

Additional testimony linking Oswald with the point from which the shots were fired was provided by the testimony of Charles Givens, who was the last known employee to see Oswald inside the building prior to the assassination. During the morning of November 22, Givens was working with the floor-laying crew in the southwest section of the sixth floor.²²³ At about 11:45 a.m. the floor-laying crew used both elevators to come down from the sixth floor. The employees raced the elevators to the first floor.²²⁴ Givens saw Oswald standing at the gate on the fifth floor as the elevator went by.²²⁵ Givens testified that after reaching the first floor, "I discovered I left my cigarettes in my jacket pocket upstairs, and I took the elevator back upstairs to get my jacket with my cigarettes in it."²²⁶ He saw Oswald, a clipboard in hand, walking from the southeast corner of the sixth floor toward the elevator.²²⁷ (See Commission Exhibit No. 2707, p. 142.) Givens said to Oswald, "Boy are you going downstairs? * * * It's near lunch time." Oswald said, "No, sir. When you get downstairs, close the gate to the elevator."²²⁸ Oswald was referring to the west elevator which operates by pushbutton and only with the gate closed.²²⁹ Givens said, "Okay," and rode down in the east elevator. When he reached the first floor, the west elevator—the one with the gate—was not there. Givens thought this was about 11:55 a.m.²³⁰ None of the Depository employees is known to have seen Oswald again until after the shooting.²³¹

The significance of Givens' observation that Oswald was carrying his clipboard became apparent on December 2, 1963, when an employee, Frankie Kaiser, found a clipboard hidden by book cartons in the northwest corner of the sixth floor at the west wall a few feet from where the rifle had been found.²³² This clipboard had been made by Kaiser and had his name on it.²³³ Kaiser identified it as the clipboard which Oswald had appropriated from him when Oswald came to work at the Depository.²³⁴ Three invoices on this clipboard, each dated November 22, were for Scott-Foresman books, located on the first and sixth floors.²³⁵ Oswald had not filled any of the three orders.²³⁶

Eyewitness Identification of Assassin

Howard L. Brennan was an eyewitness to the shooting. As indicated previously the Commission considered his testimony as probative in reaching the conclusion that the shots came from the sixth floor, southeast corner window of the Depository Building.²³⁷ (See ch. III, pp. 61-68.) Brennan also testified that Lee Harvey Oswald, whom he

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227. Id. at 38-39.
228. 4 H 269-270 (Day); 4 H 31, 38-39, 42 (Latona).
229. CE 313; pp. 17-18.
230. 4 H 51, 52, 54 (Mandella); 15 H 743-748 (Mandella); CE 662.
231. Id. at 47; 7 H 590 (Wittmus).
232. 4 H 42-44 (Latona); CE 1980, 3135.
233. 8 H 347, 349 (Givens).
234. Id. at 354.
235. Id. at 349.
236. Ibid.
237. Id. at 249-350, 353.
238. Id. at 350-351.
239. Id. at 351; 3 H 223 (Truly).
240. 8 H 334 (Givens).
241. CE 1381.
242. 8 H 342-345 (Frankie Kaiser); 8 H 332 (Shelley); 8 H 335 (Nat Pinkston); 3 H 233-235 (Truly); Kaiser DE 1; CE 306.
243. CE 1988, 3141, 6 H 344 (Kaiser); 6 H 335 (Pinkston).
244. 6 H 344 (Kaiser); 8 H 335 (Pinkston).
245. Ibid; 8 H 332-333 (Shelley); 3 H 213 (Truly).
246. 8 H 332-333 (Shelley).
247. See ch. III.
248. 3 H 144-148 (Howard Brennan).