

"I think someone else worked with him."

Richard Russell's Opinions Concerning the Kennedy Assassination:  
An examination of the Richard B. Russell Memorial Library

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## Foreward

The Richard B. Russell Memorial Library chronicals the history of one of the longest and most influential political careers the United States Senate has ever seen. The wide range of responsibility encompassed by Senator Russell's distinguished service to the nation, to the State of Georgia, and to the causes he championed are contained in the library in manuscripts, letters, papers, photographs, audio-visual materials, and memorabilia of every description. The material which comprises the record of his legacy is divided into twenty series, sixteen of which are open to research. The four series which are not open to research refer to specific case files, personal in nature, such as individual military cases or individual social security cases. The sixteen open series are as follows:

- I Dictations (portions closed)
- II Intra-Office Communications
- III Speech/Media
- IV Early Office Files (Case files closed)
- V Personal (Portions closed)
- VI Political
- VII Political Patronage (Open with exception of one file)
- VIII Official (Case files closed)
- IX Legislative
- X Civil Rights
- XI Rivers and Harbors
- XII MacArthur Hearings
- XIII Kennedy Assassination
- XIV Military Installations
- XV General
- XVI International

Senator Russell's service on The President's Commission to Investigate the Assassination of John F. Kennedy has generated a heightened interest ever since his first public statements appeared in 1970 which indicated that he had not fully agreed with the expressed findings of the Commission.

The events of November 22, 1963, leave many tracks and potential explanations lead in many directions. It is a difficult task to review the materials in the Kennedy Assassination Series without pursuing one of the many loose ends that have been discussed by author after author and never satisfactorily explained. Many witnesses and their testimony were discounted or never heard by the Warren Commission. Much of the testimony the Commission decided to rely upon has not stood the test of time. Some of the conclusions simply do not rise to the standard of proof that would justify the tone of finality set by the report. There are too many contradictions and too many loose ends. Whatever the explanation, there are too many loose ends.

My goal is to explore and examine the materials contained in the Russell Memorial Library itself, and to present any interesting findings. I hope to avoid reexamining the works of so many

authors who have so forcefully assailed the Warren Commission Report and its findings. However, I have found several background books to be indispensable in helping to focus this project. These are the Report of the President's Commission on the Assassination of President Kennedy (1964); Harold Weisberg, Whitewash IV: Top Secret JFK Assassination Transcript (1974); Bernard Fensterwald, Jr., Coincidence or Conspiracy (1977); Anthony Summers, Conspiracy (1980); and Henry Hurt, Reasonable Doubt (1935). These works are further cited where any direct reference is made.

The citation format for footnotes is the form suggested by the Richard B. Russell Memorial Library for its materials.



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## Part I: Introduction

The horror of the tragedy in Dallas on November 22, 1963 was multiplied by the televised murder of Lee Harvey Oswald. The search for truth had been neutralized. The circumstances surrounding the assassination of President Kennedy in Dallas, and then of Oswald while in police custody in Dallas, underscored the need for an investigation on a national level. On November 29, 1963, President Lyndon Johnson established the President's Commission on the Assassination of President Kennedy.

Chief Justice Earl Warren was picked to head the Commission, soon to be known as the Warren Commission. President Johnson named as the other six members of the Commission: Senator Richard Russell, Democrat from Georgia, chairman of the Armed Services Committee, chairman of the Subcommittee on CIA Oversight and a leading Southern conservative voice in the Senate; Senator John Cooper, Republican from Kentucky, former ambassador to India; Representative Hale Boggs, Democrat from Louisiana, the majority whip; Representative Gerald Ford, Republican from Michigan, chairman of the House Republican Conference; Allen W. Dulles, former Director of the Central Intelligence Agency; and John J. McCloy, former diplomat and post war intelligence strategist and a partner in a prestigious New York law firm.

Acceptance of the conclusory and absolute findings of the Warren Commission was a national reaction that had been seduced

from even those who had not read the Report. Through the skillful orchestration of public opinion the Warren Report had enjoyed an acceptance on faith, built largely upon the magnitude of the reputations of the men who had written it. But in 1970, Senator Richard Russell expressed startling doubts.

Part II: WSB Interview -- "I think someone else worked with him."

It had long been rumored that Senator Russell had differed in several material respects from the official findings of The President's Commission, the so-called Warren Report. The Senator's interview with reporter Hal Suit of WSB-TV in 1970, a year before his death, has fueled such speculation as much from what it revealed as from what was left unexplored.

Twenty hours of interviewing which covered the spectrum of the Senator's long and distinguished career of public service were edited down to three hours. A very small segment of the program dealt with The Warren Commission; the relevant portion of the transcript in its entirety appears below. Excerpts leaked out, of course, and appeared in several newspapers even before the interview was aired as Richard Russell: Georgia Giant, on February 11, 1970.<sup>1</sup>

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1, Transcript of Richard Russell: Georgia Giant, February 11, 1970, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.



It is apparent from parts of the interview that the Senator was finally disposed to be forthcoming about what he knew, as a Commission member, after years of making no comment except for short prepared statements. The Senator was in an expansive mood, and matters long considered taboo were addressed:

SUIT: When President Kennedy was assassinated by Lee Harvey Oswald, Lyndon Johnson appointed Senator Russell and others to a Commission to study the crime to determine whether it was committed by more than one man. Russell says it was one of the more difficult assignments of his life.

RUSSELL: I do think that all of the members of the Commission were very anxious to get it off their shoulders, and the Chief Justice, who was Chairman, did set a deadline. Well, he set two or three deadlines as a matter of fact. It became apparent they couldn't meet the first one, so they set another one and that had to be dropped. I was badly overloaded, undoubtedly more so than any man on the Commission. At that time we were in the midst of a very long education campaign that many people called a filibuster on the Civil Rights Bill. I was supposed to be in charge of it on the floor and trying to look after that and also look after my duties on the Warren Commission was the most arduous four or five months I've ever had in my life. And I've had some tough ones.

SUIT: Do you feel like more time should have been taken on the report?

RUSSELL: I don't think it would have hurt anything if we had waited two or three months and digested that report a little more thoroughly. I have never been completely satisfied with the report. Now I don't mean by that that I think there was any great omission, but I do think it could have been made much more convincing with the evidence we had had it been tied more closely together. In the first place, Marina Oswald was never examined as she should have been. I gave her about 40 minutes of cross examination in Dallas, right at the end of the hearings, which was really the first she had ever had. Chief Justice Warren rather took the grandfather attitude toward her when she was before the Commission and Mr. Rankin was not very vigorous. I don't know just what else they could have been brought out, but I was not satisfied with several aspects of the report. But as far as the general conclusion is concerned, that

Oswald was the man who fired the shots and he acted alone, I think that any other commission that you might appoint today would arrive at that conclusion. Now there are a number of other things that might come out differently.<sup>2</sup>

Why didn't Hal Suit ask "What things might have come out differently?" or "What are the "several aspects of the report" with which you were not satisfied? In addition, it must be noted that a subsequent commission did arrive at very different conclusions partly because it had information denied to or not considered by the Warren Commission. Instead, Mr. Suit seems not to be listening to the answers and just going down a list of questions. He continues as follows:

SUIT: Now what do you think about the fact that some records the American people aren't going to see for many, many years?

RUSSELL: Well, they have to do almost altogether with the autopsy on the President. I don't think there's anything there; it's just of a technical nature that wouldn't change the report in any degree.<sup>3</sup>

Did Senator Russell really believe that the actual autopsy material would not change the conclusions in the Report? That there were no issues of contention? For that matter did he really believe in 1970 that such reports were the only information that was denied to the American people? Again, either Suit is asking preprogrammed questions or is just superficially informed:

SUIT: The only other papers I can think of are the CIA report about any time he might have spent in Mexico City, and I remember I use the term might.

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2. Id., pp. 27-30.

3. Id., p. 29.



RUSSELL: Yes, but that was available to us.

SUIT: To the public.

RUSSELL: No, it was not made available to the public,..."<sup>4</sup>

Mr. Suit is still concerned about what was made public, and Senator Russell seems to be speaking to what was available to the Commission, indicating that the autopsy material was not.

RUSSELL: No, it was not made available to the public, because there were some international complications. The Mexicans, as you well know, have always been rather suspicious of us and they have never withdrawn their recognition from Cuba. Their ties are quite close with Cuba today, Castro and Mexico. And I think that caused a commitment to be made that any evidence that might relate to Oswald's efforts to go to Cuba would not be disclosed. That's just my idea about it. I have never believed that Oswald planned that altogether by himself. There were too many things, the fact that when he was at Minsk, and that was the principal center for educating Cuban students. There were 600 or 700 there. He was very close to some of them and the trip that he made to Mexico City and a number of discrepancies in the evidence as to, or conflicts in the evidence as to his means of transportation, the luggage he had, and whether or not anyone was with him, caused me to have doubts that he planned it all by himself. I think someone else worked with him."<sup>5</sup>

"I think someone else worked with him."!? Where are the follow-ups to this specific, stunning, incisive comment? Why doesn't the reporter ask, "Who do you think worked with him?" Again, Suit appears to be asleep at the wheel and it is Senator Russell who moves the interview along:

RUSSELL:...I think someone else worked with him.

SUIT: I was going to ask you, did you...

RUSSELL: I refused to sign the report until they put in the clause - I had drawn a much stronger, but I finally agreed to sign if they would put a clause in there that

4. Id.

5. Id., pp. 29-30.

we had exhausted all the evidence that was available to us, and that any evidence that might disclose a conspiracy was beyond the jurisdiction of our police bodies, the FBI and the Secret Service.<sup>6</sup>

No mention by Senator Russell of the CIA? Even though the topic is foreign involvement, generally? Even though the topic is the CIA report on the Mexico City trip, specifically? Even though Senator Russell was the chairman of the Senate Subcommittee on CIA oversight? Still Suit sleeps:

SUIT: What you're saying then is that Oswald's motives might not have been just personal; they might have been politically motivated?

RUSSELL: Oh, I don't think they were personal at all. I think, the fact that you recall there were so many circumstances, one of them being that he was a Free Cuba, a defender of Cuba, and went on radio in New Orleans and got out pamphlets and handed them out on the streets, and there were so many circumstances there that led me to believe that you couldn't just completely eliminate the possibility that he did have some co-conspirators.

SUIT: Could, and this may be an unfair question, and you may not want to answer it, are you then implying that he could have accepted this as an assignment perhaps many months earlier?

RUSSELL: He could have felt that to a degree. I don't think Oswald was a completely normal person. At one time he was a rampant Communist and after he lived in Russia for a time he claimed that he had changed his mind. But after he got back to this Country, when he got to the free soil of the United States again, he tended to turn back toward Communism. So as to whether it was a conspiracy or whether he did it with the knowledge of certain people in the thought that he was helping some Communist states, I'm not prepared to say, because we didn't have enough to pin it down. But I'm not completely satisfied in my own mind that he did plan and commit this act altogether on his own, without consultation with anyone else. And that's what a majority of the Commission wanted to find.

6. Id., pp. 30-31.



And with so much remaining to be asked, the interview, moves on to another topic.

Perhaps the more provocative questions and answers were edited out by unknown censors, or avoided in an attempt to polish the interview into nothing more than a tribute to a living legend. Certainly Hal Suit can be forgiven as a journalist if he actually asked Senator Russell the important questions. Sadly, it is more probable that the follow-up questions were never even asked; even in 1970, the authoritativeness of the official findings may have created a mindset where it was considered rather "crackpot" even to ask them. The Senator's sudden candor surprised everyone.

## Part II: Left versus Right

An extreme polarization of political ideology existed among the seven members of the Warren Commission. Within days of his appointment, Chief Justice Earl Warren had made remarks implying a potential conspiracy of conservative "Right Wing Hate Groups" that had been fomenting particularly in Dallas in advance of President Kennedy's visit. The State Department and broadcasts of the Voice of America had made similar statements ("Dallas is the center of the extreme right wing").<sup>7</sup>

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7. Id., pp. 31-32.

This theory outraged conservatives who cited the facts that Oswald had been an outspoken advocate for Communist Cuba and had even defected to the Soviet Union in 1959. Senator Russell and his conservative constituency expressed shock and alarm. Senator Russell received a deluge of letters protesting Warren and his remarks, and warning the Senator against his playing an unwitting role in a Communist inspired Warren deception and cover-up of the truth. In responses representative of many he wrote, the Senator explained:

"...I am sure you must know I was conscripted into serving on the Commission and if I could have found any graceful way to have resigned, I would have done so. Your suggestion is a good one and, when things start rolling a little later on, I may well try to get some loyal friend who will be in a position to watch the operations of this group in every detail..."<sup>9</sup>

...This service, added to my necessary Committee work, is very onerous and disagreeable but I do not know of any way I can now avoid this responsibility.<sup>10</sup>

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8. Letters to Richard Russell, December 1963, Kennedy Assassination Series, Assassination Commission (correspondence), Richard B. Russell Collection, Richard B. Russell Library, University of Georgia Libraries, Athens.

9. Letter from Richard Russell to the Honorable Joseph M. Branch, January 2, 1964, Kennedy Assassination Series, Assassination Commission (correspondence), Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

10. Letter from Senator Russell to Mr. and Mrs. John W. Atkinson, February 7, 1964, Dictation Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.



...If there had been any way whereby I could have decently escaped service on this Commission, I would certainly have done so but after being appointed over my protest and the news released to the press, I could not see any way whereby I could with good grace resign.

Be assured that all the evidence in the hands of the Commission will be made public when we conclude our work if I have anything to do with it.<sup>11</sup>

Senator Russell also expressed concern in a handwritten notation on an office memo documenting an organizational meeting held January 7, 1964, with Mr. J. Lee Rankin, Warren's choice for the post of chief counsel. Rankin had been Solicitor General during the Eisenhower Administration. The notation concerns the selection of assistant counsel and staff members:

Talked at length and all around Robin Hood's barn - Said Cooper had told him I did not feel Morris Abrahms ref - of Smith and he was selecting some man from La. for Boggs - also wished to employ a negro named Coleman from Pa. - former Frankfurter law clerk. I told him I might request individual lawyer to help me later on. For some reason Warren is stacking this staff with extreme liberals. I told him of Southern resentment on Warren's first release."<sup>12</sup>

This tension was further polarized when staff attorney Norman Redlich was discovered to be one of these "extreme liberals" who had given legal representation to Communists

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11. Letter from Senator Russell to Alan G. Grant, Jr., June, 2, 1964, Dictation Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

12. Memo from Barbara Raesley to Richard Russell, January 7, 1964, Kennedy Assassination Series, Intra Office Memoranda, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.



through his membership in the Emergency Civil Liberties Committee. Many newspaper accounts revealed that the ECLC had been identified by two Congressional Committees and by J. Edgar Hoover himself as a Communist front organization which served as a propaganda and legal defense arm for the Communist Party in America. (Eventually, on May 10, 1964, after much Commission debate, Gerald Ford would make a motion to terminate Redlich; this motion would fail.)<sup>13</sup> Public reaction was one of distrust and widespread alarm, especially from the Russell constituency.

Senator Russell would reiterate his sentiment repeatedly in his correspondence with constituents:

"I would have strongly opposed Redlich's employment if I had known the facts in the case, and I further told Rankin that he was remiss in not telling us before employing him."<sup>14</sup>

"...Needless to say, I didn't know Redlich was among the small army assembled until these news stories broke."<sup>15</sup>

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13. Memo to Richard Russell, May 10, 1964, Kennedy Assassination Series, Intra Office Memoranda, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

14. Letter of Richard Russell, February 17, 1964, Kennedy Assassination Series, Assassination Commission (correspondence), Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

15. Letter from Richard Russell to the Honorable Paul McKenney, Jr., May 5, 1964, Kennedy Assassination Series, Assassination Commission (correspondence), Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

And furthermore:

...I had never heard of Norman Redlich until press reports about him started coming out. Unfortunately, it appears that he and the General Counsel, Mr. Rankin, selected by Chief Justice Warren, were both on the faculty at New York University, and Mr. Rankin did not apprise the members of the President's Commission of the fact that Mr. Redlich's application set forth the connections it did.

When the matter was discussed by the Commission, I stated that I wanted it clearly understood that I would have strongly opposed Redlich's employment if I had known the facts in the case, and I further told Rankin that he was remiss in not telling us before employing him...<sup>16</sup>

#### IV: The Commission Meeting of January 27, 1964

To further intensify the early weeks of the Warren Commission, rumors of Oswald's possible involvement as an FBI or other intelligence agent were being reliably reported to Mr. Rankin and would have to be investigated.

Messages from Mr. Rankin assumed an urgent tone:

January 22, 1964

4:00

Mr. Rankin called to urge that you attend the Commission's meeting at 5:30 if at all possible. He states that it is on a matter which cannot be discussed on the telephone but is of great importance and the Chief Justice thought you would want to be present when it is presented to the other Commission members.

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16. Letter from Richard Russell to W.M. Carl, October 6, 1964, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.



Mr. Rankin asked if possible that you come over when your meeting here is over. If the Commission meeting should break up before then, he will call the office then come over to tell you what was discussed at the Commission meeting.<sup>17</sup>

The Agenda for this meeting is presented in APPENDIX A.<sup>18</sup>

For years the transcript of this meeting was suppressed on the basis of national security. Finally, Harold Weisberg, in Whitewash IV, 1974, first revealed that the Warren Commission knew and openly discussed how to investigate the rumors that Lee Harvey Oswald had sensitive intelligence connections, and the likelihood that the truth might never be known.

Mr. Rankin reported that Waggoner Carr, the Attorney General of Texas and the head of the Texas Court of Inquiry into the assassination, had called him to say that he had information to the effect that Oswald had been an FBI undercover agent:

MR. RANKIN: He said he thought he had some information that he thought he should get to me immediately and it was to the effect that the F.B.I. had an undercover agent who was Oswald, and he said it came up this way, that the matter was developed at a meeting in chambers with the judge, Brown, of the court, and it was in relation to the production of evidence where Ruby's attorney asked that part of the evidence that the F.B.I. developed be furnished to them, and during that time the District Attorney had responded or opposed the motion for the evidence by saying that the various usual grounds and that the F.I.B. (sic) never did this before,

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17. Memo from Barbara Raesley to Richard Russell, January 22, 1964, Kennedy Assassination Series, Inter Office Memoranda, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

18. Agenda, January 27, 1964, Kennedy Assassination Series, Russell 3 Ring Notebook, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

and in addition to that he thought he knew the reason why they were willing to do it this time, and it was that Oswald was an undercover agent for the F.B.I...That he also knew the number that was assigned to Oswald which was No. 179, and he knew that he was on the payroll or employed, I think that is the way he put it, employed by the F.B.I at \$200 per month from September of 1962 up to the time of the assassination.<sup>19</sup>

....  
SENATOR RUSSELL: What steps, if any, have we taken to clear up this matter, Mr. Rankin, if it can be cleared up, to determine whether there is anything to this or not?<sup>20</sup>

....  
THE CHAIRMAN: ...I rather dislike going to the F.B.I. and just ask them to establish to us that a rumor can't be true until we have at least looked into it.

SENATOR RUSSELL: There are two reasons for that, Mr. Chairman. One would be if you went down there in the first instance to the F.B.I. and got a statement and when you start pursuing it you would look like you are impeaching.

THE CHAIRMAN: That is my point.

REP. BOGGS: Exactly.

SENATOR RUSSELL: I think the best way to handle it would be to try to exhaust it at the other hand before you go to the F.B.I.<sup>21</sup>

The Commission members openly admitted between themselves that there would be no way to disprove that Oswald had been an agent because of the nature of espionage. They further discussed the improbability that the FBI or CIA, investigating themselves, could be counted upon to be forthright and forthcoming with whatever information they may find, especially if the rumors were true:

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19. Harold Weisberg, Whitewash IV, 1974, pp. 37-38.

20. Id. p. 45.

21. Id., p. 51.



SENATOR RUSSELL: If Oswald never had assassinated the President or at least been charged with assassinating the President and had been in the employ of the FBI and somebody had gone to the FBI they would have denied he was an agent.

MR. DULLES: Oh, yes.

SENATOR RUSSELL: They would be the first to deny it. Your agents would have done exactly the same thing.

MR. DULLES: Exactly.<sup>22</sup>

.....  
MR. DULLES: This is a terribly hard thing to disprove, you know. How do you disprove that a fellow was not your agent. How do you disprove it.

REP. BOGGS: You could disprove it couldn't you?

MR. DULLES: No.

REP. BOGGS: I know, ask questions about something--

MR. DULLES: I never knew how to disprove it.<sup>23</sup>

.....  
MR. DULLES: What I was getting at, I think under any circumstances, I think Mr. Hoover would say certainly he didn't have anything to do with this fellow.<sup>24</sup>

#### Part V: The Resignation

In addition to these controversies, and perhaps most pronounced because of Senator Russell's heavy responsibilities, from the outset Mr. Rankin had difficulty with scheduling:

January 9, 1964

Mrs. Heckman in Mr. Rankin's office called yesterday to ask if the Senator could attend a meeting of the Commission today at 3 p.m. Marge advised her later that the Senator said he would try to be there.

Later Mrs. Heckman called and talked with me, asking if January 21 would be a more convenient date for the

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22. Id. p. 52.

23. Id., p. 61.

24. Id., p. 63



Senator to attend the meeting. She did not elaborate on why, nor did she mention that any changes might be made. I told her that January 21 was too far in advance for t to commit himself, but that he had said he would try to be there today. The Senator went over to Mr. Rankin's office today at 3 p.m. to attend the meeting, only to find that it had been cancelled. After he left, Mrs. Heckman called here. I talked with her, explained our conversation of yesterday, and she apologized for not having called to let us know that the meeting had been cancelled.

The Senator asked that a notation be made in the file of her apology as well as her name.<sup>25</sup>

January 24, 1964

Mrs. Heckman called from the Assassination Commission to advise you that Mr. Rankin said there is no need for a meeting before the one scheduled for 3:00 on Monday, at which time all Commissioners will be brought up to date on all matters.<sup>26</sup>

By February 22 / 23, 1964, Senator Russell had reached a monumental decision. Notations on his desk calendar for those dates indicate "write Pres J & Resign from Commission"<sup>27</sup> Russell was so frustrated that he wrote President Johnson a letter resigning from the Warren Commission, although the letter was never sent.<sup>28</sup> The letter is reproduced as APPENDIX B. It is

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25. Memo to Senator Russell, January 9, 1964, Kennedy Assassination Series, Intra Office Memoranda, Richard B. Russell Collection, Richard B. Russell Library, University of Georgia Libraries, Athens.

26. Memo to Senator Russell, January 24, 1964, Kennedy Assassination Series, Intra Office Memoranda, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

27. Calendar page, February 22/23, 1964, Kennedy Assassination Series, Intra Office Memoranda, Richard B. Russell Collection, Richard B. Memorial Library, University of Georgia Libraries, Athens.

28. Richard B. Russell to President Lyndon Baines Johnson, February 24, 1964, Dictation Series, Kennedy and Assassination

apparent that Mr. Rankin got the message; by February 25, he was leaving messages stating that "he would be happy to come by to bring Senator Russell up to date on Committee activities."<sup>29</sup>

#### Part VI: The Scobey memos

Ms. Alfreda Scobey, a law clerk for Judge Robert L. Russell of the State of Georgia Court of Appeals, ultimately became Senator Russell's trusted staff assistant. This selection appears to have been made as late as mid-April; a letter with an enclosed personal data sheet indicates: "I consider it a great honor and privilege to be associated with you and I will be in your office Tuesday morning, April 21, at 9:30, as previously arranged."<sup>30</sup>

One of Ms. Scobey's first duties was to measure the ideological winds among the staff workers and report back to the Senator:

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Commission 1963-1966, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens

29. Memo to Senator Russell, February 25, 1964, Kennedy Assassination Series, Intra Office Memoranda, Richard B. Russell Collection, The Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

30. Letter from Alfreda Scobey to Richard Russell, April 17, 1964, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.



"Regarding your observation, I have made limited inquiry and am informed by one of the junior staff members that there is a difference of opinion between Messrs. Rankin and Stern, the two men working in the area "Possible influence of HATE groups - Dallas", as to whether some report of right wing hate group activities should be included in the final Commission report, Mr. Stern thinking not. Actually, the facts as developed completely moot this topic. My informant felt that the Chief Justice would be the man to insist on something of the kind being included."<sup>31</sup>

"I would like very much to have fully developed the sources of both the Voice of America statement and the announcement from the State Department and the reasons why both were issued.

I think it might be well to get in the record the names of the person or persons who formulated both statements, and I will thank you to have the examining attorney develop these ideas in detail from the officials most directly involved."<sup>32</sup>

Perhaps most revealing of any materials discovered in Senator Russell's papers are the memos that Ms. Scobey wrote to the Senator summarizing the Warren Commission testimony and the choices made by those directing the flow of information. Choices such as which matters would be investigated and presented, which would be discounted or discredited. These memos seem to confirm the fears expressed at the January 27 meeting that the whole

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31. Memo from Alfreda Scobey to Richard Russell, May 12, 1964, Kennedy Assassination Series, Intra Office Memoranda, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

32. Intra Office Memo from Richard Russell to Alfreda Scobey, June 6, 1964, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.



truth might not be forthcoming. The memo of May 15, 1964 is presented in its entirety in APPENDIX C.<sup>33</sup>

Ms. Scobey states that the conflicts between the witnesses produced at the hearings are "of a minor character." It should be well noted that much of the impeachment of these witnesses was not developed at the hearings, but rather in the years subsequent to the hearings by authors critical of the procedures used by the Commission. And, of course, many witnesses were not "produced" or properly examined at the hearings, as Senator Russell himself had noted in the WSB interview in 1970 (Supra). It should also be noted, however, that the summaries of testimony reveal more than minor conflicts:

Helen Markham

This eyewitness to the Tippet (sic) shooting is a waitress, 47 years old. 8th grade education. She recognizes Ruby as occasionally eaten at her cafe. She made statements or gave affidavits on 11/22(2); 12/2, 3/16/ prior to testimony before Commission. Identified Oswald at a show up on 11/22.

Notes:

1. An FBI statement quotes her as saying the assailant had bushy black hair and a red complexion, which she denies saying.

2. The various statements give three statements as to time: 1:06, "about 1:00," "about 1:30", In testimony she narrowed this to between 1:10 and 1:15.

3. A source I am not sure of (probably Mark Lane) quotes her son as saying she is a pathological liar.

4. She stated Oswald leaned his arms on the door and looked in the open window at Tippet's (sic)

33. Intra Office Memo from Alfreda Scobey to Richard Russell, May 15, 1964, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

automobile. One of the Davis girls stated the window was closed. The TV films taken before the car was moved show the window closed.

5. Markham screamed and covered her eyes at the shots. She was hysterical when first interviewed, was taken to the police station and given sedation, and after this participated in the line-up. The amount of sedation did not appear; it might well have been enough to destroy her competency as a witness. I would like to know exactly what was done with her at the police station.<sup>34</sup>

The statements in point 3 of the memo seem to reflect the bias of the testimony presented to the Commission rather than a careful analysis of what the evidence means. For example, Ms. Scobey states that she "is well satisfied that there is proof beyond a reasonable doubt...that the fingerprint evidence testimony is sufficient to establish that Oswald was at this window and did handle these boxes there..."<sup>35</sup> That Lee Harvey Oswald's fingerprints were found on the boxes which had been set up as a screen is not by itself determinative; Lee Harvey Oswald moved boxes around as part of his duties at the Depository Building. It seems far more interesting that other fingerprints which were never identified were found on these boxes, and the factfinders took a rather cavalier attitude:

"Since the carton had been moved by the men working on the new floor, it is not surprising that two other fingerprints which

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34. Miscellaneous Data, undated, Kennedy Assassination Series, Committee Reports and Hearings, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens

35. Id.



could not be identified were developed chemically."<sup>36</sup>

But Ms. Scobey was disturbed by many developments, and explained:

The murky area involves things beyond the testimony itself, which has been well chosen for the purpose. The FBI started with a preconceived theory in the face of early rumors (1) that Oswald had been approached by the FBI to act as a counter agent, and (2) that the assassination was an indirect result of its failure to pass on pertinent information to the Secret Service. Following that, I am sure there is also a preconceived theory at higher levels here, and the combination may well lead to a failure to investigate into pertinent areas.<sup>37</sup>

Had the most feared predictions of the secret meeting of January 27 come true? Was the evidence being "chosen" by the investigators to support a cover-up explanation? Ms. Scobey cites two examples of such failures to investigate pertinent areas: the indications that Officer Tippitt and Lee Harvey Oswald may have known each other, and the failure to investigate the claim of a twenty-year veteran "Atlanta long distance operator who stated that she handled calls of a single person to (a) Oswald, (b) Ruby, and (c) Ruby's sister."<sup>38</sup>

In point 5 of the memo, Ms. Scobey relates that she even

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36. Rough Draft of Chapter 4: Lee Harvey Oswald Was the Assassin of President Kennedy, June 25, 1964, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

37. Inter Office Memo from Alfreda Scobey to Richard Russell, May 15, 1964, 1.

38. Id., 2-3.



spoke to Mr. Rankin about the Tippitt connection, and that Mr. Rankin had told her that he also "was not satisfied with Tippitt but it had been suggested to him that it was unnecessary and would be unduly burdensome to his wife to have her interviewed."<sup>39</sup>

The ideological tug of war again surfaced in point 6:

"What concerns me is whether the investigation has proceeded with as much diligence into left-wing groups as well as right-wing groups. When the Staff here was set up into six areas, with a junior and senior member assigned to each area, No. 6 reads: "Security precautions to protect the President, Possible Influence of HATE groups - Dallas." My conversation with Mr. Rankin this morning touched on this due to a sentence I had noticed in a staff memo: "A discussion of the atmosphere of hate in the US would fall in the second category." I assumed to Mr. Rankin that the approach in this area was to be ideological as well as investigative, and received confirmation of that opinion. This may, from your point of view, be a section of the final report to be particularly studied conceptually."<sup>40</sup>

In point 7, Ms. Scobey expresses doubt about any conclusions that would declare that either Oswald or Ruby had "psychotic personalities." Of Ruby she writes:

Some pressure must have been exerted on him--you just feel there had to be a rational motive here. The Ruby background is unsatisfactory to me....Mr. Rankin threw out the theory to me this morning that Ruby's underworld Chicago affiliations might have been interested in an assassination to clip the wings of Attorney General Robert Kennedy. I find it hard to believe that he seriously considers this theory, as it obliterates his first stated theory of Oswald as a self-motivated

39. Id.,

40. Id., 3.

killer. This is the general area where it seems to me the whole attempt to write a definitive study of these events may open up more questions than it answers. Have you any suggestions? At this level I'm completely out of my depth!<sup>41</sup>

## Part VII: Rough Drafts of Report Chapters

The published Report of the President's Commission lists the foreward and eight chapters in the following way:

FOREWARD

CHAPTER I. SUMMARY AND CONCLUSIONS

CHAPTER II. THE ASSASSINATION

CHAPTER III. THE SHOTS FROM THE TEXAS SCHOOL BOOK DEPOSITORY

CHAPTER IV. THE ASSASSIN

CHAPTER V. DETENTION AND DEATH OF OSWALD

CHAPTER VI. INVESTIGATION OF POSSIBLE CONSPIRACY

CHAPTER VII. LEE HARVEY OSWALD: BACKGROUND AND POSSIBLE

MOTIVES

CHAPTER VIII. THE PROTECTION OF THE PRESIDENT

Many chapters went through several revisions, including name changes, which can be examined for what has been added and what has been deleted from draft to final form. Several drafts of some chapters exist:

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41. Id.



- Foreward (June 23, 1964, August 6, 1964)
- Chapter 1: Summary and Conclusions (June 26, 1964, August 7, 1964, September 2, 1964)
- Chapter 2: The Trip To Dallas (June 25, 1964, July 18, 1964); The Assassination (August 7, 1964)
- Chapter 3: The Shots from the Texas School Book Depository (June 26, 1964, August 14, 1964)
- Chapter 4: Lee Harvey Oswald Was The Assassin of President Kennedy (June 25, 1964, July 21, 1964), Lee Harvey Oswald - The Assassin (August 19, 1964)
- Chapter 5: The Murder of Lee Harvey Oswald (June 26, 1964) The Detention and Death of Oswald (July 1, 1964, July 31, 1964, August 21, 1964)
- Chapter 6: Foreign Conspiracy (July 15, 1964)
- Chapter 7: Lee Harvey Oswald: Background and Possible Personal Motives (July 31, 1964, August 19, 1964)
- Chapter 8: The Protection of the President (August 4, 1964, August 15, 1964),

A draft of the foreign conspiracy chapter dated July 12, 1964, was "removed for examination and copying by the National Archives & Records Service" on March 7, 1977.<sup>42</sup> It has not yet

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42. Note from Gayle Peters, Regional Archivist, evidencing segregated material, Chapter V: Foreign Conspiracy, 7/12/64, Kennedy Assassination Series, Commission Reports and Hearings, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

been returned. A copy of a foreign conspiracy chapter dated July 15, 1964, was found and is presented in APPENDIX D. It should be noted that the subsequent published chapter was entitled "Investigation of Possible Conspiracies" and not "Foreign Conspiracy." The rough draft is significantly different from what was published in the Report as "Investigation of Possible Conspiracies."

Some rough drafts of chapters did not emerge as chapters in the published report, such as "Press and Police in Dallas." One portion of this draft dealt with a press conference held by District Attorney Wade late Friday night, November 22, 1963. Senator Russell had underlined this portion, which has indications of conspiratorial knowledge:

"Jack Ruby, who had been present during Oswald's appearance, remained for Wade's conference and at one point corrected the District Attorney who had referred to Oswald's connection with the Free Cuba Committee instead of the Fair Play for Cuba Committee."<sup>43</sup> This revelation is buried within a subtopic in the published Report and is considerably toned down.

"The Press and Police in Dallas" draft also discusses erroneous statements made public by the police in greater detail than is seen in the final Report:

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43. Press and Police in Dallas, June 25, 1964, p. 16, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.



Among the errors was a statement that Oswald's wife had said he had the gun the night before and that it was missing in the morning after he left; that Oswald had told a lady on a bus that the President had been killed; and that Oswald's palmprint had been found on the metal part of the rifle.<sup>44</sup>

The many comments Senator Russell made as he reviewed the rough drafts, chapter by chapter, further highlight the areas of his concern. For example, "Weight of fragments" written on the cover of a 6/26/64 rough draft speaks volumes against the single bullet theory.<sup>45</sup> The following are excerpts from various rough drafts or other supporting sources, together with a description of Senator Russell's comments which were written in the margins:

"Congressman Boggs had mild doubts, but Senator Cooper and I refused to accept the single bullet theory."<sup>46</sup>.

"The bullet had entered his back at a point slightly above the shoulder to the right of the spine. It travelled downward.."  
(Underlined by Senator Russell, see also handwritten note on page

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44. Id. p. 21, see also p.29.

45. Draft of Chapter 3: The Shots from the Texas School Book Depository, June 26, 1964, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

46. Letter from Richard Russell to Alfreda Scobey, December 24, 1966, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

8: "Check all evidence and conclusions as to same bullet in Connally against this")<sup>47</sup>

"President Kennedy was struck by a bullet which entered at the back of his neck and exited through the lower front portion of his neck, causing a wound which would not necessarily have been lethal." ("?" written in margin)<sup>48</sup>

"Based upon the examination of the wounds and location of President Kennedy and Governor Connally at the time of the shots, the Commission has concluded that the same bullet probably caused the neck wound of President Kennedy and all the wounds of Governor Connally." ("?" written in margin)<sup>49</sup>

"Oswald had access to and was present at the window from which the shots were fired." ("?" written in margin)<sup>50</sup>

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47. Proposed Final Draft: Summary and Conclusions, August 7, 1964, p.5, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

48. Proposed Final Draft: Summary and Conclusions, August 7, 1964, p.2, Kennedy Assassination Series, Commission Reports, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

49. Id., p.3.

50. Id., p.4.



"Oswald carried the rifle from Irving, Texas, into the Depository Building on the morning of November 22, 1963." ("?" written in margin)<sup>51</sup>

"Three employees of the Depository, observing the parade from the fifth floor, heard the shots fired from the floor immediately above them. Not one shred of credible evidence suggests the shots were fired from any other spot, such as the railroad bridge over the Triple Underpass or the railroad yards." ("How did they fail to see assassin?" in margin)<sup>52</sup>

"Although the evidence of Ruby's means of entry is not conclusive, the weight of the evidence indicates that he walked down the ramp leading from Main Street to the basement of the Police Department." (Two vertical lines used elsewhere to signify "cannot sign")<sup>53</sup>

"The Commission has carefully investigated the rumors that some member of the Dallas Police Department assisted Ruby in the killing of Oswald and finds that there is no evidence to support

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51. Id.

52. Draft of Charter III - The Shots From the Texas School Book Depository, August 14, 1964, p.2. Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens

53. Id., p.7.

any claim that Ruby was assisted by any member of the Dallas police Department. ("Evidence" written in margin)<sup>54</sup>

The Commission has found no evidence that either Lee Harvey Oswald or Jack L. Ruby were part of any conspiracy, domestic or foreign, to assassinate President Kennedy. These conclusions are based primarily upon the following findings:

a. There is no evidence that anyone associated with the planning of the President's trip to Texas or the motorcade through Dallas aided Lee Harvey Oswald in any way in his plan to assassinate the President. ("OK" written in margin)<sup>55</sup>

b. The Commission has investigated as thoroughly as possible every facet of Oswald's associations, finances, and personal habits during the period immediately preceding November 22, 1963, but has not been able to develop any evidence that he was aided in the planning or execution of the assassination or in the escape from the scene of the crime. ("Mexico" written in margin)<sup>56</sup>

c. The Commission has explored all known associations between Oswald and various political groups and has reached the conclusion that these contacts were limited and formal in nature and unrelated to Oswald's subsequent assassination of the President. ("Mexico - Marina's Uncle/ Phone calls in foreign language" written in margin)<sup>57</sup>

d. In similar fashion, the Commission has examined Oswald's relationships prior to the assassination with all agencies of the Federal Government, particularly the Department of State and the Federal Bureau of Investigation, and has concluded that the contacts were made by these agencies in the regular exercise of their different responsibilities. Based upon this review, the Commission rejects unequivocally the allegations that Lee Harvey Oswald was an employee or informant of the Federal Bureau of Investigation, the Central Intelligence Agency, or any other governmental agency.

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54. Id.

55. Id., p.8.

56. Id.

57. Id. p.9.



(No comments in margin)<sup>58</sup>

e. Although the Commission recognizes that its sources of information about Oswald's foreign travels are necessarily limited, the Commission has concluded, based upon a review of all the evidence available to it, that Oswald was not an agent of any foreign government. ("Cannot sign" and double lines written in margin)<sup>59</sup>

The Commission has reviewed Oswald's defection to the Soviet Union, his life there from October of 1959 to June of 1962, and his known contacts with representatives of the Soviet Union. On the basis of all information available to the Commission there is no evidence to show that Oswald was employed, persuaded, or encouraged in any way by the Soviet Union to assassinate President Kennedy. Similarly, the Commission has explored in detail Oswald's relationship with the Cuban government, principally his visits to the Cuban Consulate in Mexico City during his trip to Mexico from September 26 to October 3, 1963. The Commission has found no evidence which indicates that Oswald was an agent of the Cuban government. (Double lines indicating "cannot sign" again appear at the denial that he was a Cuban agent.)<sup>60</sup>

"In short, there was no data in the FBI files which gave direct warning that Oswald was a possible source of danger to the President." ("Out or revise" written in margin)<sup>61</sup>

"The Commission has investigated every facet of Oswald's associations, finances, and personal habits during the period

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58. Id.

59. Id., p.9.

60. Id., pp.9-10.

61. Draft of Chapter VIII: The Protection of the President, August 15, 1964, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

"Mr. Al Solomon with the FBI's Washington Field Office called requesting an appointment to see you in connection with the special investigation requested by the Assassination Commission. I believe it is in reference to leakage of information from the Committee's files..."<sup>67</sup>

September 18, 1964

Senator:

Mrs. Eide dictated the following over the phone which she identified as paragraph 3 (referred to as Rider 19-B or Mr. McCloy's proposed language):

"Although it is not necessary to any essential findings of the Commission to determine just which shot hit Governor Connally, there is persuasive evidence from the experts to indicate that the same bullet which pierced the President's throat also caused Governor Connally's wound. However, Governor Connally's testimony and certain other factors have given rise to some difference of opinion as to the probability but there is no question in the mind of any member of the Commission that all the shots which caused the President's and Governor Connally's wounds were fired from the sixth floor of the School Book Depository."<sup>68</sup>

Until the WSB interview in 1970, Senator Russell had refrained from making public statements emphasizing any variance he may have had with the Commission. His correspondence shows

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67. Memo to Senator Russell, 11:20 A.M., September 16, 1964, Intra Office Memoranda, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

68. Memo to Senator Russell, September 18, 1964, Intra Office Memoranda, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens



following his return from the Soviet Union in June, 1963 and has found no evidence that he was involved with any person or group in a conspiracy to assassinate President Kennedy. ("Cuban people/Evidence of Woman" written in margin)<sup>62</sup>

Officer Craig had testified that he observed Oswald leaving the Texas School Book Depository Building and getting into a white Rambler station wagon: "But the Commission concludes that the man was not Oswald. This conclusion is based on the overwhelming evidence that Oswald was far away from the building at this time." ("Out or Modify" written in margin)<sup>63</sup>

#### Part VIII: The Russell Dissents

The final draft of the completed Report was presented to the Commission for approval on September 18, 1964. Stenographic minutes of that meeting were taken and eventually obtained by Mr. Harold Weisberg, but the actual minutes had been replaced by a mere summary, even though the cover sheet indicates that verbatim

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62. Draft of Conclusions, September 8, 1964, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

63. Draft of Chapter 4: Lee Harvey Oswald Was the Assassin of President Kennedy, June 25, 1964, p.75-76, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

conversations were transcribed.<sup>64</sup> These records are included as APPENDIX F.

If Senator Russell made any formal dissent at that meeting, it cannot be known from transcript records.

There are indications of a flurry of activity during the week previous to September 18, 1964. Memos indicate that Senator Russell and Ms. Scobey were having intensive sessions at a time when the final report was supposedly settled. The Commission was still debating the conspiracy chapter and their conclusions:

"Mrs. Eide called from the Assassination Commission. They are meeting this morning still working on a draft of the conclusions of the Commission. Mr. Warren and Mr. Dulles and Mr. Rankin are there now."<sup>65</sup>

"Helen Tarko called to say that the Assassination Commission would meet again today at 2:00 P.M. to discuss Chapter 6, the conspiracy chapter."<sup>66</sup>

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64. Whitewash IV, p. 131.

65. Memo to Senator Russell, 10:50 A.M., September 12, 1964, Intra Office Memorandum, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

66. Memo to Senator Russell, 1:25 P.M., September 15, 1964, Intra Office Memoranda, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.



an appropriate refusal to discuss any findings before the issuance of the Report, and a reluctance even after several years to be at variance publicly with the essence of its findings. But some of Senator Russell's correspondence with constituents after several years confirmed that the members of the Warren Commission had not been in lockstep agreement about its conclusions:

"I was not completely satisfied with every word in the Report on the assassination of President Kennedy and managed to change some of the conclusions of the Commission before it filed its report. I must say, however, that anyone who deals with the record that was compiled by the FBI, the Texas Police, the Secret Service, et. al., will come to the conclusion that the report made was about the only one possible unless one chose to deal with possibilities unsupported by any proof. I did stand out until the Commission changed its report to eliminate the categorical finding that no one had any complicity with Oswald, as a great deal of evidence that would have established this complicity was out of this country and beyond the reach of the Commission."<sup>69</sup>

"I went into the phases of the Oswald case that you mention in your letter very thoroughly and at one time prepared a dissent dealing with about half of it, which compelled some changes in the Report."<sup>70</sup>

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69. Richard B. Russell to Julian W. Collins, March 10, 1966, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

Whether formally presented or not, Senator Russell did prepare formal dissents on September 16, 1964:

Assassination Commission  
9/16/64

I do not share the finding of the Commission as to the probability that both President Kennedy and Governor Connally were struck by the same bullet. The expert testimony, based on measurements and surveys, including reenactment of the motortrip of the Presidential party on that fateful November 22nd presents a persuasive case. However, the movement of one of the victims by either leaning forward or to either side or rising a few inches from his seat would have made a considerable difference in the mathematical computations. I join my colleagues in the belief that three shots were fired but, to me, the testimony of Governor Connally that he heard the first shot fired and strike the President and turned before he himself was wounded makes more logical a finding that the first and third shots struck the President and the second shot wounded Governor Connally. Rrvlewing (sic) the Zapruder film several times adds to my conviction that the bullet that passed through Governor Connally's body was not the same bullet as that which passed through the President's back and neck. In addition, from carefully examining the site where the tragedy occurred, I am convinced that any marksman firing from the sixth floor of the Texas Schoolbook Depository Building who could shoot with the deadly accuracy which caused the wounds suffered by President Kennedy would have been highly unlikely to have fired a shot that completely missed the other occupants of the President's automobile or the automobile itself. The fact that no trace of a third bullet was found either on the automobile or several feet of paved street on each side of the Presidential car is to me convincing evidence that all three shots fired by the assassin found their targets in the bodies of the President and

70. Letter from Richard B. Russell to Paul L. Eve, January 17, 1967, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens



the Governor of Texas.<sup>71</sup>

Assassination Commission  
RBR:JMCM & BGR  
9/16/64

While I join with my colleagues in the finding that there is no clear and definite evidence connecting any person or group in a conspiracy with Oswald to assassinate the President, there are some aspects of this case that I cannot decide with absolute certainty due to the fact that any such evidence, if it exists, is beyond the reach of the Commission or the investigative agencies of the United States. There are, however, several bits of evidence that have raised questions in my mind that are not answered or explained by any evidence the Commission could procure.

Among these are the extent of Oswald's associations and connections with the large number of Cuba nationals who were students in the educational institutions in Minsk during his residence there; the nature and extent of his relationship with foreign nationals who may have had a purpose in Washington (sic) to kill the President of the United States, the scope and number of communications he may have had with such persons after his return to the United States, and a detailed account of all of Oswald's movements, contacts and associations on his secret visit to Mexico a few weeks before the assassination of the President. The inability to gather all evidence in these areas as well as a number of suspicious circumstances deduced from the record as to my mind preclude the conclusive determination that Oswald and Oswald alone, without the knowledge, encouragement or assistance of any other person, planned and perpetrated the assassination.<sup>72</sup>

The following memos of dissent were also found in the Dictation Series, but were undated:

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71. Dissent, September 18, 1964, Dictation Series, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

72. Id.

I concur with my colleagues in the finding that there is no clear and definite evidence connecting any person or group with Oswald in a conspiracy to assassinate the President. I am confident that if any such evidence exists, it is out of the reach of this Commission or of the investigative agencies of the United States Government.

For example, no amount of diligence could disclose detailed information as to the extent of Oswald's associations and connections with the large number of Cuban nationals other witnesses testified were studying in the educational institutions in Minsk during his residence in that city, or to the scope and number of connections he may have had with the foreign nationals after his return to the United States, or to reconstruct in detail all of his movements, contacts and associations on his secret visit to Mexico a few weeks before the assassination of the President.

In these and a number of other areas involving the nature and extent of his relations with foreign nations, the evidence available to the Commission precludes any determination that Oswald planned and perpetrated the assassination without the knowledge, encouragement or assistance of any other person.

The evidence adduced, including that relating to Oswald's background and character as well as his activities within this country, show that he desired to associate himself with groups or with governments generally considered as hostile to the United States. The same evidence would indicate that every group that he approached considered him a very poor risk or prospect. He was undoubtedly bent upon association with any hostile or subversive entity, within or without the United States.

All of the evidence assembled indicates that he was unsuccessful in all of his attempts.<sup>73</sup>

The lack of ability to explore fully and completely every lead and suspicion generated by the evidence is sufficient basis to preclude me from sharing in a categorical finding that Oswald planned and perpetrated

73. Id.



the assassination without the knowledge, encouragement  
or assistance of any other person.<sup>74</sup>

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74. Id.