that it is used as a meeting

names," that the third man was introduced to her as "Leon Oswald"—and that she was "certain" this man was Lee Harvey Oswald.

The commission asked the FBI for the impossible—to attempt to locate and identify the men that Mrs. Odio stated were in her apartment—and only two weeks ago the FBI did just that. "On September 16, 1964 the FBI located Loran Eugene Hall in Johnsondale, Calif. . . . He told the FBI that in September of 1963 he was in Dallas, soliciting aid in connection with anti-Castro activities. He said he had visited Mrs. Odio. He was accompanied by Lawrence Howard, a Mexican-American from East Los Angeles and one William Seymour from Arizona. He stated that Seymour is similar in appearance to Lee Harvey Oswald."

Radical Right: While probing unsuccessfully for any link between Oswald, the assassin, and a Communist conspiracy, the commission had to cope with

major domestic conspiracy charges. Was there any connection between Lee Harvey Oswald and the radical right? Was there a link between Oswald and Jack Ruby, who had been caught by TV cameras in the corridors of Dallas police headquarters from the very day of Oswald's arrest? What about the charge by the loudest (and most financially successful) of the doubters, New York attorney-politician Mark Lane, that Ruby and Officer Tippit had met in Ruby's strip joint with a known ultra-conservative eight days before the assassination?

As for the radical right, the commission came up with a few new nuggets, but nothing to tie in with Oswald or Ruby. Samples:

Officer Tippit worked "weekends in a Dallas restaurant owned by a member of the John Birch Society" (but no one ever heard them talk politics).

When he was arrested, Ruby had in his possession two radio scripts of a right-wing program promoted by H.L. Hunt, whose political views are highly conservative.

Hunt's son, Nelson Bunker Hunt, helped finance the full-page, black-bordered anti-Kennedy ad ("Welcome, Mr. Kennedy") which greeted the President in the Dallas Morning News on the day of his death. The ad was placed by a 26-year-old rug salesman named Bernard Weissman, another extremist.

It was Weissman who, by Lane's account, had met with Tippit and "heart-broken" Jack Ruby, lover of dogs, reporters, gamblers, cops, and strippers, a health nut, a snappy dresser, a tax delinquent (he owes the U.S. "approximately \$44,000"), and the killer of Lee Harvey Oswald. Lane has repeatedly refused to tell the commission the name of his "informant," the report reveals with ill-concealed acerbity, because "he had promised the individual that his name would not be revealed without his permission. As of last week, Lane had still failed to reveal the name of his informant and has offered no evidence to support his allegation."

Never Met: Neither could the commission find any credible evidence that Ruby had ever met Oswald. Every such allegation was investigated, and "in all but a few instances . . . the person responsible for the report either denied making it or admitted he had no basis for the original allegations." One "witness" to a Ruby-Oswald meeting gave Oswald pockmarks on the chin that he never had. Another, William D. Crowe Jr., a nightclub performer with a memory fit in his repertoire was asked by the commission how certain he was that the man he saw with Ruby was actually Oswald. "The face seemed familiar as some faces do, and I had associated him with a patron that I had seen in the club a week before. That was about it."

'Rumors and Speculations'

"Lacking the testimony of Lee Harvey Oswald," states the report, "it has been necessary to reconstruct painstakingly all of the facts that led the Commission to the conclusion that Oswald assassinated President Kennedy, acting alone and without advice or assistance . . . In addition the Commission has inquired into the various hypotheses, rumors, and speculations that have arisen from the tragic developments of November 22-24, 1963 . . . This appendix is intended to clarify the most widespread factual misunderstandings." Highlights from this section:

The Source of the Shots

There have been speculations that some or all of the shots aimed at President Kennedy and Governor Connally came from the railroad overpass as the Presidential automobile approached it, or from somewhere other than the Texas School Book Depository Building. Related speculations maintain that the shots came from both the railroad overpass and the Texas School Book Depository Building. These are supported by a number of assertions that have been carefully examined by the Commission in the course of its investigation and rejected as being without foundation.

SPECULATION: The shots that killed the President came from the railroad overpass above the triple underpass.

FINDING: The shots that entered the neck and head of the President and wounded Governor Connally came from behind and above. There is no evidence that any shots were fired at the President from anywhere other than the Texas School Book Depository Building.

SPECULATION: More than three shots, perhaps as many as five or six, were fired at the President and Governor Connally.

FINDING: The weight of the evidence indicates that three shots were fired, of which two struck President Kennedy. There is persuasive evidence from the experts that one of these two bullets also struck Governor Connally. Some witnesses claimed that they heard more than three shots but, as fully described in chapter III, the great majority heard only three shots.

SPECULATION: At least four or five bullets have been found.

FINDING: After the assassination, metal remains of bullets were recovered. These included an almost whole bullet of 158.6 grains, fragments weighing 44.6 grains and 21.0 grains, and other fragments too small to be identified. These metal remains indicate that at least two shots were fired. The Commission believes that three shots were fired.

SPECULATION: A bullet was found

on the stretcher used for President Kennedy at Parkland Hospital.

FINDING: No bullet was found on the stretcher used by President Kennedy. An almost whole bullet . . . rolled off the stretcher [of Gov.] Connally.

SPECULATION: The Presidential car stopped momentarily or almost came to a complete halt after the first shot. This is evidence that the driver had the impression that the first shot came from the front and therefore hesitated to drive closer to the overpass.

FINDING: The Presidential car did not stop or almost come to a complete halt after the firing of the first shot or any other shots. The driver . . . has testified that he accelerated the car after what was probably the second shot. Motion pictures of the scene show that the car slowed down momentarily after the shot that struck the President in the head and then speeded up rapidly.

SPECULATION: The Presidential car had a small round bullet hole in the front windshield. This is evidence that a shot or shots were fired at the President from the front of the car.

FINDING: The windshield was not penetrated by any bullet. A small residue of lead was found on the inside surface of the windshield; on the outside of the windshield was a very small pattern of cracks immediately in front of the lead residue on the inside. The bullet from which this lead residue came was probably one of those that struck the President and therefore came from overhead and to the rear . . .

SPECULATION: The throat wound sustained by the President was the result of a shot fired from the front according to doctors at Parkland Hospital.

FINDING: Doctors at Parkland Hospital originally believed that the throat wound could have been either an entry or exit wound, but they made no examination to determine entry and exit wounds. Subsequently, when the evidence of the autopsy became available, the doctors at Parkland agreed that it was an exit wound.

SPECULATION: It is inconceivable

that the doctors at Parkland Hospital did not turn the President over on his face and notice the bullet hole in the back of his neck.

FINDING: Doctors at Parkland Hospital have testified that the President remained on his back while he was at Parkland Hospital for treatment and that they did not turn him over at any time; they were busy trying to save his life. Consequently, they were never aware of the hole in the back of his neck until they were notified of it later.

The Assassin

Speculations tending to support the theory that Oswald could not have assassinated President Kennedy are based on a wide variety of assertions. Among these are statements that Oswald could not have been acquainted with the motorcade route before he came to work on November 22, that he may well have carried curtain rods rather than a rifle in a brown paper package he brought with him, that there may have been other people in the building who could have fired the rifle, that Oswald could not have fired the shots in the time available to him, that he was not a good enough marksman to have scored the hits with the rifle, that there were other people in the lunchroom of the Depository Building when he was confronted by Patrolman M.L. Baker, and that there are no eyewitnesses who could identify Oswald as having been in the window.

SPECULATION: Oswald could not have known the motorcade route before he arrived at work on November 22.

FINDING: The motorcade route was published in both Dallas papers on November 19 and was therefore available at least 72 hours before Oswald reported for work on November 22.

SPECULATION: Oswald may well have carried curtain rods to work on November 22 in the brown paper package he was observed to bring into the building because he lived in a room where he needed them.

FINDING: According to Oswald's landlady at 1026 North Beckley Avenue, Mrs. A.C. Johnson, the room had venetian blinds, curtain rods, and curtains while Oswald was living there. The curtain rods in the Paine garage that belonged to Mrs. Paine were still there after Oswald went to work on November 22. Mrs. Paine and Marina Oswald testified that Oswald had not spoken to them about curtain rods. After the assassination the empty package was found near the window from which the shots were fired, but no curtain rods were found.

SPECULATION: It is probable that

the chicken lunch, remains of which were found on the sixth floor, was eaten by an accomplice of Oswald who had hidden on the sixth floor overnight.

FINDING: The chicken lunch had been eaten shortly after noon on November 22 by Bonnie Ray Williams, an employee of the Texas School Book Depository, who after eating his lunch went to the fifth floor where he was when the shots were fired. Oswald did not eat the chicken lunch, nor did he drink from the soft drink bottle found near the chicken lunch.

SPECULATION: An amateur 8-millimeter photograph taken at 12:20 p.m., 10 minutes before the assassination of President Kennedy, showed two silhouettes at the sixth-floor window of the Depository.

FINDING: A film taken by an amateur photographer, Robert J.E. Hughes, just before the assassination, shows a shadow in the southeast corner window of the sixth floor. This has been determined after examination by the FBI and the U.S. Navy Photographic Interpretation Center to be the shadow from the cartons near the window.

SPECULATION: A picture published widely in newspapers and magazines after the assassination showed Lee Harvey Oswald standing on the front steps of the Texas School Book Depository Building shortly before the President's motorcade passed by.

FINDING: The man on the front steps of the building, thought or alleged by some to be Lee Harvey Oswald, is actually Billy Lovelady, an employee of the Texas School Book Depository, who somewhat resembles Oswald. Lovelady has identified himself in the picture, and other employees of the Depository standing with him, as shown in the picture, have verified that he was the man in the picture and that Oswald was not there.

SPECULATION: The President's car was going at a speed estimated at from 12 to 20 miles per hour, thus presenting a target comparable to the most difficult that a soldier would encounter under battlefield conditions.

FINDING: During the period between the time that the first and second shots struck the President, the Presidential car was traveling at an average speed of approximately 11.2 miles per hour. Expert witnesses testified that the target is regarded as a favorable one because the car was going away from the marksman in a straight line.

SPECULATION: Oswald could not have fired three shots from the Mannlicher-Carcano rifle in 5½ seconds.

FINDING: According to expert witnesses, exacting tests conducted for the Commission demonstrated that it was

possible to fire three shots from the rifle within 5½ seconds. It should be noted that the first loaded shell was already in the chamber ready for firing. Oswald had only to pull the trigger to fire the first shot and to work the bolt twice in order to fire the second and third shots. They testified that if the second shot missed, Oswald had between 4.8 and 5.6 seconds to fire the three shots. If either the first or third shot missed, Oswald had in excess of 7 seconds to fire the three shots.

SPECULATION: Oswald did not have the marksmanship ability demonstrated by the rifleman who fired the shots.

FINDING: Oswald qualified as a sharpshooter and a marksman with the M-1 rifle in the Marine Corps. Marina Oswald testified that in New Orleans her husband practiced operating the bolt of the rifle. Moreover, experts stated that the scope was a substantial aid for rapid, accurate firing. The Commission concluded that Oswald had the capability with a rifle to commit assassination.

SPECULATION: Ammunition for the rifle found on the sixth floor of the Texas School Book Depository had not been manufactured since the end of World War II. The ammunition used by Oswald must, therefore, have been at least 20 years old, making it extremely unreliable.

FINDING: The ammunition used in the rifle was American ammunition recently made by the Western Cartridge Co., which manufactures such ammunition currently. In tests with the same kind of ammunition, experts fired Oswald's Mannlicher-Carcano rifle more than 100 times without any misfires.

SPECULATION: The assertion that Oswald's palmprint appeared on the rifle is false. The FBI told newsmen in an off-the-record briefing session that there was no palmprint on the rifle.

FINDING: The FBI confirmed that the palmprint lifted by the Dallas police from the rifle found on the sixth floor of the Texas School Book Depository Building was Oswald's palmprint. The FBI informed the Commission that no FBI agent made statements of any type to the press concerning the existence or nonexistence of this print.

SPECULATION: The picture of Oswald taken by his wife in March or April 1963 and showing him with a rifle and a pistol was "doctored" when it appeared in magazines and newspapers in February 1964. The rifle held by Oswald in these pictures is not the same rifle that was found on the sixth floor of the Texas School Book Depository Building.

FINDING: Life magazine, News-

week, and the New York Times notified the Commission that they had retouched this picture. In doing so, they inadvertently altered details of the rifle.

21 **SPECULATION:** After firing the shots, Oswald could not have disposed of the rifle and descended the stairs to the lunchroom in time to get a drink from a soft drink machine and be there when Patrolman Baker came in.

22 **FINDING:** A series of time tests made by investigators and by Roy S. Truly and Patrolman M.L. Baker at the request of the Commission, show that it was possible for Oswald to have placed the rifle behind a box and descended to the lunchroom on the second floor before Patrolman Baker and Truly got up there. Oswald did not have a soft drink bottle in his hand at the time he was confronted by Baker and he was not standing by the soft drink machine. He was just entering the lunchroom; Baker caught a glimpse of him through the glass panel in the door leading to the lunchroom vestibule.

SPECULATION: There were other people present in the lunchroom at the time that Baker and Truly saw Oswald there.

23 **FINDING:** Baker and Truly have both stated that there was no one in the lunchroom other than Oswald at the time that they entered. No other witness to this incident has been found.

24 **SPECULATION:** Police were sealing off all exits from the building by the time Oswald got to the second floor.

25 **FINDING:** Police may have begun to take up positions at the exits to the building as early as 12:33, but it is unlikely that they had blocked them off completely until 12:37 p.m. at the earliest. Oswald was seen in an office, walking toward an exit leading to the front stairway, at about 12:33 p.m. Oswald probably had at least 7 minutes in which to get out of the building without being stopped.

26 **Oswald's Movements Between 12:33 and 1:15 p.m.**

One of the major theses urged in support of the theory that Oswald did not murder Patrolman Tippit was that his known movements after he left the Texas School Book Depository would not have permitted him to have arrived at 10th Street and Patton Avenue in time to encounter Tippit by 1:16 p.m. Careful reenactments by investigative agencies and by members of the Commission staff of Oswald's movements from the time he left the Texas School Book Depository until he encountered Tippit verified that Oswald could reach his roominghouse at 1026 North Beckley Avenue, at approximately 1 p.m. or

earlier. The housekeeper at the roominghouse testified that Oswald spent only a few minutes at the house, leaving as hurriedly as he had arrived. During police interrogation after his arrest, Oswald admitted to riding both bus and taxi in returning to his roominghouse after the assassination of the President. From 1026 North Beckley Avenue, Oswald could easily have walked the nine tenths of a mile to 10th Street and Patton Avenue where he [met] Tippit.

SPECULATION: Oswald did not have time for all of the movements imputed to him between his departure from the Texas School Book Depository and his encounter with Tippit.

FINDING: Time tests of all of Oswald's movements establish that these movements could have been accomplished in the time available to him.

SPECULATION: Oswald was stopped by police as he left the building and was permitted to pass after he told them he worked in the building.

FINDING: The Commission has found no witness who saw Oswald leave the building. This speculation is probably a misinterpretation of the fact that he was stopped in the lunchroom by Patrolman Baker before he left the building and was allowed to proceed after Truly, the Depository superintendent, identified him as an employee there. Police did not seal off the building until at least several minutes after Oswald could have left.

SPECULATION: The log of the cabdriver who took Oswald to North Beckley Avenue, William W. Whaley, shows that Oswald entered his cab at 12:30 p.m. Since this occurred at some distance from the point of the President's assassination, Oswald could not have shot the President.

FINDING: Whaley's log does show 12:30 p.m., but he has testified that he was not accurate in logging the time that passengers entered his cab, that he usually logged them at 15-minute intervals, and that it was undoubtedly some time later than 12:30 when Oswald entered his cab. Sometimes he did not make entries in his logbook until three or four trips later. The bus transfer in Oswald's possession was issued after 12:36 p.m. The Commission has determined that Oswald probably entered [the] cab at about 12:47 or 12:48 p.m.

SPECULATION: Oswald was on his way to Jack Ruby's apartment when he was stopped by Patrolman Tippit.

FINDING: There is no evidence that Oswald and Ruby knew each other or had any relationship through a third party or parties. There is no evidence that Oswald knew where Ruby lived. Accordingly, there is neither evidence nor reason to believe that Oswald was

on his way to Ruby's apartment when he was stopped by Tippit.

Murder of Tippit

Speculations on the murder of Tippit centered about assertions that he was elsewhere than he was supposed to be when he was shot, that he knew the man who shot him, and that the description of the murderer given by one of the eyewitnesses did not fit Oswald's description.

The Commission found that Tippit was unquestionably patrolling in an area to which he had been directed by police headquarters. There was no evidence to support the speculation that Tippit and Oswald knew each other or had never seen each other before. The description of the murderer imputed to one of the witnesses was denied by her and had no support from any other eyewitness.

SPECULATION: Tippit was driving alone in his police car even though standing orders for police in Dallas were that radio cars of the type Tippit was driving must have two policemen . . .

FINDING: Dallas police officials stated that department policy required about 80 percent of the patrolmen on the day shift, 7 a.m. to 3 p.m., to work alone. Tippit was one of the patrolmen assigned to work alone that day.

SPECULATION: Tippit violated a procedure governing radio cars when he failed to notify headquarters that he was stopping to question a suspect.

FINDING: The Dallas Police Department had no requirement or regulation for police officers to notify headquarters when stopping to question a suspect. Therefore, Tippit did not violate any police radio procedure in failing to notify the radio dispatcher that he was stopping Oswald.

SPECULATION: Tippit could not have recognized Oswald from the description sent out over the police radio.

FINDING: There is no certain way of knowing whether Tippit recognized Oswald from the description put out by the police radio. The Dallas Police Department radio log shows that the police radio dispatcher at 1:29 p.m. noted a similarity between the broadcast descriptions of the President's assassin and Tippit's slayer. It is conceivable, even probable, that Tippit stopped Oswald because of the description broadcast by the police radio.

SPECULATION: Tippit and his killer knew each other.

FINDING: Investigation has revealed no evidence that Oswald and Tippit were acquainted, had ever seen each other, or had any mutual acquaintances.

Witnesses to the shooting observed no signs of recognition between [them].

SPECULATION: Mrs. Helen Markham, a witness to the slaying of Tippit, put the time at just after 1:06 p.m. This would have made it impossible for Oswald to have committed the killing since he would not have had time to arrive at the shooting scene by that time.

FINDING: The shooting of Tippit has been established at approximately 1:15 or 1:16 p.m. on the basis of a call to police headquarters on Tippit's car radio by another witness to the assassination, Domingo Benavides. In her various statements and in her testimony Mrs. Markham was uncertain . . . of the exact time of the slaying.

SPECULATION: Oswald wore an olive-brown plain jacket which is visible in all the pictures of him after his arrest.

FINDING: At the time of his arrest, Oswald was not wearing a jacket. The jacket that was subsequently recovered in a parking lot and identified as Oswald's was a light-gray one.

SPECULATION: Oswald's landlady, Mrs. A.C. Johnson, said that Oswald never had a gun in the room.

FINDING: In her testimony before the Commission, Mrs. Johnson said that he "never brought that rifle in my house."

He could have had this pistol, I don't know, because they found the scabbard." As shown in chapter IV, Oswald kept his rifle in the Paine garage in Irving while he was living in Dallas during October and November. The pistol was small and easily concealed.

SPECULATION: There was absolutely no place to hide a gun in Oswald's room at 1026 North Beckley Ave.

FINDING: In the search of Oswald's room after his apprehension police found a pistol holster. Oswald's landlady, Mrs. A.C. Johnson, stated that she had not seen the holster before. There is no reason to believe that Oswald could not have had both a pistol and the holster hidden in the room. Oswald's pistol was a small one with the barrel cut down to 2 1/4 inches. It could have been concealed in a pocket of his clothes.

SPECULATION: Oswald did not pick up the revolver from his room at 1 p.m.

FINDING: There is reason to believe that Oswald did pick up the revolver from his room, probably concealing it beneath his jacket. This likelihood is reinforced by the finding of the pistol holster in the room . . .

Oswald After His Arrest

The Commission found that assertions that the Dallas police treated Oswald brutally and denied him his constitutional rights to legal counsel had no

foundation in fact. Insinuations that Dallas police officials and District Attorney Henry M. Wade fabricated or altered evidence to establish the guilt of Oswald were baseless. It is true that police officials and the district attorney made errors in giving evidential information to the press, but these were clearly the result of misapprehensions or ignorance rather than intent and at the worst represent bad judgment.

SPECULATION: Oswald was the victim of police brutality.

FINDING: Oswald resisted arrest in the Texas Theatre and drew a gun. He received a slight cut over his right eye and a bruise under his left eye in the course of his struggles. During the time he was in police custody, he was neither ill-treated nor abused.

SPECULATION: Oswald was never formally charged with the assassination of the President; he was charged only with the shooting of [Officer] J.D. Tippit.

FINDING: Oswald was arraigned for the murder of President Kennedy before Justice of the Peace David Johnston on the fourth floor of the Police Department building at 1:35 a.m., November 23. Previously, he had been arraigned before Johnston for the murder of Tippit at 7:10 p.m., November 22.

SPECULATION: The police questioned Oswald extensively about the Tippit murder on the first day of his detention. They did not question him about the assassination of [Mr.] Kennedy.

FINDING: Dallas police officials stated that they questioned Oswald repeatedly on November 22 about the assassination of President Kennedy and his relationship to it. At the first interrogation, Captain Fritz asked Oswald to account for himself at the time the President was shot. FBI agents who were present also stated that he was questioned about the assassination of the President.

SPECULATION: Oswald's attempts to get legal counsel were deliberately thwarted by the police and he was cut off from outside calls that would have permitted him to obtain a lawyer.

FINDING: On November 23, Oswald was visited by the president of the Dallas Bar Association, H. Louis Nichols, who offered him help in getting a lawyer; Oswald refused the offer. Oswald was told by the police that he could use the telephone when he wished, and he did make telephone calls. He attempted to call attorney John Abt in New York but was unsuccessful in reaching him. Mrs. Paine testified that at Oswald's request she tried without success to reach Abt. Oswald was also visited by his wife, mother, and brother, to any of whom he could have turned for help in getting counsel.

Oswald in the Soviet Union

Oswald's residence in the Soviet Union for more than 2½ years aroused speculation after his arrest that he was an agent of the Soviet Union or in some way affiliated with it. This speculation was supported by assertions that he had received exceptionally favored treatment from the Soviet Government in securing permission to enter and leave the country, especially the latter, because his Russian wife and child were permitted to leave with him. The careful analysis of these speculations in chapter VI of this report led to the Commission's conclusion that there is no credible evidence that Oswald was an agent of the Soviet Government and that he did not receive unusually favorable treatment in entering or leaving the Soviet Union or in returning to the [U.S.].

SPECULATION: A young private in the Marine Corps in the 1950's could not study Marxism, learn Russian, and read Soviet newspapers without any adverse repercussions in his unit.

FINDING: Although Oswald's interest in the Soviet Union was well known, his interest in Marxism was apparently known to only a few of his fellow marines. While stationed in California, he studied Russian. In February 1959, while still in the Marines, he took an official test on his proficiency in Russian and was rated "Poor."

SPECULATION: Oswald learned Russian during his service in the Marines as part of his military training.

FINDING: Oswald never received any training from the Marine Corps in the Russian language. His studies of Russian were entirely on his own time and at his own initiative.

SPECULATION: It is probable that Oswald had prior contacts with Soviet agents before he entered Russia in 1959 because his application for a visa was processed and approved immediately on receipt.

FINDING: There is no evidence that Oswald was in touch with Soviet agents before his visit to Russia. The time that it took for him to receive his visa in Helsinki for entrance to the Soviet Union was shorter than the average but not beyond the normal range for the granting of such visas. Had Oswald been recruited as a Russian agent while he was still in the Marines, it is most improbable that he would have been encouraged to defect. He would have been of greater value to Russian intelligence as a Marine radar operator than as a defector.

SPECULATION: Soviet suspicion of Oswald is indicated by the fact that he was sent off to work in a radio plant in Minsk as an unskilled hand at the lowest rate of pay, although he qualified as a

trained radar and electronics technician.

FINDING: The Soviet Government probably was suspicious of Oswald, as it would be of any American who appeared in Moscow and said he wanted to live in the Soviet Union. Under the circumstances it is to be expected that he would be placed in a position that would not involve national security. Moreover, Oswald had been a radar operator, not a technician, in the Marines. His total income in Russia was higher than normal because his pay was supplemented for about a year by payments from the Soviet "Red Cross," an official agency of the Soviet Government. Oswald believed that these payments really came from the MVD. It is a policy of the Soviet Government to subsidize defectors from Western nations who settle in the Soviet Union, in order that their standard of living may not be too much lower than their previous standard in their own country.

SPECULATION: Oswald was trained by the Russians in a special school for assassins at Minsk.

FINDING: Commission investigations revealed no evidence to support this claim or the existence of such a school in Minsk during the time Oswald was there. Oswald belonged to a hunting club near Minsk, but there is no evidence that this was other than an ordinary hunting club.

SPECULATION: Marina Oswald's father was an important part of the Soviet intelligence apparatus.

FINDING: Marina Oswald's father died while she was still an infant. This reference is presumably to her uncle, Ilya Prusakov, who was an executive in the lumber industry, which position carried with it the rank of lieutenant colonel or colonel in the Ministry of Internal Affairs (MVD). Since 1953 the MVD has not been concerned with internal security or other police functions.

SPECULATION: Oswald never would have been permitted to return to the United States if Soviet intelligence had not planned to use him in some way against the United States.

FINDING: There is no evidence that Oswald had any working relationship with the Soviet Government or Soviet intelligence. The Russians have permitted other American defectors to return to the United States.

Oswald's Trip to Mexico City

Oswald's trip to Mexico City in late September and early October 1963, less than 2 months before he assassinated President Kennedy, has provoked speculation that it was related in some

way to a conspiracy to murder the President. Rumors include assertions that he made a clandestine flight from Mexico to Cuba and back and that he received a large sum of money—usually estimated at \$5,000—which he brought back to Dallas with him. The Commission has no credible evidence that Oswald went to Mexico pursuant to a plan to assassinate [the] President, that he received any instructions related to such an action while there, or that he received large sums of money from any source in Mexico.

SPECULATION: Oswald could not have received an American passport in June 1963 within 24 hours without special intervention on his behalf.

FINDING: Oswald's passport application was processed routinely by the Department of State. No person or agency intervened specially on his behalf to speed the issuance of the passport. The passports of 24 other persons on the same list sent to Washington from New Orleans, were authorized at the same time. The Passport Office of the Department of State had no instructions to delay issuance of or to deny a passport to Oswald.

SPECULATION: Oswald was accompanied on his trip to Mexico City by a man and two women.

FINDING: Investigation has revealed that Oswald traveled alone on the bus. Fellow passengers . . . between Houston and Mexico City have stated that he appeared to be traveling alone and that they had not previously known him.

SPECULATION: While in Mexico, Oswald made a clandestine flight to Havana and back.

FINDING: The Commission has found no evidence that Oswald made any flight to Cuba while he was in Mexico. He never received permission from the Cuban Government to enter Cuba nor from the Mexican Government to leave Mexico bound for Cuba. A confidential check of the Cuban airline in Mexico City indicates that Oswald never appeared at its office there.

SPECULATION: Oswald came back from Mexico City with \$5,000.

FINDING: No evidence has ever been supplied or obtained to support this allegation. Oswald's actions in Mexico City and after his return to Dallas lend no support to this speculation.

SPECULATION: On November 27, 1963, in a speech at the University of Havana, Fidel Castro, under the influence of liquor, said "The first time that Oswald was in Cuba * * *." Castro therefore had knowledge that Oswald had made surreptitious visits to Cuba.

FINDING: Castro's speeches are monitored directly by the U.S. Information Agency as he delivers them. A tape of

in this speech reveals that it did not contain the alleged slip of the tongue. Castro did refer to Oswald's visit to the "Cuban Embassy" in Mexico which he immediately corrected to "Cuban consulate." The Commission has found no evidence that Oswald had made surreptitious visits to Cuba.

Oswald and U.S. Government Agencies

Rumors and speculations that Oswald was in some way associated with or used by agencies of the U.S. Government grew out of his Russian period and his investigation by the FBI after his return to the United States. Insinuations were made that Oswald had been a CIA agent or had some relationship with the CIA and that this explained the supposed ease with which he received passports and visas. Speculation that he had some working relationship with the FBI was based on an entry in Oswald's notebook giving the name and telephone number of an agent from the FBI office in Dallas. The Directors of the CIA and the FBI have testified before the Commission that Oswald was never in the employ of their agencies in any capacity. The Commission has concluded on the basis of its own investigations of the files of Federal agencies that Oswald was not and had never been an agent of any agency of the U.S. Government (aside from his service in the Marines) and was not and had never been used by any U.S. Government agency for any purpose. The FBI was interested in him as a former defector and it maintained a file on him.

SPECULATION: Oswald was an informant of either the FBI or the CIA. He was recruited by an agency of the U.S. Government and sent to Russia in 1959.

FINDING: Mrs. Marguerite Oswald frequently expressed the opinion that her son was such an agent, but she stated before the Commission that "I cannot prove Lee is an agent." The Directors of the CIA and of the FBI testified before the Commission that Oswald was never employed by either agency or used by either agency in any capacity. Investigation by the Commission has revealed no evidence that Oswald was ever employed by either the FBI or CIA in any capacity.

SPECULATION: The FBI tried to recruit Oswald. An FBI agent's name, telephone number, and automobile license number were found among Oswald's papers.

FINDING: FBI officials have testified that they had never tried to recruit Oswald to act on behalf of the FBI in any capacity. The Commission's investigation

corroborates this testimony. An FBI agent, James P. Hosty, Jr., had given his name and telephone number to Mrs. Ruth Paine so that she could call and give him Oswald's address in Dallas when she learned it. Mrs. Paine and Marina Oswald have stated that Mrs. Paine gave Oswald a slip of paper with the agent's name and telephone number on it. Marina Oswald had taken down the license number of Hosty's car on one of his visits and given it to her husband.

SPECULATION: It has been FBI policy for 20 years to inform employers of Communists or suspected Communists employed by them. It is a mystery, therefore, how Oswald retained his job at the Texas School Book Depository.

FINDING: The FBI advised the Commission that it has never been its policy to inform employers that they have Communists or suspected Communists working for them and that the FBI does not disseminate internal security information to anyone outside the executive branch of the U.S. Government. FBI agents had no contacts with Texas School Book Depository officials until after the assassination.

SPECULATION: Municipal and Federal police had observed Oswald closely for some time but had not regarded him as a potential killer.

FINDING: The Dallas police had not been aware of Oswald's presence in the city before the assassination. The FBI knew that Oswald was in Dallas from an interview with Mrs. Paine, but no FBI agents had interviewed him there before the assassination. The FBI had not regarded him as a potential killer.

SPECULATION: The FBI probably knew that Oswald had the rifle before the President's murder because it was most unlikely that it could have traced the ownership of the rifle within 1 day if it had not already had information on the rifle.

FINDING: The FBI successfully traced the purchase of the rifle by Oswald within 24 hours of the assassination. It had had no previous information about the rifle.

SPECULATION: The FBI interviewed Oswald 10 days before the assassination.

FINDING: The last FBI interview with Oswald, before the assassination, took place in New Orleans in August 1963, when he asked to see an FBI agent after his arrest by police for disturbing the peace, the outcome of his distribution of Fair Play for Cuba handbills. Neither Special Agent Hosty nor any other FBI agent saw or talked with Oswald between his return to Dallas, on October 3, and November 22. Hosty did interview Mrs. Paine at her home about Oswald on November 1 and 5, 1963. He

also saw Marina Oswald briefly on November 1 at Mrs. Paine's house, but he did not interview her.

Conspiratorial Relationships

Rumors concerning accomplices and plots linked Oswald and Ruby with each other, or with others, including Patrolman J.D. Tippit, Gen. Edwin A. Walker, and Bernard Weissman of the nonexistent American Factfinding Committee, in a conspiratorial relationship. The Commission made intensive inquiry into the backgrounds and relationships of Oswald and Ruby to determine whether they knew each other or were involved in a plot of any kind with each other or others. It was unable to find any credible evidence to support the rumors linking Oswald and Ruby directly or through others. The [report] concluded that they were not involved in a conspiratorial relationship with each other or with any third parties.

SPECULATION: Just before Oswald was shot by Ruby, he looked directly at Ruby in apparent recognition of him.

FINDING: The Commission has been unable to establish as a fact any kind of relationship between Ruby and Oswald other than that Oswald was Ruby's victim. The Commission has examined television tapes and motion picture films of the shooting and has been unable to discern any facial expression that could be interpreted to signify recognition of Ruby or anyone else in the basement of the building.

SPECULATION: The Dallas police suspected Oswald and Ruby of being involved in an attack on General Walker and planned to arrest the two when the FBI intervened, at the request of Attorney General Robert F. Kennedy, and asked the police not to do so for reasons of state.

FINDING: This allegation appeared in the November 29, 1963, issue (actually printed on November 25 or 26) of a German weekly newspaper, Deutsche National Zeitung und Soldaten Zeitung, published in Munich. The allegation later appeared in the National Enquirer of May 17, 1964. The Commission has been reliably informed that the statement was fabricated by an editor of this newspaper. No evidence in support of this statement has ever been advanced or uncovered. In their investigation of the attack on General Walker, the Dallas police uncovered no suspects and planned no arrests. The FBI had no knowledge that Oswald was responsible for the attack until Marina Oswald revealed the information on December 3, 1963.

SPECULATION: Ruby and Oswald

were seen ... at the Carousel Club.

FINDING: All assertions that Oswald was seen in the company of Ruby or of anyone else at the Carousel Club have been investigated. None of them merits any credence.

SPECULATION: Oswald and General Walker were probably acquainted with each other since Oswald's notebook contained Walker's name and telephone number.

FINDING: Although Oswald's notebook contained Walker's name and telephone number there was no evidence that the two knew each other. It is probable that this information was inserted at the time that Oswald was planning his attack on Walker. General Walker stated that he did not know of Oswald before the assassination.

SPECULATION: Patrolman J.D. Tippit, Bernard Weissman, and Jack Ruby met by prearrangement on November 14, 1963, at the Carousel Club.

FINDING: Investigation has revealed no evidence to support this assertion. Nor is there credible evidence that any of the three men knew each other.

SPECULATION: Jack Ruby was one of the most notorious of Dallas gangsters.

FINDING: There is no credible evidence that Jack Ruby was active in the criminal underworld. Investigation disclosed no one in either Chicago or Dallas who had any knowledge that Ruby was associated with organized criminal activity.

Other Rumors and Speculations

Many rumors and speculations difficult to place in the categories treated above also required consideration or investigation by the Commission. In some way or other, much of this miscellany was related to theories of conspiracy involving Oswald. The rest pertained to peripheral aspects that [merited] attention.

SPECULATION: The Texas School Book Depository is owned and operated by the city of Dallas, and Oswald was therefore a municipal employee. Accordingly, he could have secured his job at the Depository only if someone in an official capacity vouched for him.

FINDING: The Texas School Book Depository is a private corporation unconnected with the city of Dallas. Oswald therefore was not a municipal employee. He obtained his position at the Depository with the assistance of Mrs. Ruth Paine, who learned of a possible opening from a neighbor and arranged an interview for him with Superintendent Roy S. Truly at the Depository.

SPECULATION: Prior to the assassi-

nation Dallas police searched other buildings in the area of the Texas School Book Depository but not the School Book Depository itself.

FINDING: The Dallas police and the Secret Service both notified the Commission that, other than the Trade Mart, they had searched no buildings along the route of the President's motorcade or elsewhere in Dallas in connection with the President's visit. It was not Secret Service practice to search buildings along the routes of motorcades.

SPECULATION: Police precautions in Dallas on November 22 included surveillance of many people, among them some who did no more than speak in favor of school integration.

FINDING: The Dallas Police Department notified the Commission that on November 22 it had no one under surveillance as a precaution in connection with President Kennedy's visit except at the Trade Mart. The Commission received no evidence that the Dallas police had under surveillance people who spoke in favor of school integration.

SPECULATION: Oswald was seen at shooting ranges in the Dallas area practicing firing with a rifle.

FINDING: Marina Oswald stated that on one occasion in March or April 1963, her husband told her that he was going to practice firing with the rifle. Witnesses have testified that they saw Oswald at shooting ranges in the Dallas area during October and November 1963. Investigation has failed to confirm that the man seen by these witnesses was Oswald.

SPECULATION: Oswald could drive a car and was seen in cars at various places.

FINDING: Oswald did not have a driver's license. Marina Oswald and Ruth Paine have testified that he could not drive a car, and there is no confirmed evidence to establish his presence at any location as the driver of a car. Mrs. Paine did give Oswald some driving lessons and he did drive short distances on these occasions.

SPECULATION: On his way back from Mexico City in October 1963, Oswald stopped in Alice, Tex., to apply for a job at the local radio station.

FINDING: This rumor apparently originated with the manager of radio station KOPY, Alice, who stated that Oswald visited his office on the afternoon of October 4 for about 25 minutes. According to the manager, Oswald was driving a battered 1953 model car and had his wife and a small child in the car with him. Oswald traveled from Mexico City to Dallas by bus, arriving in Dallas on the afternoon of October 3. The bus did not pass through Alice.

SPECULATION: One hundred and

fifty dollars was found in the dresser of Oswald's room at 1026 North Beckley Avenue after the assassination.

FINDING: No money was found in Oswald's room after the assassination. Oswald left \$170 in the room occupied by his wife at the Paine residence in Irving. At the time of his arrest Oswald had \$13.87 on his person.

SPECULATION: After Oswald's arrest, the police found in his room seven metal file boxes filled with the names of Castro sympathizers.

FINDING: The Dallas police inventories of Oswald's property taken from his room at 1026 North Beckley Avenue do not include any file boxes. A number of small file boxes listed in the inventory as having been taken from the Paine residence in Irving contained letters, pictures, books and literature, most of which belonged to Ruth Paine, not to Oswald. No lists of names of Castro sympathizers were found ...

SPECULATION: The Secret Service incarcerated Marina Oswald immediately after the assassination.

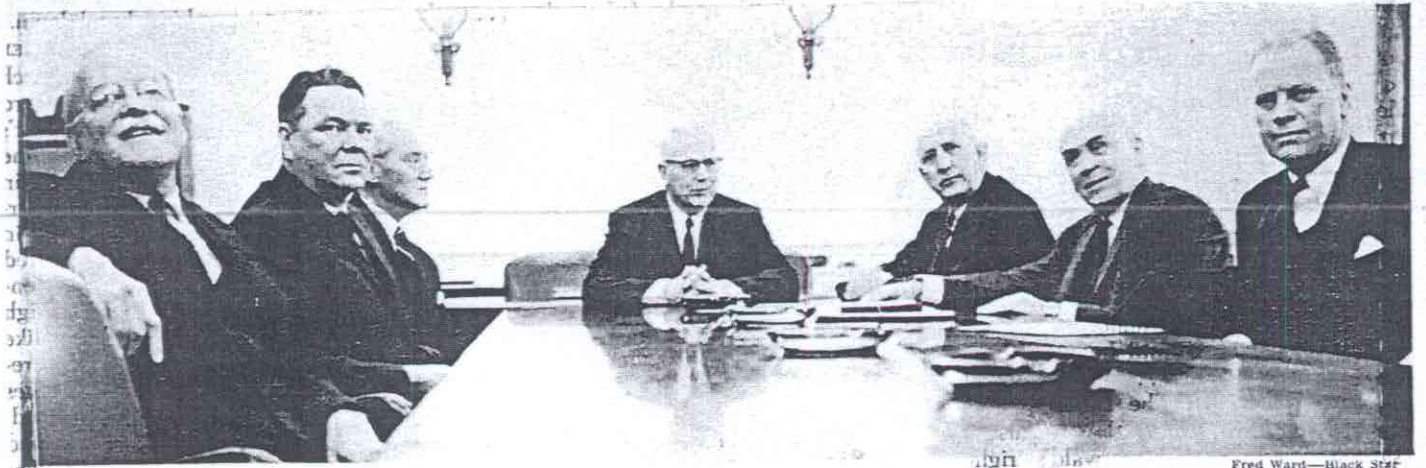
FINDING: Marina Oswald was given protection by the Secret Service for a period of time after the assassination. She had freedom to communicate with others at anytime she desired, to go where she pleased, or to terminate the protection at any time.

SPECULATION: Mrs. Marguerite Oswald was shown a photograph of Jack Ruby by an FBI agent the night before Ruby killed her son.

FINDING: On the night of November 23, 1963, Special Agent Bardwell D. Odum of the FBI showed Mrs. Marguerite Oswald a picture of a man to determine whether the man was known to her. Mrs. Oswald stated subsequently that the picture was of Jack Ruby. The Commission has examined a copy of the photograph and determined that it was not a picture of Jack Ruby.

SPECULATION: The headquarters detachment of the U.S. Army, under orders from [Secretary of Defense Robert S.] McNamara's office, began to rehearse for the funeral more than a week before the assassination.

FINDING: This assertion is based on an interview with U.S. Army Capt. Richard C. Cloy that appeared in the Jackson, Miss., Clarion-Ledger of February 21, 1964. The newspaper quotes Captain Cloy, who was a member of the Army unit charged with conducting funeral ceremonies in honor of deceased Chiefs of State, as having said that, "we were in a state of readiness and had just finished a funeral rehearsal because there was grave concern for President Hoover's health. But we never expected that our practice was preparing us for President Kennedy."



The Warren commission*: Some stern findings about some serious deficiencies'

Fred Ward—Black Star

'The Commission Has Concluded . . .'

Could the death of President Kennedy, and later of Lee Harvey Oswald, have been prevented?

The commission report recognizes that the "demands on the President in the execution of his responsibilities in today's world are so varied and complex and the traditions of the office in a democracy such as ours are so deep-seated as to preclude absolute security." And it notes that Oswald required extraordinary protection from an outraged nation. But the commission's investigators found some wide gaps in the security afforded both the President and his accused assassin; and the report offers some major recommendations for closing them.

The official targets of the commission's criticism were the Secret Service, the FBI, and the Dallas Police.

The Secret Service. "The commission has concluded that at the time of the assassination, the arrangements relied upon by the Secret Service to [identify and eliminate possible sources of danger to the President] were seriously deficient."

"Inadequate" is the report's word for the facilities and procedures of the Service's Protective Research Section (PRS), which collects and evaluates information on sources of danger to the President. The section's efforts, the report finds, "appear to have been too largely directed at the 'crank' threat." When the PRS's special "trip index" file was reviewed prior to the Texas trip, "it contained the names of no persons from the entire Dallas-Fort Worth area notwithstanding the fact that Ambassador [Adlai] Stevenson had been abused by pickets in Dallas less than a month before."

The Secret Service also comes under criticism for not having had "any established procedure governing its rela-

tionships with the Dallas Police Department. It had no prepared checklist of matters to be covered with local police on such visits . . . and no written description of the role the local police were expected to perform." The Service failed to inspect any buildings along the route President Kennedy traveled in Dallas. (Special measures were taken only in the Trade Mart, where the President was to have spoken; 200 law-enforcement agents were there, including some with photographs of rightists who had abused Stevenson.) Though the report recognizes that it might be impractical to inspect all route-side buildings in a metropolitan area, it suggests that those presenting the greatest risk might have been singled out and checked.

Obvious Threats: The greatest gap in the Secret Service's protection, the report suggests, was the lack of clear communication with other Federal departments. That accounted for the fact that the Service knew nothing of Oswald before November 22, even though "Oswald was known to other Federal agencies with which the Secret Service maintained intelligence liaison." The report adds that the "vague requests for information which the Secret Service made to Federal intelligence and law-enforcement agencies were not well designed to elicit information from them about persons other than those who were obvious threats to the President."

The FBI. "The commission believes . . . that the FBI took an unduly restrictive view of its responsibilities in preventive intelligence work, prior to the assassination."

The FBI's investigation of Oswald is reviewed from the bureau's first concern with him in October 1959, after his attempted defection to the Soviet Union, through "his arrogance and hostility to the United States, his pro-

Castro tendencies, his lies when interrogated by the FBI, his trip to Mexico where he was in contact with Soviet authorities, his presence in the School Book Depository job and its location along the route of the motorcade. All this does seem to amount to enough to have induced an alert agency, such as the FBI . . . to list Oswald as a potential threat to the safety of the President." However, the report says, the FBI made no move to inform the Secret Service of Oswald's presence in Dallas, even though it informed the Service of another (unidentified) potentially dangerous person there before Mr. Kennedy's visit.

The commission's view put it directly at odds with the quoted position of FBI Director J. Edgar Hoover: "There was nothing up to the time of the assassination that gave any indication that this man was a dangerous character who might do harm to the President or Vice President." Furthermore, the commission offers some conflicting testimony on this point: a reported conversation between Dallas FBI agent James P. Hosty Jr. and Lt. Jack Revill of the Dallas police force shortly after Oswald was caught. Hosty told him, Revill testified, that the FBI had information Oswald was "capable of committing this assassination." Agent Hosty unequivocally denied this, says the report noncommittally, adding that the only witness to the conversation "was not within hearing distance at all times."

The Dallas Police Department. "The shooting of Lee Harvey Oswald obviously resulted from the failure of the security precautions which the Dallas Police Department had taken to protect their prisoner."

The department's security measures, the report finds, "did not include adequate control of the great crowd of

*From left, Allen Dulles, Rep. Hale Boggs, Sen. John Sherman Cooper, Chief Justice Earl Warren, Sen. Richard Russell, John McCloy, Rep. Gerald Ford.

newsmen that inundated the ... department building. Although the presence of a great mass of press representatives created an extraordinary security problem in the building, the police department pursued its normal policy of admitting the press ... [Moreover,] ... the acceptance of inadequate press credentials posed a clear avenue for a one-man assault ... While Jack Ruby might have been easily spotted if only police officers had been in the basement, he remained apparently unnoticed in the crowd of newsmen until he lunged forward toward Oswald ..."

Press Criticized: The Dallas police's aim to please newsmen, the commission says, also endangered Oswald's rights to a fair trial and led to the dissemination of a great deal of misinformation to a worldwide audience. "If Oswald had been tried for his murder of November 22, the effects of the news policy

properly to the demands of the police ... The general disorder [at police headquarters] ... reveals a regrettable lack of self-discipline by the newsmen."

In its recommendations, the commission first advises Congress to pass legislation making it a Federal crime to kill the President, the Vice President, and the President- and Vice President-elect. This would avoid jurisdictional doubts over any investigation.

Next, the commission suggests "that consideration might be given to assigning a Cabinet-level committee or the National Security Council ... the responsibility to review and oversee the protective activities of the Secret Service and other Federal agencies that assist in safeguarding the President."

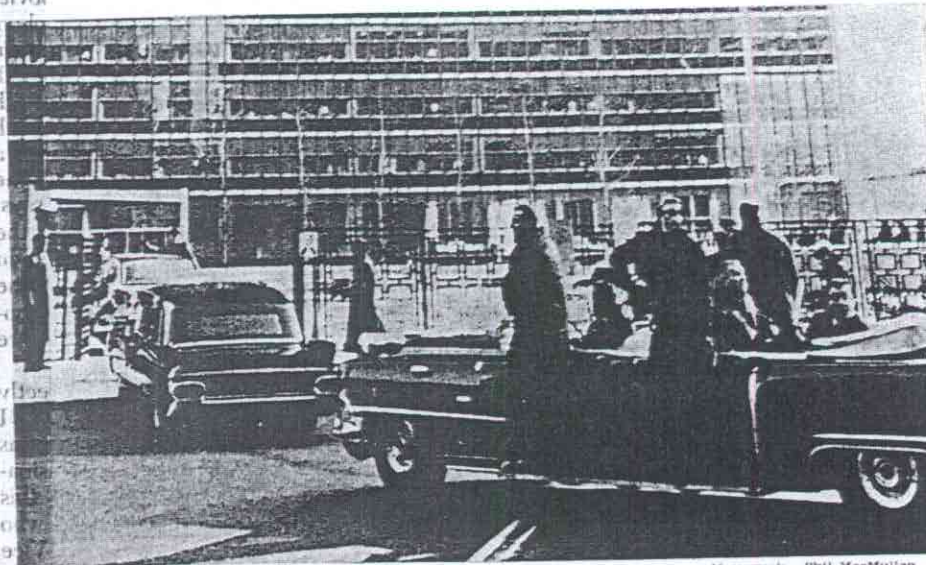
The commission questions the desirability of placing the major responsibility for protecting the President in the Secret Service as a branch of the

the present geographic breakdown."

(Aiding it in doing so, NEWSWEEK learned last week, are two research projects that have been going forward under the direction of the President's Office of Science and Technology. One is a study under psychiatrist Dr. Edwin Weinstein of the background and personalities of some 3,000 persons who in the past have written letters or uttered threats against the President. Some tentative findings: there is a strikingly high incidence of ex-servicemen who, like Oswald, were disgruntled at having received less than honorable discharges from the military, and who, like Oswald, were Marines. Several, like Oswald, had attempted suicide. Most claimed identity with "causes," but few had actual organizational affiliation—another Oswald characteristic. The other study is aimed at determining how information on potential assassins can be "computerized" for rapid and certain access. The commission criticizes the Service's manual handling of much of its information.)

Symbol: Finally, the report recommends that the Secret Service rely more heavily on other Federal law-enforcement agencies "to provide personnel to assist in its protective functions ... In view of the ever increasing mobility of American Presidents, it seems unlikely that the Service could or should increase its own staff to a size which would permit it to provide ... for all situations ... The occasional use of personnel from other Federal agencies ... has a further advantage. It symbolizes the reality that the job ... cannot be exclusively the responsibility of the Secret Service ... [It] is a difficult and complex task which requires full use of the best resources of many parts of our government. Recognition that the responsibility must be shared increases the likelihood that it will be met."

The commission's recommendations made obvious good sense—insofar as it is humanly possible to protect the most powerful, and the most vulnerable, man in the world. But none of the report's 300,000 words struck so quickly to the marrow as those uttered by John F. Kennedy himself with chilling prescience on the very morning of Nov. 22. Before leaving the hotel in Fort Worth to go to Dallas, said the report, "the President, Mrs. Kennedy, and [Appointments Secretary] Kenneth O'Donnell talked about the risks inherent in Presidential public appearances. According to O'Donnell, the President commented that "if anybody really wanted to shoot the President of the United States, it was not a very difficult job—all one had to do was get in a high building someday with a telescopic rifle, and there was nothing anybody could do to defend against such an attempt." **END**



Newsweek—Phil MacMullan

'A complex task': Alert agents trail the new President into the U.N.

pursued by the Dallas authorities would have proven harmful both to the prosecution and the defense ...

The commission recognizes that the people of the United States, and indeed the world, had a deep-felt interest in learning of the events surrounding the death of President Kennedy ... However, neither the press nor the public had a right to be contemporaneously informed by the police or prosecuting authorities of the details of the evidence being accumulated ... The courtroom, not the newspaper or television screen, is the appropriate forum ... for the trial of a man accused of a crime."

The press itself comes in for a drubbing in some of the report's least restrained words. "Part of the responsibility for the unfortunate circumstances following the President's death must be borne by the news media. The crowd of newsmen generally failed to respond

Treasury Department that functions "largely as an informal part of the White House staff." But, it holds, "the determination of whether or not there should be a relocation of responsibilities and functions should be left to the Executive and Congress ... Pending any such determination, however ... the commission recommends that the Secretary of the Treasury appoint a special assistant with the responsibility of supervising the [Secret] Service."

Improvements: It also urges that the Service continue its efforts "to overhaul and define its procedures," especially in the Service's PRS intelligence activities. The staff has already been enlarged, the section's files have been broadened to include more than obviously dangerous people and groups. But beyond that, the commission says the "PRS must develop the capacity to classify its subjects on a more sophisticated basis than