

OSWALD

## Hidell

The Warren Report states a series of assertions and conclusions about "Hidell" which are scarcely sustained by the evidence which may be pieced together, bit by bit, in the Hearings and Exhibits. In this part of the investigation, the Warren Commission exposes a shocking lack of candor and a dismaying evasiveness and carelessness.

Let us look at the assertions as a body, as they appear on various pages of the Report, before we examine them one by one. The Commission tells us that,

The arresting officers found a forged selective service card with a picture of Oswald and the name "Alek J Hidell" in Oswald's billfold. On November 22 and 23, Oswald refused to tell Fritz why this card was in his possession or to answer any questions concerning the card...Captain Fritz produced the selective service card bearing the name "Alek J Hidell." Oswald became angry and said, "No, I've told you all I'm going to tell you about that card in my billfold--you have the card yourself and you know as much about it as I do."

...there is no evidence that an "A J Hidell" existed...investigations were conducted with regard to persons using the name Hidell or names similar to it...Hidell was a favorite alias used by Oswald on a number of occasions. Diligent search has failed to reveal any person in Dallas or New Orleans by that name. It was merely a creation for his own purposes...No doubt he purchased his weapons under the name of Hidell in an attempt to prevent their ownership from being traced...Oswald's repeated use of false names is probably not to be disassociated from his antisocial and criminal inclinations.

First it must be said that scrutiny of the evidence leads irresistably to the conclusion that the statement that the arresting officers found a forged selective service card with Oswald's picture and the name Hidell in Oswald's billfold (WR 181) is not true. There is a profusion of testimony--in April 1964 or later--from police officers which at first glance seems to validate the Commission's assertion. But, as will be shown,

there is no contemporaneous evidence to sustain the thesis that the Hidell card was known to the police at any time before the FBI uncovered the mail order sale of a rifle to "Hidell." On the contrary, the available evidence, both direct and inferential, shows that despite the unqualified assertion in the Report Oswald did not have a forged Hidell card on his person when he was arrested.

By way of prefacè, it should be noted that Alwyn Cole, FBI questioned documents expert, testified that the fabrication of the Hidell draft card "required a very accurate camera such as are found in photographic laboratories and printing plants" (4H 388). The Commission did not address itself to the question of when and where Oswald forged the card, but we are certainly entitled to assume that Oswald must have done so during his employment with Jaggars-Chiles-Stovall, a graphic arts company, from October 1962 to April 1963. No other opportunity is known for Oswald to enjoy access to the necessary equipment. On that basis, we must also assume that Oswald had the forged Hidell card in his possession during his stay in New Orleans from the end of April 1963, after he was fired by the graphic arts company, until the end of September. Nevertheless, when Oswald was arrested in New Orleans in August 1963, Lt Martello reported that,

I asked Oswald if he had any identification papers. At this time Oswald produced his wallet. Upon my request, he removed the papers and I examined them. He had in his wallet a number of miscellaneous papers, cards and identification items...(1) Social security card bearing #433-54-3937 in the name of Lee Harvey Oswald (2) Selective service draft card in the name of Lee Harvey Oswald bearing # 41-114-395-32...(3) Card bearing name Lee Harvey Oswald reflecting he was a member of the FPCC...signed by V T Lee ...issued 5/28/63...(4) Card for the New Orleans Chapter of the FPCC in name of Lee Harvey Oswald signed by A J Hidell, Chapter President, issued June 6, 1963...

(10H 52-54)

Clearly, Oswald did not have a forged Hidell card in his wallet when he was arrested in New Orleans. On the basis of the Commission's thesis, then, one must conclude that Oswald was too prudent to carry the forged card when setting out on the dangerous mission of distributing political handbills on the streets, but imprudent enough to carry the Hidell card when going forth to assassinate the President with a weapon purchased under that very name.

According to Lt Martello's report, Oswald did carry at the time of his arrest in New Orleans a membership card in his own name in the New Orleans Chapter of the FPCC which was signed by "A J Hidell, Chapter President." The Commission's handwriting experts concluded that the Hidell signature on that card was not in Oswald's hand. After Marina Oswald testified that she had signed the name Hidell on that card, under duress, the experts agreed that she could have or did write the signature (4H 399-400 and CE 2726).

Marina Oswald testified (5H 401) that this was the only occasion on which her husband asked her to sign the name Hidell on any document. The Commission has avoided any attempt to elucidate Oswald's rationale in coercing his wife to forge the name on an innocuous FPCC membership card but writing the name in his own hand on all other documents, including such incriminating papers as the mail orders for firearms. It is no answer to shrug that off as random and irrational when there is no evidence of any collateral instances of irrationality on Oswald's part during the same time period. It was the Commission's responsibility, not ours, to seek an understanding of Oswald's motive for such inconsistent behaviour and, if no logical motive could be uncovered, to reexamine the testimony and reconsider the premise that in one instance alone Oswald had forced his wife to forge the signature Hidell.

Another issue that the Commission has evaded is that under its own account of events Oswald used the name Hidell both as his own alias and as the designation of a second person, real or invented. Criminologists, who were conspicuously absent from the roster of the Commission's staff, perhaps could

...ten us about the classic use of an alias by lawbreakers. It would be interesting to know if there is an established pattern, or even a single precedent, for the indiscriminate use of a false name by a criminal both as his own alias and as the designation of a second person. One recalls the notorious Whitaker Chambers, who used an alias for many years as a cover for his espionage activities, firmly establishing a false identity and a history, which he later discarded to assume other identities and ultimately his own real name. Parenthetically, one of the Commission's experts on questioned documents, J C Cadigan, was also an expert witness for the Government in the prosecution of Alger Hiss and gave testimony which some authorities regard as technically and morally suspect ("The Unfinished Story of Alger Hiss" by Fred J Cook, William Morrow Company, New York, 1958, page 132).

With this background, let us now examine the Commission's thesis head-on by testing the assertion that the arresting officers in Dallas found a forged draft card in the name of Hidell and bearing Oswald's photograph when they examined the contents of Oswald's wallet in the police car en route from the Texas Theater to the police station. According to the footnote (WR 181), the assertion relies on (1) a series

~~the name of the suspect in the report on the contents of Oswald's wallet upon his arrest, including a report that detective Bentley on June 11, 1964 had identified photographs of two cards in the name of Hidell as the cards he had obtained from Oswald's wallet en route to the police station; and (2) the testimony of police officers Stovall and Rose. The Report does not cite testimony from Bentley--he was not a Commission witness--nor testimony on this point from other police officers present in the car.~~

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Sergeant Gerald Hill, one of those officers, testified on April 8, 1964 that when Oswald was asked his name he had made no reply. Hill said that he had then suggested that Bentley should see if the suspect had identification on his person. Bentley had put his right hand into Oswald's left hip pocket and had taken out a billfold.

...the name Lee Oswald was then called out by Bentley from the back seat...And he also made the statement that there was some more identification in this other name which I don't remember, but it was the same name that later came in the paper that he bought the gun under. (7H 58)

Hill's account is open to question. William Whaley, the taxi-driver whose hobby was identification bracelets, had taken special notice of the bracelet on Oswald's wrist as he sat in the taxi next to the driver (2H <sup>256</sup> 293). In the police car Bentley sat on Oswald's left and was in a position to see the bracelet at close range. That Oswald was wearing the bracelet when arrested is clear from the testimony of detective Sims, who removed it when the paraffin cast of the hands was made; Sims said explicitly that he had examined the bracelet and that it "had his name on it" (7H 174). Why should Oswald have refused to state his name when it was inscribed on the bracelet he wore? Why should he invite attention to his billfold if it contained false identification in the name Hidell? Why should Bentley look in Oswald's pocket when he had only to examine the bracelet on his wrist?

Moreover, the same Gerald Hill, describing the arrest in an interview on NBC-TV on November 22, 1963, raises further questions about the incident in the car.

Hill The only way we found out what his name was to remove his billfold and check it ourselves; he wouldn't even tell us what his name was...

Question What was the name on the billfold?

Hill Lee H. Oswald. O-S-W-A-L-D. (CE 2160)

Hill said nothing about the other identification cards in the name of Hidell which supposedly had been discovered in Oswald's billfold only a few hours before. It is inconceivable that he would have failed to mention such significant and incriminating evidence, if it was genuine. It is equally disquieting that Bentley failed to mention the Hidell cards in a report to Curry dated December 3, 1963. He wrote,

On the way to the City Hall I removed the suspect's wallet and obtained his name. He made several remarks en route to the City Hall about police brutality and denied shooting anybody...I turned his identification over to Lt. Baker. I then went to Captain Westbrook's office to make a report of this arrest.

It is passing strange that both police officers, in contemporaneous reports and interviews, failed to mention the Hidell cards or to hint that they had found evidence that Oswald was using an alias. The same is true of the reports submitted during the first week of December 1963 by other arresting officers, Bob Carroll (CE 2003 pages 81-82), K. E. Lyon (Ibid., page 91) and C. T. Walker (Ibid., pages 100-101). And it is positively unnatural that the identification cards turned over by Bentley to Lt. Baker (who is represented by half a page of testimony on a different matter) were seen by several other police officers at times when these cards presumably were inaccessible, in Baker's custody--if Bentley did not lie.

Richard Stovall testified on April 3, 1964 that he had talked to Oswald just after he was brought into the police station, before Captain Fritz began the formal interrogation. Stovall said,

I went in and asked him for his identification, asked him who he was and he said his name was Lee Oswald, as well as I remember. Rose and I were both in there at the time. He had his billfold and in it he had the identification of "A. Hidell," which was on a selective service card, as well as I remember... and at that time Captain Fritz opened the door to the office there and sent Rose and I to go out to this address in Irving...

(7H 187-188)

But Guy Rose, who was present with Stovall, gave a different version of the incident when he testified on April 8, 1964. He said,

In just a few minutes they brought in Lee Oswald and I talked to him for a few minutes...the first thing I asked him was what his name was and he told me it was Hidell.

Ball Did he tell you it was Hidell?

Rose Yes; he did.

Ball He didn't tell you it was Oswald?

Rose No; he didn't, not right then--he did later. In a minute --I found two cards--I found a card that said "A. Hidell." And I found another card that said "Lee Oswald" on it, and I asked him which of the two was his correct name. He wouldn't tell me at the time, he just said, "You find out." And then in a few minutes Captain Fritz came in and he told me to get two men and go to Irving and search his house.

Ball Now, when he first came in there—you said that he said his name was "Hidell"?

Rose Yes.

Ball Was that before you saw the two cards?

Rose Yes; it was.

Ball Before you saw the cards?

Rose Yes; it was.

Ball Did he give you his first name?

Rose He just said "Hidell"; I remember he just gave me the last name of "Hidell."

Ball And then you found two or three cards on him?

Rose Yes; we did.

Ball Did you search him?

Rose He had already been searched and someone had his billfold...

Ball And the contents of the billfold supposedly were before you?

Rose Yes.

(7H 228)

Counsel Ball had taken testimony from Stovall only five days before he examined Rose, but he paid no attention to the wide discrepancies and the obvious conflicts in their stories. The Commission, in equal oblivion, then proceeded to rely on the testimony of these two witnesses, one of whom at least was surely unreliable or untruthful, as authority for the claim that Oswald was carrying forged cards in the name of Hidell when he was arrested. The Commission was too easily satisfied; the sworn testimony of Bentley, the primary witness in this incident, should have been obtained; and some notice should have been taken of the fact that there was no hint of the Hidell cards in the contemporaneous versions of the arrest by a single one of the arresting officers. The more so, when the testimony of one of those officers, C. T. Walker, varied from <sup>that of</sup> both Stovall and Rose. Walker testified on April 3, 1964 that when they arrived at the police station with Oswald,

We took him up (to) the homicide and robbery bureau, and we went back there, and one of the detectives said put him in this room...and Oswald sat down, and he was handcuffed with his hands behind him. I sat down there, and I had his pistol, and he had a card in there with a picture of him and the name A. J. Hidell on it.

Belin Do you remember what kind of card it was?

Walker Just an identification card. I don't recall what it was...And I told him, "That is your real name, isn't it?"... And he said, "No, that is not my real name."

(7H 41)



Those three flagrantly contradictory versions of what Oswald said are accompanied by other indications of perjury and fabrication. One must ask why the Warren Commission took no notice of the bizarre contradictions in the testimony and why the Commission ignored the fact that the forged Hidell card which is so prominent in statements made half a year after the assassination is so glaringly absent from the contemporaneous record, both official and public. The Commission should have sought and provided proof that the name Hidell was indeed known to the police at the hour of Oswald's arrest, as the Report claims, by examining radio and television tapes to see if there was any mention of Hidell at any time before the FBI traced the rifle to a person of that name. The newspapers of the time do not mention Hidell. It is fantastic to suppose that the police deliberately withheld information about the Hidell card, and only that card, while announcing to the press with indecent alacrity every other scrap of "incriminating" evidence, real or invented. The police themselves do not suggest that they withheld information about the forged card. In any case, that would hardly explain their failure to question Oswald's wife or mother, or Ruth Paine, about "Hidell" on Friday night, when they were at the police station. Nor would it explain their failure to set into motion immediate investigation to see if other police agencies had a record of Hidell or to institute inquiries inside Dallas to determine what activities and associations could be traced to Oswald in the role of Hidell.

We have not received the accounting which was due—a complete and convincing explanation of why the Dallas police and all the other official agencies involved acted for at least 24 hours as though there was no Hidell card and no Hidell.

The Commission might also have addressed itself to the question of why Oswald should have taken pains to fabricate the Hidell card at all. It seems to have been an exercise in futility. There is no evidence that he needed such a card and no sign that he ever used it for such purposes as cashing checks, obtaining retail credit, or demonstrating that he was old enough to be served alcoholic beverages. No one has come forward, to this date, with information

that "Hidell" used the card to obtain an official license of any sort, to gain access to a place of entertainment, to engage in commerce or theft, or to accomplish any other objective.

Now that we have a Hidell card whose purpose and use have not been in any way explained by the Commission, and a claim that this card was found on Oswald which resists credibility and lacks authentication, let us test the next of the assertions in the Warren Report.

~~On November 22 and 23, Oswald refused to tell Fritz why this card was in his possession or to answer any questions concerning the card. (Warren Report, page 181)~~

On November 22 and 23, Oswald refused to tell Fritz why this card was in his possession or to answer any questions concerning the card. (Warren Report, page 181)

The footnote to this statement refers to testimony by Captain Fritz on April 22, 1964, particularly the following passage:

Ball Another thing, that day, at sometime during the 22nd when you questioned Oswald, didn't you ask him about this card he had in his pocket with the name Alek Hidell?

Fritz I did; yes, sir.

This colloquy is distinguished for both the leading question and the misleading answer. Fritz, in his written report on the interrogation of Oswald, explicitly said, "During the second day interviews I asked Oswald about a card that he had in his purse showing that he belonged to the Fair Play for Cuba Committee...I asked him about another identification card in his pocket bearing the name of Alex Hidell" (Warren Report, page 602). FBI agents Bookhout and Hosty, in their reports on the Friday interrogation session, mention nothing about a Hidell card or cards nor about questions to Oswald about Hidell (Ibid., pages 612-613 and 619-620). As pointed out in another chapter, no reports have been provided on almost six hours of interrogation in four sessions on Friday between about 4 pm and midnight. Theoretically, one supposes that it is possible that Fritz asked Oswald about the Hidell card at one of those sessions; but it is highly implausible because at the initial interrogation Fritz questioned Oswald about the "alias" O. H. Lee, the name under which he was registered at the Beckley Street boarding house, and it is inconceivable that he should not have asked him also about the Hidell cards, if in fact Fritz knew about those cards and if they were <sup>really</sup> discovered during the ride to the police station.

Only one report covering the proceedings of November 22 mentions the name Hidell; that is the report of FBI agent Manning Clements, dated November 23 (Warren Report, page 614). Clements' states that he examined the contents of Oswald's wallet and put questions to him about the selective service card in the name of Hidell which Oswald declined to answer. Even if we put aside astonishment that the wallet or its contents were still with Oswald at 10 pm, when Clements questioned him, as they had been at 2 pm when Stovall, Rose, and Walker ostensibly saw the same contents--if we put aside incredulity at the fact that Fritz, Kosty and Bookhout reported no questions about Hidell at the first interrogation, when the forged cards must have been lying under their noses--even if we take Clements' report at face value, it still does not show that Fritz questioned Oswald about the Hidell card on November 22. It shows at most only that Clements did. But can we put aside the claim that the wallet or its contents remained with Oswald at 10 pm, for Clements to see? In addition to the claim by Bentley that he turned this evidence over to Lt. Baker when the arresting party arrived with the suspect, we have the testimony of Richard Sims on April 6, 1964 that he searched Oswald at 4.05 pm Friday and that he had not seen a wallet or identification card; Sims had assumed that "that had been taken off of him" (7H 180).

Walter Potts, on the other hand, testified on April 3, 1964 that he was instructed by Detective Senkel, shortly after 2 pm, that Captain Fritz wanted him to "go out to Oswald's or Hidell's or Oswald's room." Potts said,

On his person--he must have had--he did have identification with the name Alex Hidell and Oswald... (7H 197)

Potts said that when he and the other officers arrived at the rooming house they spoke to Earlene Roberts, the housekeeper, and to the Johnsons, who said they did not know "a Lee Harvey Oswald or an Alex Hidell either one." But Earlene Roberts (6H 438 and 7H 439) and the Johnsons/<sup>(10H 295,303)</sup> testified only that the police had come looking for Lee Harvey Oswald and in no way suggested that the officers had mentioned any other name.

It is undeniable that a number of witnesses testified some time after the event that they were aware of, or questioned Oswald about, the Hidell card(s) on the day of his arrest; it is equally undeniable that there is no firm contemporaneous evidence to corroborate this. Mark Lane explicitly called the Commission's attention to the paradoxical fact that there was immediate publicity on November 22 about the alias O.H. Lee, which became known after some investigation, but not about the alias Hidell, which supposedly was known at once from search of Oswald's person (2H 46). The Commission did not

include that apparent paradox among the "speculations" to which the Report devotes a separate appendix, and in which are found many of the other objections raised by Lane and by other critics of the official findings. It seems to us that the question does deserve serious attention. We find striking corroboration that the paradox was real, not merely apparent, in the handwritten notes of Seth Kantor. The second notation after the swearing-in of President Johnson is the encircled name "O.H.Lee" (Kantor Exhibit 3 page 360). Fifteen pages later (page 375) we find the first mention of "A. Hidell," under the notation "FBI has March 20 letter to mail order gun house in Chicago." If the Commission has found one contemporaneous mention of the name Hidell, in the press or in police records, before the rifle was traced to Klein's, it has not been included in the exhibits. It seems to us significant that the Commission apparently was unable to refute the allegation that was made by Mark Lane, the clear inference of which was that evidence was fabricated to link Oswald with the name Hidell, and that this was done only after the rifle was traced to Hidell. The Report merely says that Oswald refused to tell Fritz about the card on November 22nd--this on the strength of Fritz's reply to a leading question and despite the weight of contrary evidence.

We do not dispute the assertion that Fritz questioned Oswald about "Hidell" on Saturday, November 23, but it is by no means clear that the questions asked that day arose from forged cards in the name of Hidell found on Oswald's person when he was arrested. It is conceivable, perhaps even probable (to borrow from the Report's standard terminology), that the questions were inspired by the information obtained from Klein's. Consider Curry's statements to the press on Saturday:

Question What was the name under which he ordered the gun?

Curry The name--the return--the name on the return address was A. Hidell. A. Hidell.

Question Is that the name under which the post office box was rented?

Curry I don't know that.

(CE 2145)

It will be noted that nothing in the questions or answers in the transcripts of this or previous statements to the press by Curry or his fellow-spokesmen suggests that any forged cards in the name of Hidell were found or known to the police for the best part of 24 hours or more.

If Curry on Saturday did not know about post office boxes rented in the name of Hidell, or about forged identification cards for Hidell found in the suspect's wallet when he was arrested, postal inspector Harry Holmes did. In his deposition of April 2, 1964 Holmes described his attempts to trace the money order which had been sent to Klein's in payment for the rifle. He said that on Saturday,

I asked them by phone as to what it said on it, and it said it had been issued to A. J. Hidell, which to me was the tip that I had the correct money order. Up to then I didn't know whether I had the correct money order or not.

Belin How did you know about the use of the name A. J. Hidell?

Holmes When the box was opened in the name of Lee H. Oswald. Because for two reasons. I--one is, when he rented the post office box in New Orleans, he used the name of A. J. Hidell as one of the persons entitled to receive mail in that box.

Belin At that time did you know that?

Holmes Yes.

Belin All right, what else?

Holmes In his billfold the police had found a draft registration card in the name of A. Hidell on his person at the time of his arrest, and I had seen it.

Holmes was present at the Sunday morning interrogation but there is no evidence to corroborate his testimony that he was shown the Hidell card(s) on Saturday. Forrest Sorrels questioned Oswald on Friday, in the presence of his Secret Service colleague Winston Lawson. Both Sorrels and Lawson testified about the questions asked by Sorrels and the replies given by Oswald on Friday but neither mentioned any Hidell card or indicated any awareness on that day of Oswald's use of such an alias (4H 356 and 7H 353). Sorrels was also present at the Saturday interrogation. He testified on May 7, 1964 that Oswald was questioned about the rifle, because, at that time, it had been determined that the weapon had been shipped to A Hidell,

And he was questioned by Captain Fritz along those lines. And he denied that the rifle was his. He denied knowing or using the name of A Hidell or Alek Hidell.

(7H 356)

Sorrels, it is seen, does not refer to Hidell cards but only to the information obtained from Klein's Sporting Goods about the sale of the rifle.

Captain Fritz produced the selective service card bearing the name "Alek J Hidell." Oswald became angry and said, "No, I've told you all I'm going to tell you about that card in my billfold--you have the card yourself and you know as much about it as I do." (WR 161)

In contrast to the way in which the Warren Report describes this incident, postal inspector Harry Holmes reported that,

Oswald flared up and stated, "I've told you all I'm going to about that card. You took notes, just read them for yourself, if you want to refresh your memory." He told Captain Fritz that "You have the card. Now you know as much about it as I do."

(Italics added)

(WR 636)

The Commission's editing speaks for itself. The official position remains that no transcript of the interrogation was *kept*. If the Commission believes that no transcript was made, it should have questioned all those who were present when Oswald was questioned about the Hidell card and other matters. Yet of those who were present for some or all of the interrogation sessions (CE 2003, page 161, and other sources in the Hearings and Exhibits) the Commission failed to question, or to obtain reports from, four FBI agents, six Secret Service agents, a US marshall, and a former assistant district attorney.

...there is no evidence that an "A J Hidell" existed...(WR 292)...investigations were conducted with regard to persons using the name Hidell or names similar to it (WR 313)...Hidell was a favorite alias used by Oswald on a number of occasions. Diligent search has failed to reveal any person in Dallas or New Orleans by that name. It was merely a creation for his own purposes. (WR 644-645)

In this series of pronouncements the Warren Commission is guilty of gross deceit and monumental hypocrisy, for there is a "Hidell"--he lives in New Orleans and, according to the Commission's own documents, he served with and knew Oswald in the Marine Corps. Few sins of omission in the Report are as shocking and serious as this, nor as contemptuous of the truth. This series of assertions, even though they may be literally or technically "correct," are morally indefensible.



In the fashion of a purloined letter, we find a short affidavit "hidden" in the thick volumes of testimony. It is dated May 19, 1964 and signed by John Rene Heindel of New Orleans, and states,

I served in the United States Marine Corps from July 15, 1957 until July 15, 1961. I was stationed at Atsugi, Japan, with Lee Harvey Oswald...While in the Marine Corps, I was often referred to as "Hidell"--pronounced so as to rhyme with "Rydell"...This was a nickname and not merely an inadvertent mispronunciation. It is possible that Oswald might have heard me being called by this name; indeed he may himself have called me "Hidell"...

(8H 318)

There is only one other mention of Heindel in the Hearings; it is found in the testimony of Daniel Powers, another witness who had known Oswald in the Marines, on May 1, 1964.

Jenner Do you remember a marine by the name of John Heindel?

Powers No, sir.

Jenner Sometimes called Hidell?

Powers No.

(8H 288)

From this we know at least that the affidavit is not a hoax, slipped into the Hearings volumes by a mischievous printer; it is an authentic document of which counsel Jenner and the Commission itself must have been aware when it formulated the carefully phrased assertions in the Report which reiterate that Hidell was only a figment of Oswald's imagination. But the affidavit provides only the bare fact that there is a Heindel/Hidell. None of the questions which flow from that electrifying fact have been answered for the public--although we may be sure that the FBI and/or the Secret Service investigated Heindel and reported the results to the Warren Commission, which has withheld the information from the public.

Surely the Commission does not believe, or expect the public to believe, that the existence of Heindel/Hidell, and his residence in New Orleans, has no connection with Oswald's use of the name Hidell to designate a real person, verbally and on FPCC documents, even though Oswald's first known public use of that name began during his residence in New Orleans. Surely no one is expected to believe that Oswald, by pure and gratuitous coincidence, invented an alias which corresponded with the real nickname of a fellow Marine whom Oswald himself may have addressed by that nickname? We are not qualified in mathematics, but common sense suggests that the odds against such a random coincidence would be so astronomical as virtually to rule it out.

There is also one mention of Heindel in the Exhibits, which was discovered only because we resorted to a magnifying glass. The document is a 24-page report by four Secret Service agents to their superiors on investigations conducted in New Orleans from November 22 to December 2, 1963 (CE 3119). The pages have been photocopied and reduced considerably in size; they have also been marked up with a pencil, so that they are scarcely legible without an optical aid. On page 12 of the document, the following passage is found:

At 1.30 A.M. on 11-24-63, Mr. David Kerr, Office of Naval Intelligence, contacted SAIC Rice by telephone, advising that a thorough search had been made of the Marine Corps records with the following results:

There are four persons on active duty by the name of J. Evans, and twelve on inactive duty...He said that there was only officer, Lieutenant John Stewart Evans...born 8-28-34 at Cincinnati, Ohio, who is presently on duty with Training Squadron 6, Whitney Field, Milton, Fla., who might be associated with Oswald's reference.

He further advised that there is no record of a "Hidell" either on active duty or inactive; and that the only similar name is John R. Heindel, age 38, born in Louisiana, who is not active, his record being available at the Federal Records Center, St. Louis.

(CE 3119 page 12)

Considerable time elapsed between this report of December 1963 and the Heindel affidavit of May 1964. During those five months Heindel undoubtedly was investigated and interviewed. The results have been suppressed, apart from the affidavit and the two references which have been quoted. Should we infer from that that the results of the inquiry into Heindel were negative and that no evidence was uncovered of any association between him and Oswald in pro-Castro activities, or other activities, in New Orleans in the summer of 1963? If that was the case, we fail to understand why the Commission did not say so in the Report and why the relevant documents were not included in the Exhibits; we certainly fail to understand why the Commission did not obtain sworn testimony from Heindel, regardless of the <sup>nature of the</sup> information obtained by investigative agencies.

It is no less difficult to imagine that compromising evidence was uncovered and deliberately concealed than it is to imagine that by a monumental and incredible coincidence Oswald happened to select an alias, or a fictitious name for a non-existent associate, which was identical with the nickname of a real acquaintance who lived in the same city. We cannot apologize for wondering if the results of investigation of Heindel have not been suppressed because they would serve in some way to cast grave doubt on the thesis of the random and solitary assassin.

No doubt he purchased his weapons under the name of Hidell in an attempt to prevent their ownership from being traced. (Warren Report, page 315)

The Warren Commission, in its anxiety to create the impression of a solid fabric where there was only a porous and dubious case against Oswald, has involved itself in reasoning that verges on the absurd. The inference it has drawn is really too facile. If Oswald intended to purchase weapons that he did not wish traced to him, a mail order purchase should have been his last choice. That method assured that the transaction would be recorded in written form, preserving his handwriting and his post office box number and virtually guaranteeing that he could be traced. If he had merely walked into a gun shop, or an H.L. Green store, he could have purchased weapons over the counter without leaving a trace of the transaction—risking only that some clerk, many months later, might identify him as a customer, and be demolished by a capable defense counsel. There would be no record of a serial number, no handwriting, and no post office box number to incriminate him.

But if we agree for the sake of argument that Oswald used the least desirable of all methods (and not in a moment of folly, since he is alleged to have ordered weapons by mail on two occasions separated by some months), planning to evade identification by using the alias Hidell, by what antithesis of logic did he make sure to carry on his person two forged identification cards in the name of Hidell—one of them, to make sure that there could be no ambiguity, even bearing his own photograph? By what eccentric calculation did he cause himself to be photographed holding the weapons which he did not wish traced to him, with a camera used solely for those incriminating photographs but not for snapshots of a child or a friend or a landscape?

If he intended to commit murder and confess, it would make sense; if he was psychotic, it would not make sense but it would be plausible. Oswald did not confess, and there is no written or spoken word from any qualified source before he was murdered pointing to psychosis or any inability to function in full or adequate contact with reality. One could, in fact, go further and demonstrate that Oswald achieved adjustment to a social and cultural environment despite features which offended and even menaced him; but that is not really necessary, in this milieu where psychiatrists prosper from the many who are less <sup>than</sup> adjusted but are no danger to their fellow-men.

It is unworthy of the Commission that it has indulged in pseudologia; but it is inexcusable that it has done so in an attempt to interpret "facts" which are highly vulnerable to impartial scrutiny. We will not join the Commission in speculating about Oswald's motives for purchasing weapons under the name of Hidell because we are by no means convinced that he ordered the weapons or used the name Hidell as his alias.

Oswald's repeated use of false names is probably not to be disassociated from his antisocial and criminal inclinations. (Warren Report, page 315)

We invite attention to the Dallas police department's list of property seized on November 23, 1963, at the Paine residence and to the following item on that list:

four 3x5 cards bearing respectively names  
G. Hall; A. J. Hidell; B. Davis; and  
V. T. Lee. (CE 2003 page 269)

Gus Hall, Benjamin Davis, and Vincent T. Lee are real persons prominent in unpopular political movements on the left. If A. J. Hidell is a spurious invented personality or an alias created by Oswald for his own purposes, his subtlety in preparing an index card for Hidell and introducing that card among cards for known and genuine political figures is nothing short of brilliant. Anyone capable of so inspired a stroke in covering his tracks would be temperamentally and intellectually incapable, it seems to us, of leaving a trail of incriminating evidence such as that which, under the official hypothesis, led to Oswald and Oswald alone within short hours.

The index card, and the existence of a real Heindel/Hidell, combine to throw grave doubt on the pronouncements in the Warren Report concerning Oswald's use of false names; that the Report is silent on these matters is a cause for new and broader doubt.

Some of the evidence cited to persuade us that Oswald habitually employed false names derives from the testimony of Marina Oswald, the main Government witness. The following passage is found in her testimony of February 4, 1964.

Rankin Have you ever heard that he used the fictitious name Hidell?

Marina Oswald Yes...In New Orleans...when he was interviewed by some anti-Cubans, he used this name...I knew there was no such organization. And I know that Hidell is merely an altered Fidel, and I laughed at such foolishness...No one knew that Lee was Hidell.

Rankin How did you discover it, then?

Marina Oswald I already said that when I listened to the radio, they spoke of that name and I asked him who, and he said it was he...

It is not prudent to place great credence in this testimony, since Marina Oswald told different stories both before and afterwards. In an interview with the Secret Service on December 10, 1963, she was asked if to her knowledge her husband used the name of Aleck Hidell, and she replied in the negative (CE 1789). Scarcely two months later, she testified before the Commission that she had learned about the fictitious Hidell from Oswald's participation in a radio debate in New Orleans. That version suffered from two defects--the name Hidell nowhere appears in the transcript of that radio program (Stuckey Exhibit No. 3), and there was a record of an FPCC (New Orleans branch) membership card which Oswald had on his person when he was arrested in New Orleans, before the radio debate took place, on which the signature Hidell was found to be in the handwriting of Marina Oswald.

It became necessary to modify the story which Marina Oswald had told under oath on February 4, 1964. When she returned to testify before the Commission on June 11, 1964, she was shown the FPCC membership card and she identified the signature Hidell as her own writing. She said that Oswald had threatened to beat her if she did not sign this card, but that it was the only card he had ever asked her to sign with the name Hidell; she said that he wanted her to sign the card in order to create the impression that two people were involved and not just one; and she said that the signing had taken place in the Oswald apartment at 8 or 9 o'clock in the evening.

Dulles Had you ever heard the name "Hidell" before?

Marina Oswald I don't remember whether this was before or after Lee spoke on the radio. I think it was after.

Dulles Did he use the name Hidell on the radio?

Marina Oswald I think that he might have when he was talking on the radio said that Hidell is the President of his organization but, of course, I don't understand English well and I don't know. He spoke on the radio using his own name but might have mentioned the name Hidell. This is what he told me. When I tried to find out what he said on the radio.

(5H 401-402)

The felicitous modification of Marina Oswald's account of how she first learned about Hidell is a marvel, when one considers that it took place not as a result of cross-examination in which her earlier testimony was challenged because it was in conflict with the facts but, seemingly, by an unassisted refinement of memory in which new facets appeared and old certainties became uncertainties. Between Marina Oswald's two accounts, there was testimony from FBI agent Quigley on May 5, 1964 (4H 434,439) from which it emerged that he had seen the card with the Hidell signature in Marina Oswald's handwriting before the radio debate.

The widow's recall seems to improve with the passage of time. The official version of her story came only in June, after a defective account in February and a denial in December that she even knew of any use of the name Hidell by her husband. Why did she disclaim all knowledge of Hidell in December? She admitted to the Commission that she had withheld some information from the FBI because she was hostile to the FBI, or because she was not under oath; but she expressed only warm and friendly feelings for the Secret Service, and the interview of December 10, 1963, took place when Marina Oswald was freely providing all varieties of information which incriminated Oswald, including the account of his attempt on Walker's life. We cannot know why she first denied knowledge of Hidell because the Commission did not ask her why but merely relied on the most acceptable of her three responses.

The Commission also relied heavily on Marina Oswald's testimony in asserting that Oswald had registered at the Beckley Street boarding house under the name O.H. Lee with the intent of concealing his real identity. But the Commission saw no inconsistency between her "laughing at such foolishness" when she learned that Oswald was using Hidell as an alias and the bitter quarrel which ensued, according to her testimony (1H 46), when she learned that he was living in Dallas under the name O.H. Lee because "he did not want his landlady to know his real name because she might read in the paper of the fact that he had been in Russia and that he had been questioned...And also he did not want the FBI to know where he lived...Because their visits were not very pleasant for him and he thought that he loses jobs because the FBI visits the place of his employment."

One wonders, recalling Marina Oswald's appetite for a car and a washing machine and similar amenities of American life, why Oswald's attempts to safeguard his job and his ability to support his growing family moved his wife to such anger that she "hung up on him and didn't want to talk to him" (1H 65). Indeed, her flights from inherent plausibility, and her pattern of alteration of earlier statements and testimony in later versions which served to tighten the case against Oswald, leaves insufficient ground for confidence in this witness for the prosecution.

The Commission has not established "Oswald's repeated use of false names" completely or in an acceptable manner; but associates this alleged practice with Oswald's "antisocial and criminal inclinations." There is, of course, no trace of antisocial or criminal behavior in Oswald's history except for the alleged attempts on General Walker and Richard Nixon, for which we must rely exclusively

on Marina Oswald, a witness who does not merit unreserved confidence. But even her account of the Walker and Nixon affairs attribute to Oswald motivation that may be regarded as a perverted form of altruism--not criminal or anti-social motives in the accepted sense, involving personal greed, revenge, or hatred of society at large. By American standards the elimination of a political personality is not an absolute evil but is judged to be heroic, or malevolent, according to the status of the victim in popular affection. If Fidel Castro was gunned down by a disaffected Cuban, the assassin would have the highest place of honor and the warm tribute of the American people and Government; and while the country as a whole grieved deeply the loss of John Fitzgerald Kennedy, it must not be forgotten that in some public school classes the children cheered and applauded the news, and that the stylish remark at Dallas cocktail parties in ensuing weeks was "We should have invited him sooner."

If the Commission, individually or collectively, had studied Oswald's history and morals before he became an accused assassin, it is questionable whether there would have been a finding of "criminal and antisocial inclinations." It is really the assassination of the President that has shaped the Commission's judgment. In this and other instances of circular reasoning, the Commission has used a premise to infer "facts" and then used those same "facts" to justify the premise.

### Oswald's Rifle Practice

We have discussed the reputation of the 6.5 Mannlicher-Carcano as the humanitarian rifle and the decrepitude of the specimen found in the Depository --its difficult bolt, eccentric trigger, maladjusted scope, and firing pin on the verge of disintegration. Despite this impressive list of disabilities the undismayed Warren Commission has concluded that this is the rifle that felled the President and the Governor, presumably deciding that Oswald had acquired the necessary familiarity with the weapon to achieve accuracy and eliminate the risk of malfunction. Is such an assumption justified?

The Hearings and Exhibits reveal that Marina Oswald was questioned by the Secret Service and the FBI about whether or not Oswald had engaged in rifle practice in four interviews between December 4 and 16, 1963. On each occasion she maintained that Oswald had never left or returned to their home carrying a rifle, had never mentioned that he intended to practice shooting, had never done so to her knowledge, and that she had never seen him clean the rifle or hold it. Apparently in response to questions from the agents, she conceded, however, that Oswald might have practiced shooting when he was supposed to be at typing classes (CEs 1785, 1401 page 286, 1790, and 1403 page 735).

Two months later she told a completely different story in three interviews between February 17 and March 2, 1964. She said on February 17 that Oswald had told her after the General Walker shooting that he had practiced in a field near Dallas; that early in January 1963 (Klein's mailed the rifle on March 20, 1963) Oswald was cleaning his rifle and said that he had been practicing that day; and that one evening in March Oswald had left at 6 pm carrying the rifle wrapped in a raincoat and boarded a Love Field bus, returning at 9 pm to say that he had been practicing where no people were around to hear him. The next day she retracted the statement that Oswald had been cleaning his rifle early in January (realizing or being reminded that the rifle was not mailed until some months later), and said that the incident had actually occurred shortly before the Walker incident on April 10, 1963 (CEs 2694 page 5, 1404, and 2694 page 6).

Clearly Marina Oswald lied either in the first set of interviews or in the second. Regardless of the chronology of the falsifications, they raise inescapable questions about her credibility as a witness, in addition to those which arise on other aspects of her testimony. If the untruthful statements are found in the



later series of interviews, questions arise also about the possibility of coercion or improper influence exerted by official agencies. On the other hand, if her statements in the later interviews are truthful, objective evidence should exist in some form to corroborate her story.

Perhaps following this line of reasoning, the FBI and the Secret Service conducted a thorough investigation at various locations in Dallas and Irving where a person might have engaged in rifle practice, interviewing many witnesses with negative results (CE 2694, 2908). The FBI collected pounds of shells from rifle ranges and areas near woods or the Trinity River bed, including 23 pounds of shells from the Sports Drome Rifle Range at which witnesses claimed to have seen Oswald on a number of occasions (CE 2921). Laboratory examination failed to turn up a single shell that came from the Carcano alleged to belong to Oswald (CE 3049).

No evidence was found to corroborate Marina Oswald's statements that Oswald had engaged in rifle practice. This is apparent from the Warren Report (page 192), which makes no assertion that Oswald practiced shooting the rifle but states that Marina said that he had done so. This tends to create an impression that Oswald had familiarized himself with the rifle by practice shooting. But the Report is silent on the reports in the Commission's possession which strongly suggest the reverse---that is, (1) that Marina Oswald maintained consistently in various interviews before February 1964 that Oswald had not engaged in rifle practice; and (2) that extensive investigation by the FBI and the Secret Service failed to uncover any indication of rifle practice by Oswald in the Dallas/Irving area.

It is repetitious but it must be said again that the Warren Commission has selected from a bare cupboard crumbs and particles which appear to support the case against Oswald but has withheld from the Report substantial evidence to the contrary. The Commission is not relieved of moral responsibility by the technicality of having stated no conclusion of its own on the issue of Oswald's practice with the rifle---the more so when expert testimony made it clear that the defects and eccentricities of the weapon, in the hands of someone who had not familiarized himself with its performance in actual firing experience, all but ruled out accurate shooting.

We must weigh Marina Oswald's self-contradictions and dubious story against the absence of objective evidence that Oswald had engaged in rifle practice or that he purchased or possessed ammunition for this purpose. The result leaves no ground for concluding that Oswald had practiced shooting the Carcano or that he could have given an unmatched performance of marksmanship with that unfamiliar and decrepit weapon. Common sense suggests that if he had practiced with the rifle he would have lost no time in dumping it in favor of a bow and arrow.

## Photograph of Oswald

### with Rifle

The Warren Report (pages 125-128) asserts that on Sunday March 31, 1963 Marina Oswald took two photographs of Oswald holding a rifle, a pistol, and two newspapers. The Commission finds that the rifle in the photograph (CE 133-A) is the same as the rifle found on the sixth floor of the Depository. It finds the photograph authentic on the basis of expert testimony which links it with the Imperial Reflex camera (CE 750) with which Marina Oswald testified she took the pictures.

The account given in the Report appears to be straightforward, but careful study of the Hearings and Exhibits discloses that there are a number of peculiar and unresolved features to the story, most of which are not mentioned in the Report. Others, which are mentioned as "facts," remain subject to some doubt.

### The Taking of the Photograph

The Commission has carefully avoided any finding of mental disturbance or unbalance in the alleged assassin but persists in attributing to him motives and actions which must be viewed as irrational. The Commission believes that Oswald made careful plans to shoot General Walker and attempted to do so on Wednesday April 10, 1963, after which he carefully burned his "blueprint" for the crime and took other steps to escape suspicion. At the same time, we are asked to believe that ten days before Oswald attempted to commit this murder he asked his wife to take photographs of him holding the rifle with which he planned to shoot the General. That certainly was a reckless if not irrational act, as was his failure to destroy the incriminating photographs after the Walker attempt or before the assassination.

Sunday March 31, 1963, the day on which the photographs are said to have been taken, was a cloudy day with traces of rain, according to the Dallas office of the U.S. Weather Bureau. The photograph was taken in bright or brilliant sunlight, as can be seen from the darkness of the shadows and the contrasting lighted areas. Since the location in which the photo was taken was known to the Commission's investigators, it should have been possible to determine on the basis of direction of light and angle of shadows the hour at which the image was recorded, and then to check the weather records to see if it was sunny or cloudy at that time. This was not done.

The Commission states that two photographs were taken (CE 133-A and 133-B), apparently on the basis of Marina Oswald's testimony of February 3, 1964, when she said,

I had even forgotten that I had taken two photographs. I thought there was only one. I thought that there were two identical pictures, but they turned out to be two different poses. (1H 16)

One pose shows the rifle in the left hand; the other shows the rifle in the right hand. But Marguerite Oswald's testimony suggests that there was a third photograph. She told the Commission that Marina had taken her into the bedroom in the Paine home on Friday night and that

She opened the closet...And she came out with a picture--a picture of Lee, with a gun. It said, "To my daughter Juno"--written in English. I said, "Oh, Marina, police." I didn't think anything of the picture. Now, you must understand...I don't know all the circumstances, what evidence they had against my son by this time ...anybody can own a rifle, to go hunting...So I am not connecting this with the assassination...no one is going to be foolish enough if they mean to assassinate the President, or even murder someone to take a picture of themselves with that rifle, and leave that there for evidence...

No, sir, that is not the picture. He was holding the rifle up...

Rankin By holding the rifle up you mean--

Mrs. Oswald Like this.

Rankin Crosswise, with both hands on the rifle?

Mrs. Oswald With both hands on the rifle.

Rankin Above his head?

Mrs. Oswald That is right.

(1H 146 and 148)

No notice was taken of this description of a third photograph and Marina Oswald was not questioned about it on her subsequent appearances before the Commission. It is not clear, consequently, why the Warren Report asserts that two pictures were taken when the allegation that there was a third photo has not been investigated.

The Report is silent on the place where the photographs were developed. The Hearings and Exhibits provide no information on this point except for a

except for a handwritten reminder in a reporter's notebook recording the events following on Oswald's arrest:

Ask Fritz--

1--The N.C. preacher who tipped them about the mail-order purchase?

2--501 Elm is place that processed photo. What are details of photo (showing gun & Daily Worker head: "Be Militant")

(Kantor Exhibit No.3, Volume XX page 376)

It is logical to assume that Kantor learned from the police that the photo of Oswald holding the rifle had been processed at 501 Elm. If so, the police have said nothing about this in reports or testimony, and neither the FBI nor the Warren Commission have shown any interest in the question. When were the photographs developed, and by whom, and how were they traced to 501 Elm Street --which is only a block away from the Depository, if we understand the Dallas street-numbering system correctly.

It should be recalled that on March 31, 1963, the day on which Marina Oswald is said to have taken the photographs, Oswald was still employed at Jaggars-Chiles-Stovall, in the photographic department. According to a co-worker,

about one month after he started...he seemed interested in whether the company would allow him to reproduce his own pictures, and I told him that while they didn't sanction that sort of thing, that people do it now and then.

(10H 201)

One would think that Oswald, whose parsimony is emphasized often by witnesses who know him, would have taken advantage of the opportunity to have the photographs developed at no cost to himself.<sup>1/</sup> It is true that he was dismissed from this job at the end of the week. Once dismissed, presumably before an opportunity to print the photographs, why should Oswald have taken them to 501 Elm? He could easily have had them developed and printed near his apartment at Oak Cliff. Consequently, the date on which the films were left to be developed assumes some interest, and it is a pity that no inquiry was made by the Commission.

<sup>1/</sup> According to Marina Oswald, Oswald did so on at least two occasions, once printing photographs of General Walker's house and once a name-plate (CEs 1156 and 1840).

## The Camera

We turn now to the camera with which the photographs are alleged to have been taken. On February 6, 1964 Marina Oswald was shown Commission Exhibit 136, a camera contained in a leather case. She said,

This is a Russian camera.

Rankin Is that the camera you used to take the pictures you have referred to?

Marina Oswald I don't remember exactly whether it was an American camera or this.

(1H 118)

She was next shown another camera in a leather case, Exhibit 137, but she said that she had never seen it before (1H 119).

The camera is next mentioned in the April 23 testimony of FBI photographic expert L. Shaneyfelt, in the following passage:

Eisenberg Mr. Shaneyfelt, I now hand you an Imperial Reflex Duo Lens camera. Let me state for the record, that this camera was turned over to the FBI by Robert Oswald, the brother of Lee Harvey Oswald, on February 24, 1964.

Robert Oswald identified the camera as having belonged to Lee Oswald and stated that he, Robert, had obtained it from the Paine residence in December 1963, several weeks after the assassination.

On February 25, 1964, Marina was given the camera and she identified it as the one which she had used to take the pictures... When did you receive the camera, Mr. Shansyfelt?

Shaneyfelt It was---I can't pinpoint the date exactly, I don't have the notes here for that. It was, I would say, the latter part of February, not too long after it had been recovered on February 24.

Eisenberg Was it in working order when you received it?

Shaneyfelt No; it had been slightly damaged...In order to be able to make a photograph with the camera, I had to make slight repairs to the shutter lever, which had been bent. I straightened it and cleaned the lens in order to remove the dirt which had accumulated. These are the only things that had to be done before it was usable to make pictures with.

(4H 284)

On June 11, 1964 Marina Oswald returned to testify again before the Commission. At this time she was shown the Imperial Reflex camera (CE 750) and she identified it as the camera with which she had taken the photographs of Oswald holding the rifle (5H 405 and 410).

Study of the Exhibits yields further information on the camera. We find that Marina Oswald was interviewed by the FBI on January 29, 1964. She was shown photographs of a Russian camera and a Realist camera. She said that the cameras appeared to be the ones owned by her husband (CE 1155). On February 17, 1964 she was interviewed again and shown the same photographs of the cameras. This time she said that the Realist camera was not Oswald's and that to her knowledge she had never seen that camera (CE 1156). In a further FBI interview on the next day, February 18, she said that the American camera with which she had taken the photographs of Oswald with the rifle was grayish in color, a box-type camera, but that she did not know where the camera was (CE 1104 page 448).

The next document is a letter dated February 28, 1964 from J. Edgar Hoover to J. Lee Rankin, general counsel of the Warren Commission. The letter states,

On February 24, 1964, Mr. Robert Lee Oswald, brother of Lee, furnished to a Special Agent of the Dallas Office of this Bureau a Duo-lens Imperial reflex camera which he stated was the property of Lee...Robert advised that he obtained this camera from the residence of Mrs. Ruth Paine, Irving, Texas, in December, 1963...On February 25, 1964, this camera was displayed to Marina Oswald and she immediately identified it as the American camera which belonged to her husband and the one which she used to take the photograph of him with the rifle and the pistol.

(CE 2083)

There is no record in the Exhibits of the February 24 interview with Robert Oswald; on that date, he had already completed his testimony before the Warren Commission, and he was not re-called later. There is, therefore, no independent testimony from Robert Oswald corroborating the statements made by the FBI and no identification by Robert Oswald of the camera which the FBI claims to have obtained from him.

Curiously enough, there is no record either of the February 25 interview with Marina Oswald, although the Exhibits include about 50 FBI reports of interviews with her.

There is an FBI report on an interview with Robert Oswald on March 15, 1964, in which he is alleged to have said that he obtained property belonging to Lee Oswald, including the small American-made camera, from the home of Ruth Paine on December 8, 1963. He said that he had not made the camera available to the authorities before February 24, 1964 because it had never occurred to him that anyone would be interested in the camera (CE 2166).

The next document in this series is an FBI report dated March 26, 1964 summarizing the interviews with Robert Oswald and Marina Oswald between February 16 and 24, already discussed, and providing additional information which, in effect, accounted for the fact that the Imperial Reflex camera had been overlooked in the searches-and-seizures conducted at the Paine home on November 22, 23 and subsequent occasions. The report states that Detective John A. McCabe of the Irving Police Department had assisted Dallas police officers in a search of the Paine premises on November 23, 1963 and was certain that he had seen a light gray box camera in a box in the garage. McCabe said that he did not take the camera because he did not consider it to be of evidentiary value. He said that the Dallas police officers had not examined the box containing the camera, because he had already examined it, and he said that he did not point out the camera to them (CE 2557). Indeed, none of the Dallas police officers who were present on that occasion could recall ever having seen the camera; but they all stated that if it had been discovered during the search, they would have taken it in.

Detective McCabe, the only person who can place the Imperial Reflex camera in the Paine garage on November 23, 1963, was not a witness before the Warren Commission. Robert Oswald, who is alleged to have taken the camera together with other belongings of Lee Harvey Oswald when he visited the Paine home on December 8, 1963, and who turned the camera over to the FBI on February 24, 1964, did not testify on these points and there is no record of the February 24 interview. In fact, from beginning to end we have only FBI reports as authority for this history of the chain of possession of the camera. According to this history, Detective McCabe saw the camera but did not attach importance to it or mention it to the other police officers present. We must examine whether or not this is plausible under the circumstances which prevailed when McCabe ostensibly saw the camera.

#### Discovery of the Photographs

Dallas police officers had searched the Paine premises on Friday afternoon after the assassination and the arrest of Oswald. Michael Paine, who was present, testified that one of the plainclothesmen

collected all the useless stuff in our house, he went around and collected all the files of Ruth, and a drawer of cameras, mostly belonging to me. I tried to tell him one of the files contained our music or something like that, and the more I suggested it, that he not bother taking those, the more insistent he was in taking those objects...their (the Oswalds') possessions were searched by various waves of succeeding policemen, Dallas, and Irving and FBI, and what not.

The following afternoon Dallas police officers Adamcik, Moore, Stovall and Rose together with McCabe of the Irving police reappeared at the Paine residence. Mrs. Paine departed to do her marketing, leaving the policemen alone in her home. When she returned, they had departed (3H 85-87). During the time that the officers were alone on the premises, they discovered the photographs of Oswald holding the rifle. The Dallas police officers were examined by counsel for the Warren Commission early in April 1964. Adamcik claimed that the photographs were found while he was in the back of the garage; he did not know who had found them (7H 209). Moore, on the other hand, said that he had seen Detective Rose discover the pictures.

Belin Did Rose show it to you out there?

Moore Yes, he did; at the time he found it.

Belin Were you near him when he found it?

Moore Yes.

Belin How far away was he from you?

Moore This was a one-car garage, and it would have to be close. Four men searching in that garage. I would say a matter of 3 or 4 feet.

(7H 215)

Stovall also testified that Rose had found the photographs (7H 194).

Rose himself said,

I found two negatives first that showed Lee Oswald holding a rifle in his hand, wearing a pistol at his hip, and right with those negatives I found a developed picture...a picture that had been developed from the negative of him holding this rifle; and Detective McCabe was standing there and he found the other picture--of Oswald holding the rifle.

(7H 231)

Under these circumstances, it is hardly plausible that McCabe, having participated in the discovery of the photographs, would ignore completely and say nothing to his companions about any camera he saw nearby. In any case, we do not have direct testimony from McCabe, despite the importance of his role in relation to the photographs and the camera.

Elsewhere we discuss the discovery of the undated note which led to the disclosure by Marina Oswald of the story that Oswald had made the attempt on the life of General Walker. Because the undated note had remained in a book in the Paine home, undiscovered in the various searches by the Dallas police, the FBI on December 4, 1963, carefully collected all remaining property of the Oswalds from Mrs. Paine (CE 1403). But the Imperial Reflex camera was overlooked again, and was then collected by Robert Oswald on December 8, with various items of apparel and paraphenalia such as an extension cord and a pencil sharpener which had belonged to his dead brother.



Ruth Paine, testifying on July 23, 1964, was asked if she recalled what things Robert Oswald had taken on December 8, 1963. She replied,

They took the clothes from the closet, boxes and things that I did not look into. I have heard from the police that it also included an old camera which they had to chase later and went up to Robert Oswald's to find it.

(11H 398)

Again, a witness testifying under oath is unable to authenticate the whereabouts of this important item of evidence; again, we have only hearsay on which to rely.

In earlier testimony on March 21, 1964, Ruth Paine provided arresting information which must give us pause in contemplating the elusive Imperial Reflex camera.

Jenner Was there any picturetaking during the period, during the fall of 1963, either in New Orleans or in Irving or in Dallas?

Ruth Paine Not by either Lee or Marina that I heard of.

Jenner And did you hear any conversation between them in your presence or with you with respect to his or they having a snapshot camera or other type of camera to take pictures?

Ruth Paine No; the only reference to a camera was made by Lee when he held up and showed me a camera he had bought in the Soviet Union and said he couldn't buy film for it in this country, it was a different size.

Jenner Did they ever exhibit any snapshots to you?

Ruth Paine Yes; a few snapshots taken in Minsk.

Jenner But no snapshots of any scenes in America that they had taken?

Ruth Paine No.

Jenner Or people?

Ruth Paine No.

(9H 344)

Indeed, in a group of about 75 photographs obtained in searches-and-seizures which were identified by Marina Oswald in an FBI interview on January 31, 1964, we find two photographs of the Oswalds with their daughter June which were taken in a photograph booth in a bus station in Dallas but no other photographs taken in the United States with the Imperial Reflex camera. We are therefore forced to conclude that Oswald used that camera only to take two sets of incriminating photographs--those of himself holding the rifle and the revolver alleged to have been used in the murders of the President and of Tippit, and those of General Walker's house alleged to have been taken preparatory to the attempt on his life.

No one disputes the fact that Oswald was a devoted father, even a doting father. It is a strain on credulity to believe that the Imperial Reflex camera was in his possession and that he used it only for those two sets of incriminating pictures but did not bother to photograph his little girl so that he would have a record of her babyhood and growth. It is a strain to believe that that same camera was overlooked time and again in police searches; and that it was in fact seen, and ultimately recovered, by witnesses who did not testify or did not testify on this specific matter under oath. We are dependent entirely on the FBI, which in another context was considered by the Warren Commission itself to be a "questioned authority."

Clearly it is a dubious story and an unsatisfactory and wholly inadequate procedure of "fact-finding," especially when weighed against the discovery of the incriminating photographs by police officers in the absence of any witness and Oswald's insistence that the photographs were fakes.

#### The Authenticity of the Photographs

According to Captain Fritz, Oswald was confronted by the photograph of himself holding the rifle at 6 pm on Saturday, less than 24 hours before he was shot to death, with the following response:

He said the picture was not his, that the face was his face, but that this picture had been made by superimposing his face, the other part of the picture was not him at all and that he had never seen the picture before... (he) said that he knew all about photography, that he had done a lot of work in photography himself, that the small picture was a reduced picture of the large picture, and had been made by some person unknown to him. He further stated that since he had been photographed here at City Hall and that people had been taking his picture while being transferred from my office to the jail door that someone had been able to get a picture of his face and that with that, they had made this picture. He told me...that in time, he would be able to show that it was not his picture and that it had been made by someone else.

(Italics added)

(Warren Report pages 608-609)

As was true for the camera, we are wholly dependent on the FBI and the testimony of an FBI expert in evaluating the authenticity of the photograph which Oswald charged was a forgery. We do not feel in a position to state a conclusive opinion; but we call attention to two features of the picture which are apparent to even the untrained eye.

One is the size relationship between Oswald and the rifle shown in the photograph. We know that Oswald was 5'9" tall, from the autopsy report (CE 1981) and that the rifle is 40.2" long (Warren Report page 81). If an inch is added to account for Oswald's shoes, his height in the photograph is 70 inches. The rifle is therefore 57.4% of Oswald's height when shod. In the full-page reproduction of the photograph (LIFE cover, February 21, 1964), Oswald's height measures 12.75 inches and the rifle measures 7.75 inches. If the rifle in the photograph is actually the 40.2" Carcano, the man's height should be 13.5 inches instead of 12.75, on the basis of the actual proportions between the two. If the man in the photograph is actually 70 inches tall, the rifle should measure 7.3 inches instead of 7.75. Therefore, (1) the man in the photograph is only 64 inches tall or 5 inches shorter than Oswald in bare feet, or (2) the rifle in the photograph is actually 42.6 inches long, or 2.4 inches longer than the Carcano.

These calculations presuppose, of course, the absence of significant distortion in apparent height of the man and apparent length of the rifle in the photograph. On the same basis, let us examine the theory that Oswald was actually photographed with the rifle he had received from Klein's, on the assumption that he had received the 36 inch Carcano he had actually ordered. The 36 inch Carcano would be 51% of Oswald's height of 70 inches when shod, and in the photograph the rifle should measure 51% of his apparent height of 12.75 inches, or 7.61 inches instead of the 7.75 inches actually measured. The discrepancy becomes .11 inches instead of .45 inches.

We reiterate that this is not conclusive and may not be significant or valid; but it is to be regretted that the investigators did not utilize comparative measurements of this kind in assessing the authenticity of the photograph.

The second feature which is apparent to the casual eye is the seeming inconsistency in the direction of the shadows in the photograph. In the large print (CE 746-A) one sees clearly that the shadow of the man's body falls behind him and to his right; but the shadow under his nose falls in dead center and not to the right and that the shadow under the left side of the face also appears inconsistent with light striking from the left and causing the shadow of the body to fall to the right. In an enlarged section of the photograph (CE 746-C) the shadows under the nose and the left side of the face are seen even more clearly.

The FBI attempted to demonstrate that the rifle in the photograph was the .30.2 inch Carcano found in the Depository by having an agent pose with that rifle in the same posture as Oswald and with sunlight in the same direction. In the reenactment photograph the shadow of the agent's body falls behind him and to his right (somewhat more sharply than in the original photograph). Consequently, we should be able to judge from the shadows under the agent's nose and left side of the face whether or not the corresponding shadows in the Oswald photograph are consistent with the shadow of the body. But the agent's face and head have been blacked out completely! (CE 748). This was discussed with FBI expert Shaneyfelt in his testimony of April 23, 1964. Asked to explain why the head of the individual was blacked out, he said,

I blanked out the head because it was one of the employees of the FBI, and I felt it was desirable to blank out the head because it was not pertinent.

(LH 281)

We do not wish to make bad puns about the FBI losing its head; but must point out that in a reenactment photograph taken in the backyard at the Keely Street address by the Dallas police crime lab, in the presence of Special Agent Scirells of the Secret Service, the face of the standin has not been blacked out, although it has no greater pertinency than that of the FBI agent (CE 712). But in that photograph, there is no attempt to duplicate the lighting, and the shadows on the standin's face do not help us at all in evaluating the original photograph.

The FBI's exercise in evasion is so blatant that we are tempted to consider it innocent, but it is a temptation we shall resist until the apparent conflict between the shadows in the original incriminating picture has been resolved in a satisfactory manner.

#### Recapitulation

It is impossible to understand why Oswald should have caused these damning photographs to be made, using a camera which was utilized only for incriminating pictures but never used for conventional photography, or why he should have left this evidence to be found and used against him when it easily could have been destroyed. It is not adequate to shrug this off as an aberration; there is an obligation to discover a rational explanation, or a pattern of illogic into which this behavior fits, and that obligation has not been fulfilled.

The Commission has ignored completely the important and relevant question of where, and when, the incriminating photographs were developed and printed, and has not followed up the clue in Seth Kantor's notes about 501 Elm Street.

The Commission has relied on hearsay evidence with respect to crucial facts relating to the discovery of the photographs and the chain of possession of the camera. There is no FBI report of the recovery of the camera from Robert Oswald on February 24, 1964 by the agent or agents who were present and took possession of the camera on that date; there is no sworn testimony from Robert Oswald corroborating the circumstances described in later FBI reports. In relying on the FBI for the authentication of the photographs, the Commission has relied—by its own criteria—on a questioned authority. No independent opinion from an outside expert has been obtained. The problem of the shadows on the face versus the shadow of the body in the original photograph has been "solved" by blacking out the face of the standing in the reenactment picture, for reasons so lame as to be confounding.

In the light of all the anomalies discussed, we cannot conclude that the photograph is genuine or that it is a forgery; but we do conclude that the Commission's procedures were so loose and its judgment so oblivious in considering this body of evidence that it would have been possible to introduce fraudulent evidence and have it accepted as authentic.

Note:

Mrs J A Field Jr of Beverly Hills, California, has compiled an album which raises new questions about the authenticity of the photograph of Oswald with the rifle. The album displays a young man in the same pose under identical or very similar lighting (sunlight), whose face is not blacked out. His body shadow falls behind him to his right, as does Oswald's; but his nose shadow is entirely different, falling distinctly to his right, while Oswald's nose shadow is clearly centered and symmetrical.

The album raises questions also about Oswald's hair, which bears a closer resemblance to the full growth seen in photographs taken in 1959-1961 than to the thin sparser condition seen in the November 1963 photos, ostensibly taken seven months after the "rifle" snapshot. It is possible, of course, that Oswald suffered an accelerated and dramatic loss of hair during those seven months, although that is not mentioned by witnesses. The album makes a well-taken point—that is, that the hair in the rifle photograph seems fuller than one would expect from the description given by Robert Oswald. He testified that when Oswald returned from the Soviet Union in June 1962, the most noticeable change in his appearance was that he had become rather bald (LH 330-331).

These discrepancies may not be conclusive but they should have been acknowledged and evaluated by the Warren Commission.

## The Post Office Boxes

Every FBI witness from Hosty to Hoover Himself emphasized and re-emphasized that there was no reason before November 22, 1963 to suspect that Oswald was potentially violent or dangerous. Consequently, the FBI had no reason to report Oswald to the Secret Service in connection with the President's security during the Dallas visit. Presumably, then, the FBI was not aware that Oswald had ordered and received firearms under an alias at his post office box, as the Warren Commission has asserted. (The Commission reasons, by the way, that Oswald ordered the weapons in the name of Hidell so that they would not be traced to him, but overlooks the fact that this master criminal was carrying identification in the name of Hidell when he was arrested—which is certainly at variance with its first inference.)

Was the FBI really unaware that Klein's had shipped a rifle to "Hidell" at post office box 2915, Dallas? Let us examine the replies provided by the FBI to a series of questions regarding the handling of the Oswald case before the assassination which were posed by the Warren Commission and which raised new questions which were neither explored nor resolved. The FBI communication to the Commission includes the following passage (CE 2718, page 5):

8. QUESTION: The report of SA Hosty of September 10, 1963 contains the following item:

On April 21, 1963 Dallas confidential informant T-2 advised that LEE H. OSWALD of Dallas, Texas, was in contact with the Fair Play for Cuba Committee in New York City at which time he advised that he passed out pamphlets for the Fair Play for Cuba Committee. According to T-2, OSWALD had a placard around his neck reading, "Hands Off Cuba Viva Fidel."

Is this information correct as of the date indicated, and does it describe activities which occurred before Oswald's move to New Orleans?

ANSWER: Information from our informant, furnished to us on April 21, 1963, was based upon Oswald's own statement contained in an undated letter to the Fair Play for Cuba Committee (FPCC) headquarters in New York City. A copy of this letter is included as exhibit 61 in our Supplemental Report dated January 13, 1964...

Our informant did not know Oswald personally and could furnish no further information. Our investigation had not disclosed such activity on Oswald's part prior to this type of activity in New Orleans.

It is certainly clear that the FBI in April 1963 had access to the contents of letters written by Oswald, before those letters left Dallas, through an informer who was not personally acquainted with Oswald and who, it must be inferred, was able to intercept letters that he placed into the mails. In the case of the specific letter mentioned under Question 8, Oswald gave his return address as PO Box 2915 (Vincent T. Lee Deposition Exhibit No. 1), the same box to which the Carcano rifle was sent. But the FBI probably knew about that post office box much earlier than April, from informers who transmitted information about Oswald's subscriptions to "subversive" publications like *The Worker* and *the Militant*.

During this period the FBI took an interest in Oswald, according to testimony and documents, because of the suspicion that he might have been recruited as a secret agent for a foreign government during his residence abroad. A post office box is a good vehicle for the transmittal of clandestine messages such as might be sent to a secret agent by his superiors. The FBI knew that Oswald maintained post office box 2915, and the FBI enjoyed excellent co-operation with the post office officials in Dallas. Is it conceivable that the FBI did not keep a close and continuous watch on material delivered to that box, but did achieve the far more difficult feat of intercepting and reading Oswald's outgoing mail? It is preposterous!

We shall not comment on this practice in the context of the constitutional and civil rights of Oswald and the unknown numbers of citizens whose rights to privacy are violated by the FBI or other federal agencies except to express astonishment that the Warren Commission, presided over by the Chief Justice of the U.S. Supreme Court, did not see fit to mention, much less reprove, this invasion of the right to privacy. But it is not possible to excuse the Commission's failure to ask the FBI whether or not a mail cover was maintained on Oswald's post office box. Common sense insists that the box was under surveillance and that every piece of mail delivered to that box was faithfully reported to the FBI.

On that assumption, the FBI must have known that a revolver and then a rifle were delivered to Oswald's box addressed to Hidell. Is it credible that the FBI, knowing that Oswald had purchased firearms and under an alias, aware that Oswald was manifesting pro-Castro and pro-Communist sentiments, considered him "harmless" and saw no reason to report him to the Secret Service? The moment Oswald accepted delivery of a revolver or a rifle, he had to be regarded as potentially violent and dangerous to the man who had taken personal responsibility for the Bay of Pigs.



We confront the following possibilities: (1) that the FBI for its own inscrutable reasons neglected to maintain surveillance over mail delivered to Oswald's post office box, though it managed the more difficult feat of access to the contents of his outgoing letters; (2) that the FBI did maintain a watch on the post office box but that no weapons were delivered to Hidell or to Oswald; or (3) that the FBI maintained a watch on the post office box and was aware that Oswald had received two weapons under an alias, for purposes with which the FBI was in sympathy and did not wish to obstruct.

We do not suggest which theory is correct and which unfounded. We suggest only that it was a gigantic omission on the part of the Warren Commission not to ask the questions that should have been asked, and not to obtain reliable answers. Without such answers, the three possibilities remain open--including the possibility that would, if confirmed, demonstrate that an innocent Oswald was also the victim of a conspiracy whose primary victim was the President of the United States.

... (71 6)

... (71 7)

... (71 8)

... (71 9)

... (71 10)

Oswald in Detention

One aspect of the Oswald case that has remained constant throughout is that the accused assassin steadfastly maintained that he was innocent, from the moment of his arrest until he was shot to death. The Report records this fact but does not evaluate Oswald's posture of innocence in relation to the apparent wealth of incriminating evidence, both on his person or at locations to which he unhesitatingly directed the police. Nor does the Report reflect significant elements of Oswald's behavior on arrest or in detention, reported in documents and in the testimony of witnesses.

This material suggests, for example, that even as Oswald was being subdued and placed under arrest he was apprehensive of sudden death. Johnny Calvin Brewer testified,

As they were taking him out, he stopped and turned around and hollered, "I am not resisting arrest," about twice. "I am not resisting arrest." And they took him on outside.

(7H 6)

The same report is found in written statements of police officers Bob Carroll (CE 2003, page 81) and K.E. Lyon (CE 2003, page 91). If Oswald was genuinely apprehensive of death at the hands of the police, on the pretext that he was attempting to escape, he must have believed that he was marked for a frameup, as he later charged explicitly.

Sergeant Gerald L. Hill was in the car with Oswald and other policemen en route from the Texas Theater to the police station. Hill testified,

We got the suspect to the city hall as rapidly as possible...and we explained to him this--I did, before we got into the basement, that there would probably be some reporters and photographers and cameramen waiting ...and that if he so desired...he could hide his face ...as we pulled into the basement...(I) told the suspect again he could hide his face if he wanted to. And he said, "Why should I hide my face. I haven't done anything to be ashamed of."

(7H 59)

A similar report is found in the testimony of John G. McCullough, a Philadelphia reporter.

He at one time, when he was walking along the corridor ...he held his hands high so that the handcuffs he was wearing would be seen on camera. And this struck me as a little unusual, because having had many, many years as a police reporter, I have seen people who were charged with crimes try to cover their face. He made no such movement...

(15H 382)

Men have killed presidents and felt no need for shame, regarding their deed as righteous and confessing it freely and with pride. Oswald does not fall into that category. He insisted that he was innocent and that he had done nothing --by society's standards--for which he needed to feel shame. It is interesting that at the same time Oswald made no attempt to conceal his Marxist convictions, which in Texas might arouse far more fury than mere murder. It seems strikingly inconsistent on the psychological level that Oswald should reveal and defend highly unpopular political commitments, but exercise secrecy and cunning about deeds presumably inspired by those commitments and therefore, in his own mind, justified by high motives.

The records indicate that Oswald repeatedly claimed that he was the victim of a frameup. Seth Kantor's handwritten notes show that Oswald told reporters at 7.55 pm on Friday,

"I'm just a patsy."

(Kantor Exhibit 3, page 366)

William Whaley, the taxi driver, gives a vivid picture of Oswald in the lineup held on Saturday afternoon.

He showed no respect for the policemen, he told them what he thought about them. They knew what they were doing and they were trying to railroad him and he wanted his lawyer.

(2H 261)

On Saturday Oswald had visits from his wife, his mother, and his brother Robert. Robert testified that he had tried to point out that the evidence against him was overwhelming, and that Oswald replied,

Do not form any opinion on the so-called evidence.

(1H 468)

Robert's diary adds the following graphic details:

All the time we were talking I searched his eyes for any sign of guilt or whatever you call it. There was nothing there--no guilt, no shame, no nothing. Lee finally aware of my looking into his eyes, he stated, "You will not find anything there."

(CE 323, page 13)

Later on the same day Oswald was interviewed in his cell by H. Louis Nichols of the Dallas Bar Association, whom he told,

if I can find a lawyer here who believes in anything I believe in, and believes as I believe, and believes in my innocence as much as he can, I might let him represent me.

(7H 329)

Finally, the Warren Commission has omitted from its Report this next testimony, and it is really very difficult to excuse this omission. Detective B. H. Combest, who was at Oswald's left side when he was shot by Ruby, related what happened after the shot.

I didn't hear him say a word hardly, after he had been shot. He was moaning at the time Jimmy Leavelle, Graves, and I laid him down on the floor and removed the handcuffs that he had on him...At the time I asked him and talked to him trying to get him to make a statement to me at the time. Especially, after I realized how serious the wound was. When we first asked him he appeared to comprehend what I was saying...

I told him was there anything that he wanted me to tell anybody or was there anything he wanted to say right now before it was too late...trying to let him know if he was ever going to say anything he was going to have to say it then.

Hubert You thought he was dying?

Combest Yes, sir; I did.

Hubert And do you think you used language to him to convey to him your idea that he was dying?

Combest Yes, sir.

Hubert Did you get any indication that he actually understood what you were trying to convey to him?

Combest When I first started asking him he did. He looked up at me, seemed to recognize that I--who was talking to him...

Hubert But, he didn't say anything?

Combest No, sir; just shook his head and I said, "Do you have anything you want to tell us now," and he shook his head...I kept talking to him as long as I thought that he would try to answer me, hoping that he would give a dying declaration on the shooting.

(12H 185)

It is perfectly clear, then, that we are confronted not only by Oswald's insistence on his innocence during the interrogations and in the police corridors, but also as he lay dying, knowing that he was dying. Surely the significance of Combest's testimony did not escape the Warren Commission? Their "assassin" indicated even as he was being arrested fear of a frameup; he said explicitly that he was a patsy; he implied that the "overwhelming evidence" was fraudulent; and had no word or gesture of confession even when he knew that he was fatally wounded. It was the Commission's duty to weigh these facts, even if they remained convinced after weighing them that Oswald nevertheless was guilty, and to defend that conclusion. This was not done. *WITTE OR* None of the relevant testimony was included in the Report. We, then, must evaluate these matters, and decide for ourselves what they reveal, about the Commission as well as Oswald.

## The Interrogation of Oswald

We have excerpted and presented in the form of a single narrative the responses given by Oswald to questions put to him during the interrogation sessions during his detention by the Dallas police, as reported by Captain Fritz in Appendix XI of the Warren Report.

Friday November 22, 1963

My full name is Lee Harvey Oswald. Yes, I work at the Texas School Book Depository. I usually work on the second floor but sometimes my work takes me to all the other floors. [Note: Oswald probably said that he usually worked on the first floor, not the second floor as reported by Fritz.] At the time the President was shot I was having my lunch on the first floor. The police officer stopped me on the second floor while I was drinking a coca cola.

I left the building because there was so much excitement that I didn't think there would be any more work done that day; anyhow, the company is not particular about hours, I don't have to punch a clock, so I thought it would be all right to take the rest of the afternoon off.

No, I do not own a rifle, but I saw one at the Depository a few days ago. Mr. Truly and some of the others were looking at it.

When I left work, I went to my room on North Beckley and changed my trousers. I got my pistol and went to the picture show; why? you know how boys do when they have a gun, they just carry it.

Yes, I was in the Soviet Union for three years; I have corresponded with the Soviet Embassy.

(FBI agent) Hosty mistreated my wife on two different occasions; he practically accosted her. No, I have not been to Mexico City. I attended school in New York and Fort Worth; then I went into the Marines, where I finished my high school education. I won the usual marksmanship medals while in the Marines.

My political beliefs? I have none but I do belong to the Fair Play for Cuba Committee, the headquarters are in New York City. I was secretary of the New Orleans Fair Play for Cuba Committee when I lived there. I support the Castro revolution.

I didn't rent the room on Beckley in the name of O. H. Lee. It was my landlady; she didn't understand my name correctly.

Am I permitted to have an attorney? I would like to talk to Mr. Abt, an attorney in New York.

Commentary We interrupt the narrative at this point in order to comment on certain of Oswald's statements, and on the Friday interrogation as a whole.

At the time the President was shot I was having my lunch on the first floor.

We have already discussed Oswald's known movements at the Depository on Friday morning before the assassination and the testimony of Eddie Piper and William Shelley, who stated that they had seen Oswald on the first floor at noon or ten minutes of noon respectively. The Warren Report does not mention that testimony, even with the usual remark that the witnesses were probably mistaken. We consider that the testimony given by Piper and Shelley has probative value with respect to Oswald's statement that he was having his lunch on the first floor. The Commission has determined that Oswald did not bring lunch to work on that day; however, it made no attempt to establish whether or not Oswald had purchased his lunch. Buell Wesley Frazier testified (2H 221) that some of the men brought their lunch and some bought it at the Depository, from a caterer who came around at about 10 o'clock every morning. In a conscientious investigation, that caterer would have been interviewed, to see whether or not Oswald obtained lunch from him regularly, and whether or not he did so on that Friday.

It is true that at a later interrogation session, Oswald is alleged to have said that he had brought his lunch from Irving that morning. If he actually said that, it appears to be a falsehood. But there is no transcript of what he said and it would have done no harm to question the caterer and to establish that Oswald did, or did not, purchase lunch that day. At that same subsequent interrogation, Oswald also said (according to Fritz) that he ate lunch with some of the colored boys who worked with him, one who was called Junior and the other a little (short) man whose name he did not know; and (according to FBI agent Bookhout) that he ate lunch alone but recalled that two Negro employees had walked through the room, one called Junior and the other a short individual whose name he could not recall but whom he would be able to recognize.

The two men described by Oswald appear to correspond with James Jarman, Jr., and Harold Norman. Harold Norman testified that he "got with James Jarman, he and I got together on the first floor," after Norman had eaten his lunch; he had eaten in the domino room on the first floor, and thought that "there was someone else in there," but he could not remember who (3H 189). Therefore, if we assume that Oswald was lying and was not actually present on the first floor, we must acknowledge that by phenomenal luck or coincidence he described two men who were indeed there, although there was no basis for expecting or predicting that.

The police officer stopped me on the second floor while I was drinking a coca cola.

The Warren Report (page 151) asserts that Oswald had nothing in his hands when he was stopped by the police officer, citing the testimony of M.L. Baker and Roy Truly. The Report also establishes a time table for Oswald's movements between the shots (12.30) and his exit from the front door of the Depository (12.33). On the basis of reenactments by police officer Baker of his dash from a position about 200 feet from Elm and Houston to the second floor of the Depository, Oswald is allowed from 1.25 to 1.50 minutes to run downstairs from the sixth to the second floor and to go through the door to the lunchroom. A stand-in for Oswald was able to do this in 1 minute 18 seconds, and in a second try in 1 minute 14 seconds. This is very neat but it does not take into account the fact that Oswald had to outrun Truly, not Baker. Truly had preceded Baker and had run up several steps toward the third floor when he realized that Baker was no longer behind him and returned to the second floor landing (page 152). As the reenactments did not establish Truly's speed, we can only say that his minimum time was 1.25 minutes minus "x", which represents the unknown difference in time between Truly's and Baker's arrival on the second floor.

Therefore, if Oswald ran down in the minimum time of 1 minute 14 seconds and Baker ran up in the minimum time of 1 minute 15 seconds, Truly would have seen Oswald coming down--unless "x" was less than one-sixtieth of a second. Under American justice, or common sense, no man should be found guilty of a capital crime on the basis of such microscopic fractions of a second.

The problem diminishes if we decide arbitrarily that Oswald ran down at the minimum time of 1 minute 14 seconds and Baker ran up at the maximum of 1 minute 30 seconds. This would give Oswald a margin of safety of 16 seconds minus "x". But it would leave only 30 seconds for the whole encounter, including the arrival of Truly, his exchange of remarks with Baker, and their departure. It is difficult to estimate this at less than half a minute. Yet at the end of the 30 seconds Oswald was seen by Mrs. Reid walking into the office carrying a full bottle of coca cola. Mrs. Reid testified (3H 279) that Oswald was moving at a very slow pace. In order to stay within the Commission's reconstruction, therefore, we must believe that Oswald urgently fished out coins and operated the soft-drink machine, obtaining his coca cola in the fraction of the half-minute available both for the encounter with Baker and Truly and the manipulation of the machine--and having accomplished this, slackened to a very slow pace. The alternative is to believe that Oswald was speaking the truth when he said that he was drinking a coca cola when he was stopped by the police officer, and all the consequences which would flow from that.

No, I do not own a rifle, but I saw one at the  
Depository a few days ago. Mr. Truly and some  
of the others were looking at it.

FBI agent Hosty testified before the Commission on May 5, 1964. He was asked if he had questioned Roy Truly about Oswald's allegation that he had seen a rifle in Truly's possession. Hosty said that he had not questioned Truly about this and did not know if anyone else had done so. A discussion off the record then followed, after which general counsel J. Lee Rankin stated that it had been reported to him that Truly had been questioned and that he denied the incident. (4H 472). A short while later Mr. Rankin made a further statement: he admitted that he had been in error; that "there was a statement by Mr. Truly in regard to two rifles in which he explains it, as he says, innocently" (4H 474).

This incident suggests that both witness and counsel were predisposed to assume that Oswald had been guilty of falsehood when, in fact, he was telling the truth. Hosty apparently did not think it worthwhile even to make inquiries; and counsel hastily assumed that Truly had denied a story which in fact he had corroborated.

We need not belabor this point or its implications.

Hosty mistreated my wife on two different occasions;  
he practically accosted her.

Fritz stated in his report on the interrogation of Oswald that he had become "very upset and arrogant with Agent Hosty...When Agent Hosty attempted to talk to this man, he would hit his fist on the desk" (Warren Report, page 601). Hosty himself and FBI agent Bookhout, reporting on the same incident, said that Oswald was handcuffed with his hands behind him and that, on Oswald's request, Fritz had the handcuffs removed and refastened with Oswald's hands in front of him, after his outburst against the FBI in general and Hosty in particular. (4H 467).

It is true that Hosty saw Marina Oswald on two different occasions. She described these encounters to the Warren Commission as entirely amicable, as almost tantamount to a social call. However, she refused to be interviewed by the same Hosty on November 26, 1963, and at that time she indicated to Robert Oswald that she had an aversion to Hosty. Robert Oswald, who was present when this incident took place, testified that Hosty's manner was harsh and threatening (1H 409-410).

Consequently, there are sufficient grounds to warrant the assumption that Marina Oswald's account to her husband of Hosty's two visits, whether truthful or not, sparked Oswald's outburst against the FBI agent, in the splendid tradition of a man protecting his mate. His bitterness and anger were neither feigned nor irrational.



No, I have not been to Mexico City.

Captain Fritz reports that "Mr. Hosty also asked Oswald if he had been to Mexico City, which he denied" (Warren Report, page 601). Hosty and Bookhout, reporting on the same interrogation session, stated that Oswald said that "he had never been in Mexico except to Tijuana on one occasion" (page 612).

Harry D. Holmes, postal inspector and FBI confidential informant Dallas T-7, was present at the interrogation of Oswald on Sunday morning, before he was shot to death in the Dallas police basement. He was asked if Oswald had said anything about going to Mexico, and he replied,

Yes. To the extent that mostly about--well--he didn't spend, "Where did you get the money?" He didn't have much money and he said it didn't cost much money. He did say that where he stayed it cost \$26 some odd, small ridiculous amount to eat, and another ridiculous small amount to stay all night, and that he went to the Mexican Embassy to try to get this permission to go to Russia by Cuba, but most of the talks that he wanted to talk about was how he got by with a little amount. They said, "Well, who furnished you the money to go to Mexico?" "Well, it didn't take much money." And it was along that angle, was the conversation.

Belin Did he admit that he went to Mexico?

Holmes Oh, yes.

(7H 303)

Belin Is this something that you think you might have picked up from just reading the papers, or is this something you remember hearing?

Holmes That is what he said in there.

(7H 304)

Four days later counsel Belin questioned another witness, detective L.C. Graves.

Belin What about the interrogation? Do you remember any subjects that were covered?

Graves Well, I couldn't think of Mr. Kelley's name, the last time, but he questioned Oswald along the line of his activity in Mexico and in Russia.

Belin Do you remember whether or not Oswald admitted that he was in Mexico?

Graves I believe he did admit it.

(7H 257)

Holmes and Graves testified in April 1964. The Commission obtained affidavits from Thomas Kelley, on July 30, 1964, and from Forrest V. Sorrels on August 6, 1964; both of these Secret Service officials attested that they did not recall that Oswald was questioned or made statements about a trip to Mexico or about plans to travel to Cuba (7H 590 and 592).

We leave it to common sense to decide which is the more convincing—the bald statements by Kolloy and Sorrels that they did not remember that Oswald was even asked about his visit to Mexico at that interrogation session, or the testimony of Holmes and Graves. The FBI had received information from the CIA about Oswald's stay in Mexico City; it is hardly credible that he was not questioned repeatedly about his activities there. Oswald had done nothing illegal and he had no reason to deny his trip. In the face of the testimony, the Warren Commission has chosen to obtain affidavits which contradict the witnesses who gave answers favorable to Oswald, and then to pronounce solemnly that Oswald "repeatedly and blatantly lied to the police" (Warren Report, page 180).

I didn't rent the room on Beckley in the name of O.H. Lee. It was my landlady; she didn't understand my name correctly.

According to the Report (page 182) examination of the register at the rooming house revealed that the signature "O.H. Lee" was in Oswald's handwriting. It seems entirely credible that he registered under that assumed name. He had stayed at another rooming house for a week and the landlady, Mary Blodsoe, had asked him to leave. Oswald felt, whether or not justifiably, that his history of residence in the Soviet Union and his unpopular political views had provoked his dismissal from jobs and perhaps his eviction from the rooming house/ <sup>(1H 46)</sup> small wonder if he registered at the Beckley Street establishment under an assumed name; not even the Commission has seen this as criminal in motivation. Nor is it certain that he pretended that his landlady had misunderstood his name, as Fritz reported; Hosty and Bookhout, reporting on the same interrogation session, stated that "he further admitted that he was living at 1026 N. Beckley in Dallas, Texas, under the name of O.H. Lee." Hosty testified (4H 467) in the same vein.

The Commission has accepted the story that Oswald and his wife quarreled bitterly on November 18, 1963 when she learned for the first time that he was living in the rooming house under an assumed name. She had telephoned there on the preceding day and had been told that no one named Oswald was living there. It must be asked if we have been given a truthful or complete account of this episode by Marina Oswald and Ruth Paine, on whom the Commission has relied. When Oswald rented this room Marina was about to give birth to a second child and Oswald provided the telephone number of the rooming house so that he could be notified as soon as the birth seemed imminent. There would have been no point to giving that telephone number if in fact he was living under an alias, without specifying that the caller should ask for him as O.H. Lee.

Oswald wanted to be informed of the birth; it is obvious from his behavior when the event actually took place that it had great meaning for him and brought him great happiness. It is hardly plausible that he would have been so self-defeating as to make arrangements to be informed of the birth under which he could not be reached.

It is also somewhat implausible that Marina Oswald would have quarreled bitterly with Oswald merely because she discovered that he was living under an assumed name. According to her own testimony, she had maintained silence about Oswald's supposed attempt to kill Walker and then his alleged intention to stalk and shoot Richard Nixon; she had also collaborated with Oswald in concealing his trip to Mexico City from Ruth Paine and others. Why, then, should she make a crisis of so relatively unimportant a matter as his living under an alias so as to avoid hostility and eviction? Indeed, she "laughed at such foolishness" when she learned he was using "Hidell" as an alias (1H 64).

If we accept the story that the Commission has accepted, we must believe that Marina Oswald as well as Oswald himself manifested irrational feelings and behavior, when neither is considered irrational in the pathological sense.

We should now give some thought to this Friday interrogation session as a whole. We have analyzed some of Oswald's answers; but we should also examine the questions that were put to him immediately after his arrest for the murder of Tippit and on suspicion of the assassination of the President. He was asked:

1. Did he work at the Depository, and on which floor
2. Where was he when the President was shot
3. Where was he when he was stopped by a policeman (Baker) and Truly
4. Why did he leave the Depository and where did he go
5. Did he own a rifle
6. Why did he carry a pistol to the Texas Theater
7. Had he been to Russia, and had he written to the Soviet Embassy
8. Had he been to Mexico City
9. What were his political beliefs
10. Why did he rent a room on N. Beckley in the name of O.H. Lee
11. Had he won medals for rifle shooting in the Marines

It is noteworthy that not one question was asked which suggested suspicion by the police or the FBI that Oswald may have been a member of a conspiracy to assassinate the President, although when this interrogation took place (between about 2 and 4 pm Friday afternoon) the whole country and the whole world took it for granted that extremists had plotted and carried out the assassination, perhaps even a coup d'etat.

It is also noteworthy that the name Tippit is not found once in the questions put to Oswald immediately after his arrest, ostensibly for the murder of Tippit. One may say that the police naturally were more preoccupied with the assassination; very well, but Fritz had just come from the Depository, where chicken remains were found which were thought for at least 24 hours to point to a sniper who had hidden in the building in preparation for his foul deed. Oswald was not asked about the chicken remains or about the possibility that he had helped a fellow-assassin conceal himself and later escape from the Depository. Strangest of all, Oswald himself at midnight did not appear to be aware that he was suspected of or charged with the assassination of the President (Warren Report, page 201). Posing that against the allegation that no transcript was made of the interrogation of a suspect in what was surely the most important crime ever committed in the city of Dallas, it becomes impossible to avoid some scepticism about the police version of the interrogation.

Furthermore, we have been left completely in the dark about the interrogation of Oswald which took place on Friday after the first session. The Warren Report (page 198) informs us that he was questioned for five hours and fifty minutes in four sessions between 4.20 and 11.25 pm, but not one report on these interrogations is found anywhere except for a report by FBI agent Manning C. Clements (pages 614-617) dealing mainly with the contents of Oswald's wallet.<sup>1/</sup> Clements' report is the only one relating to the interrogations which took place on Friday November 22nd which mentions the name "Hidell." It is clear that Oswald was asked about the alias O.H. Lee that afternoon, when police officers sent to search his room on North Beckley Street learned that he was registered there under that name. But testimony from the police officers who brought Oswald from the Texas Theater to the police station indicates that Detective Paul Bentley (who was not a witness before the Commission) had looked into Oswald's wallet en route from the theater and, presumably, had seen the forged draft card in the name of Hidell which bore Oswald's photograph. It is astonishing, then, that he was asked nothing about the alias Hidell, but was asked about O.H. Lee, at the first interrogation. As Mark Lane put it to the Commission on March 4, 1964,

I think it is interesting that the name Lee as an alias was released immediately, although some investigation was required to secure that alias. But the name A. Hidell was not released as an alias, although that was present and obvious by mere search of Oswald's person when he was arrested...The first release of the name A. Hidell came from the district attorney's office after the FBI had indicated that Oswald had purchased an Italian carbine under that name.

(2H 46)

<sup>1/</sup>  
(see next page)

1/ Although it is not included in the Commission's accounting of the interrogation sessions, we find in the testimony that Secret Service agent Forrest Sorrels interrogated Oswald "early in the evening of November 22" in the presence of Winston Lawson of the White House Secret Service detail. Sorrels testified (7H 353) that Oswald "was arrogant and a belligerent attitude about him" and that after he had answered a number of questions he had said that he didn't care to answer any more. Lawson gave quite a different description of the same interrogation (4H 356). He said that "Oswald just answered questions as asked to him. He didn't volunteer any information. He sat there quite stoically...he didn't seem to be belligerent at all..." Lawson said further that he didn't believe that Oswald particularly resented the interrogation and that he believed that Oswald had answered all the questions put to him.

(Lawson also volunteered a significant piece of information which was ignored by the Commission--he said that he had been called out to answer a telephone call from the Preventive Research Section of the Secret Service and that "they gave us some information on people that it might have been--a case that wasn't Oswald." The Warren Report (page 30) nevertheless maintains that during the preparations for the trip to Dallas a check of the Preventive Research Section records revealed no listing for any person in Dallas or Fort Worth deemed to be a potential danger to the President!)

The matter of Hidell is a complex one and is considered in detail in another chapter. Here, let us turn now to the interrogations on Saturday.

Saturday November 23, 1963 (morning)

I picked up the name "Hidell" in New Orleans while working in the Fair Play for Cuba Committee organization. Yes, I speak Russian and I correspond with people in Russia and receive newspapers from there.

No, I do not own any rifle at all. I had a small rifle once, some years ago. You can't buy a rifle in Russia, only shotguns. I had one there and hunted once in a while, when I was living in the Soviet Union. No, I didn't bring any rifle from New Orleans. My personal possessions are stored in a garage at Mrs. Paine's home in Irving. I have a few other things in my room on Beckley.

When I left the Depository I took a bus to a stop near my room and walked the rest of the way there. I got the bus transfer on that ride. Oh, yes—I did ride in a cab. The bus I took near the Depository got into heavy traffic and was going too slowly, so I got off and caught a cab. I remember when I got in the taxi a lady came up who also wanted it but the driver told her to take another cab.

No, I never told Wesley Frazier that I was going to Irving for certain rods.

When I got home after the cab ride, I changed both my shirt and trousers before going to the show. The cab fare was about 85 cents. I put the soiled shirt and trousers in the clothes hamper.

When the President was shot I was having lunch with some of the colored boys I work with, one called Junior and the other is a little short man whose name I don't know. For lunch I had a cheese sandwich and some fruit, which I brought to work with me. No, I did not bring any long package to work.

The reason my wife lives with Mrs. Paine is that she is helping her to learn Russian, and Mrs. Paine helps my wife to care for our young baby. It is a nice arrangement for both of them. I don't know Michael Paine very well. He and his wife seem to be separated a lot of the time. No, I don't own a car but the Paines have two cars. I have some sea bags with a lot of my personal belongings in their garage; I left them there when I returned from New Orleans in September.

I have a brother, Robert, who lives in Fort Worth. The Paines are close friends of mine. No, I have never belonged to the Communist Party or had a card...but I do belong to the ACLU; I paid \$5.00 dues.

I am not going to tell you anything about the pistol. I bought it several months ago in Fort Worth. Yes, I have been questioned before, once for a long time by the FBI, when I got back from the Soviet Union. They use various approaches—hard and soft, the buddy method, yes, I am very familiar with the techniques of interrogation. But I don't have to answer any questions, you know, until I talk to my lawyer. I don't have the money to phone Mr. Abt. No, I don't want another attorney; I want to talk to Abt first. I don't know him personally but I know about a case in which Abt defended some people who were accused of violating the Smith Act. If I don't get Abt, I feel sure that the ACLU will provide me with a lawyer—that is one of the services, ACLU helps people who need attorneys and are unable to get them.

In New Orleans I lived at 4907 Magazine Street and I had a job at the William Reilly Company near that address. I had a little trouble there as a result of my working with the Fair Play for Cuba Committee—a fight with some anti-Castro people. I had a debate on a radio station in New Orleans with some of those anti-Castroites.

I haven't any views on the President. I like his family very well. I have my own views about national policy.

No, I refused to take a lie-detector test when the FBI asked me, and I certainly don't intend to take one now.

Commentary A number of the answers attributed to Oswald by those present at this interrogation undeniably are false; others may or may not be false.

I picked up the name "Hidell" in New Orleans...

As discussed elsewhere, there is considerable doubt that "Hidell" was an alias invented by Oswald. If the purchase documents for the revolver and the rifle are authentic, the name Hidell came into use in January 1963, some months before Oswald's stay in New Orleans.

Yes, I speak Russian and I correspond with people in Russia and receive newspapers from there.

These remarks, if actually made by Oswald, throw considerable light on his character. When he returned from the Soviet Union, Oswald wrote a number of essays and worked on a manuscript for a book, in which he expressed bitter disillusion with the organization of society in the Soviet Union. He excoriated the bureaucracy and the monotony of life for the ordinary individual, and displayed unequivocal disappointment and even disgust with the results of the

first great Socialist revolution. Now he found himself a suspect in two murders, imprisoned in the jail of a city which was notorious for its extreme anti-Communist passions—a city in which his political convictions perhaps were more damning than the crime of assassination. In his place, the temptation to denounce the Soviet Union and all its works must have been great. Yet he made no anti-Soviet remarks; on the contrary, he made no attempt to conceal his pro-Castro views and activities or his detestation of the FBI and, in a subsequent interrogation, freely declared that he was a Marxist. This took courage, integrity, and idealism—especially in the setting in which Oswald found himself.

My personal possessions are stored in a garage  
at Mrs. Faine's home in Irving.

It must be asked why the man who never ceased to insist that he was innocent of the crimes with which he had been charged blithely directed the police to his stored possessions, among which they found the highly incriminating photographic evidence which he must have known would tighten the noose around his neck. The official theory is that Oswald sneaked into the garage the night before the assassination to get his rifle; why did he not take the opportunity to destroy the photographs of himself holding that rifle and the revolver, and the negatives which betrayed the forgery of the selective service and Marine Corps cards in the name of Midell? To direct the police to that compromising evidence which he had not taken the trouble to destroy, when he might easily have done so, and at the same time to maintain his innocence, is another irrational act by a rational man who was categorically pronounced rational throughout the period of his custody—however prompt the reversal of opinion once he was dead.

I never told Wesley Frazier that I was going  
to Irving for curtain rods.

If Oswald made this statement, it was a lie. Wesley Frazier is a completely plausible witness, and there is every reason to believe all his testimony. He had no reason to lie and neither he nor his sister tried to incriminate Oswald (as discussed earlier), for while they testified about the long bulky package that he carried to work, their patently truthful description of the package eliminated the possibility that it contained the assassination rifle. They did not retreat, despite the imposing and subtle pressure to do so. Until it is known what Oswald carried in that package, and what he actually said under questioning, we reserve judgment.



I haven't any views on the President. I like his family very well. I have my own views on national policy.

If there is one area in which all the testimony is consistent and unambiguous, it is Oswald's friendly and even admiring attitude toward President Kennedy. Witnesses of varying backgrounds and beliefs testified to Oswald's favorable feelings about the President—members of the Dallas and Fort Worth Russian-speaking community Samuel Ballen (9H 148), George De Mohrenschildt (9H 255), Peter Gregory (9H 148-149), and Ilya Mamantov (9H 124), among others; Michael Faine (2H 399); Lillian Murret and her daughter Marilyn Murret, Oswald's aunt and cousin respectively, and members of a devout middle-class family (6H 153 and 173); and Lt. Martello of the New Orleans police anti-subversive squad (10H 60-61). No one who knew Oswald reported that he had ever said or done anything which suggested animus toward President Kennedy or his family. Consequently, Oswald's alleged reply that he had no views on the President was actually an understatement; he might have, but did not, protest that he had always entertained friendly feelings for the President; there were witnesses to corroborate that. It is difficult to reconcile that with an assassin seeking to erect a facade of innocence and to evade the consequences of his crime, by false denials and by utilizing a combination of truth and lies to counter the charges against him.

Viewing this interrogation session as a whole, we note the continued omission of questions about the chicken remains found on the sixth floor and the lack of any mention of J. D. Tippit. Nor was any question asked about the alleged encounter between Oswald and Charles Givens on the sixth floor 35 minutes before the assassination, despite the fact that police officers testified that they learned of the incident from Givens within about two hours of the assassination. We have not discussed the questions relating to the rifle, since we have reviewed the known facts in detail elsewhere and demonstrated that there is reason to doubt Oswald's ownership of the Carcano found on the sixth floor. Finally, we note that David B. Grant of the Secret Service and Robert I. Nash, U. S. Marshall, were present at this interrogation (Warren Report, page 621), but that no report or testimony from either one of them is found in the Hearings and Exhibits. Apart from Grant, five other Secret Service agents and four FBI agents who were present at some interrogation sessions were never questioned (CE 2003, page 161).

Saturday November 23, 1963 (afternoon)

Only two questions seem to have been put to Oswald at this short session: what were his previous addresses in Dallas (information presumably obtained the night before by FBI agent Manning C. Clements), and where were his personal belongings kept. Again the master criminal unhesitatingly directed the police to Mrs. Paine's house and to his room on Beckley. The photographs of Oswald with a rifle, pistol, and two newspapers, allegedly discovered by four Dallas policemen and a detective from the Irving police force in the Paine garage that afternoon formed the main subject of the next interrogation session, in which Oswald's replies are presented as a narrative, below.

Saturday November 23, 1963 (evening)

That is not a picture of me; it is my face, but my face has been superimposed—the rest of the picture is not me at all, I've never seen it before. No; I have never seen that picture before. I know all about photography, I've done a lot of photographic work myself. That small picture is a reduction of the large picture, that someone I don't know has made. I've been photographed repeatedly since you brought me here; someone took a picture of my face and faked that photograph. I understand photography real well and you'll see, I will prove that it is a fake. Now I don't wish to answer any more questions.

Commentary The photograph of Oswald with a rifle is the subject of another section, which should be borne in mind in evaluating Oswald's statements when confronted with the photograph.

Sunday November 24, 1963 (morning)

That map? It has nothing to do with the shooting of the President. I used that map to locate addresses while I was job-hunting. I don't know anything about the President's shooting or about the shooting of officer Tippit.

I don't believe in any of the established religions; I don't care to discuss my beliefs in a Dicty. Will Cuba be better off with the President dead? Someone will take his place, Lyndon Johnson no doubt, and he will probably follow the same policy.

I don't know anything about that photograph or the rifle and I never lived on Neely Street. If anyone says that they visited me there they are mistaken, because I have never lived there. I am a Marxist but not a Leninist-Marxist. The radio station in New Orleans where I was in a debate is the one that carries Bill Stuckey's program. No, I don't know any Alex Hidell in New Orleans. I believe in the Fair Play for Cuba Committee and what it stands for.

I would like to have one of my own shirts to wear over this T-shirt; not

that one, I'd rather wear something warmer, that black Ivy League sweater. No, I don't want to wear any hat, I don't want to camouflage my appearance.

Commentary From this last interrogation Oswald went to the police basement, manacled to a detective and surrounded by officers, to be shot to death. We are left only with an incomplete, sometimes contradictory, and somewhat suspect series of reports on the statements he made while undergoing about 12 hours of interrogation.

That map? It has nothing to do with the shooting of the President. I used that map to locate addresses while I was job-hunting.

Oswald's alleged reply to questions about the map now is acknowledged to be the simple truth. But on the day of his death, the map was heralded by the police and the district attorney as a damning evidence of his guilt, in public statements perhaps unparalleled for irresponsibility, unfairness, and stupidity. It may be asked whether the finding that the map was innocent and was used for the very purpose that Oswald indicated has yet caught up with the many people who were persuaded by this and other misrepresentations of evidence that Oswald had committed the crimes of which he was accused.

Will Cuba be better off with the President dead? Someone will take his place, Lyndon Johnson no doubt, and he will probably follow the same policy.

Time has confirmed Oswald's prognostication. The radical right, which has been enamored of the theory that Oswald assassinated the President on instructions from Castro, or for pro-Castro reasons, have not taken into consideration the elementary facts that Oswald recognized at once---that the substitution of Lyndon Johnson for John F. Kennedy offered no advantage to Castro or to any socialist or leftist faction, whether national or external. Can the same thing be said of the conservatives or the radical right? As this is written, Lyndon Johnson is receiving support in his foreign policy from Barry Goldwater and his faction, while the Kennedy wing of his own party is silently or forthrightly dismayed. The end results of the assassination have not, and could not have been expected to, profit any Marxist or the causes in which a Marxist believed. Oswald was no simpleton and it is clear that he harbored no illusions about the political implications of Kennedy's death. He was, then, without political or personal motive for the assassination, as this statement indicates.

I never lived on Neely Street.

There is no question but that Oswald with his wife and child did live in an apartment on Neely Street for some months in the spring of 1963. If in fact Oswald denied this during the interrogation, his motives were absolutely baffling. He would have known that there was irrefutable proof from a variety of sources that he had indeed lived on Neely Street. What purpose was served by denying it? The report of Manning C. Clements on the Friday night interview provides information on Oswald's former places of residence but does not mention Neely Street; presumably Oswald omitted that address in answering Clements' questions, and later denied to Fritz that he had lived there. If he actually pretended that he had not rented or resided in an apartment on that street, his reasons are baffling.

I don't want to camouflage my appearance.

From his arrest on Friday to his death on Sunday, Oswald declined to conceal his face; he was never cowed or shamed but maintained his personal pride and dignity, and seemingly full confidence in his ultimate vindication. He charged on a number of occasions that he was being railroaded, that he was a patsy, and that he was the victim of a frameup. He was pitifully unsuspecting of the fate that he was to meet in the police basement. Some police officers and Dallas officials saw this as arrogance and resented his failure to panic or grovel. Was his behavior characteristic of guilt, or of innocence? There is no objective test which can be applied, and the answer will depend on one's personal predisposition toward Oswald and one's private attitudes toward the nightmarish events that transpired in Dallas. What can be said without uncertainty is that the Warren Commission did not at any stage of its work appear to regard seriously the possibility that Oswald was the victim of a frameup, nor pursue vigorously indications that there was an attempt to railroad him. The Commission has calmly accepted the explanation that no transcript of the interrogation was made. Fritz testified that he had no tape recorder, his past requests for one having been denied. He wasn't asked why he had not borrowed a tape recorder; the FBI and Secret Service agents who were present at the interrogations were not asked why they had not offered one to Fritz. It is not necessary to belabor this issue; the point is that the Commission was uncritical, unseptical, and complacent in dealing with the Dallas police—not on this question alone but also on other aspects of the case, including flagrant discrepancies or contradictions in the testimony and the suspect conduct or explanations of certain officials.