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*General Editors*

John A. Garraty  
Mark C. Carnes

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etteer, however, became the leading newspaper fighting against adoption of the new constitution. It published twenty-four of the "Centinel" essays by Pennsylvania leader Samuel Bryan, as well as many other Antifederal writings. The "Centinel" writings should be read in conjunction with the Federalist's "Publius" essays—better known as the Federalist Papers—to better understand the revolutionary era. Complaints published by the Antifederalists should not be undervalued. Antifederalist fears about liberties not mentioned in the body of the Constitution—including freedom of speech, press, assembly, and petition and the right to trial by jury—threatened to prevent ratification. A political concession by the Federalists—a promise to add a bill of rights—finally overcame opposition to ratification.

As the leading Antifederalist publisher, Oswald added new enemies to the old. In 1788 Andrew Brown, his former partner in the *New York Journal*, started the *Federal Gazette* with Federalist support. Oswald's paper termed Brown an embezzler, a British army deserter, and a coward. Brown brought a libel action. The *Independent Gazetteer* claimed Brown was a tool of Oswald's enemies, including Dr. Benjamin Rush, whose brother sat on Pennsylvania's supreme court.

Oswald's enemies soon joined the attack. Pennsylvania Supreme Court Chief Justice McKean charged Oswald with contempt of court, found him guilty (no jury trial was required in contempt cases), fined him £10, and sentenced him to a month in jail. This confrontation, in *Respublica v. Oswald*, led an unsuccessful vote in the Pennsylvania legislature to impeach Chief Justice McKean. Oswald's struggles with courts and judges arguably resulted, in part, in language in the Pennsylvania Constitution of 1790 stating that juries should decide whether publications were libelous, and making truth (when "proper for public information") a defense against criminal libel charges involving public officials.

In 1792, when in England on business, Oswald volunteered for service in the French Revolution, serving as an artillery colonel at the 1793 Battle of Gemape, and later made an abortive trip to Ireland to encourage rebellious striving there. Back in France, he quarreled over back pay and the loss of a horse, returning to New York in 1794. While Oswald played the soldier of fortune and after his death in the early 1790s, his wife Elizabeth published the *Independent Gazetteer*. After his death she published the paper for a year before selling it to Joseph Gales.

Oswald died of yellow fever in New York after visiting a stricken friend, Major Charles Tillinghast. He was forty years old, this printer whom McKean had called "a seditious turbulent man." He published some of the early arguments against seditious libel and for a freedom of the press broad enough to protect criticism of government. He fought for his own rights, perhaps, more than for the rights of others, but the Antifederalist diatribes he published helped make possible the Bill of Rights.

• The sparse Oswald papers are in Miscellaneous Manuscripts at the Library of Congress; additional letters from Oswald may be found in the John Lamb Papers at the New York Historical Society. The best biographical treatment is in Joseph Towne Wheeler, *The Maryland Press 1777-1790* (1938); see also Leona M. Hudak, *Early American Women Printers and Publishers 1639-1820* (1978). Pennsylvania and national politics of Oswald's times are variously described in Robert L. Brunhouse, *The Counter-Revolution in Pennsylvania 1776-1790* (1942); Jackson Turner Main, *The Antifederalists: Critics of the Constitution* (1961), and Thomas R. Meehan, "The Pennsylvania Supreme Court in the Law and Politics of the Commonwealth, 1776-1790" (Ph.D. diss., Univ. of Wisconsin, 1960). For an assessment of Oswald's contributions to defining press freedom, see Leonard W. Levy, *Emergence of a Free Press* (1985); Dwight Teeter, "The Printer and the Chief Justice: Seditious Libel in 1782-1783," *Journalism Quarterly* 45 (Summer 1968): 235-42, 260; and "Decent Animadversions," in Donovan Bond and W. Reynolds McLeod, eds., *Newsletters to Newspapers: Eighteenth-Century Journalism* (1977).

DWIGHT L. TEETER, JR.

**OSWALD, Lee Harvey** (18 Oct. 1939-24 Nov. 1963), alleged assassin of President John F. Kennedy, was born in New Orleans, Louisiana, the son of Robert E. Lee Oswald, a collector of insurance premiums, and Marguerite Claverie, a telephone operator and sales clerk. Because his father died two months before his birth, forcing his mother to work, Lee, together with his brother Robert and half brother John Pic spent much of his early childhood in orphanages. In 1945 Marguerite married Edwin A. Ekdahl and moved to Fort Worth, Texas. This marriage did not last, however, and Lee had a difficult time, being shuffled from place to place and from school to school. When Lee was thirteen, they moved to New York City. Because of repeated truancy violations, he was confined to a youth house for six months. A psychological evaluation found him of above average intelligence but tense, withdrawn, and shy. In early 1954 Marguerite moved back to New Orleans, where Lee attended school, participated in the local squadron of the Civil Air Patrol, and became interested in Marxism. In July 1956 they moved back to Fort Worth, and three months later Lee Harvey Oswald joined the marines.

Because of his high intelligence test scores, Oswald was assigned to a marine air radar unit that operated in the supersecret Central Intelligence Agency-controlled U-2 spy plane section at the Atsugi Air Force Base in Japan. Oswald's access to classified information about the U-2, his mysterious disappearances from his unit for several days at a time, and his learning the Russian language during his two-and-a-half-year stint in the marines have given rise to speculation that he had been recruited by a branch of American intelligence. No positive evidence of Oswald's links to U.S. intelligence has ever been produced, although the destruction of the Defense Department's intelligence files on Oswald and the withholding of millions of pages of documentary evidence on the Kennedy assassination by the CIA, the Federal Bureau of Investi-

gation, and other government agencies leave the question open.

On 3 September 1959 Oswald received a hardship discharge, ostensibly because he had to help his ailing mother. In reality, he visited her for only one day and on 17 September boarded a freighter bound for Europe. On 15 October Oswald arrived in Moscow and at the end of the month entered the American embassy, where he renounced his American citizenship and declared his intention to reside permanently in the U.S.S.R. The only evidence of Oswald's life in the U.S.S.R. consists of an alleged "Historic Diary." The suspicious nature of the diary, replete with misspellings and grammatical mistakes uncharacteristic of Oswald's other writings, and the many erroneous dates it contains leave its authenticity unresolved. In March 1961, while living in Minsk and working at an electronics plant there, Oswald married Marina Prusakova, the niece of a colonel in the KGB. On 2 June 1962 Oswald, disillusioned with the U.S.S.R., left for the United States with his wife and child, arriving in Fort Worth two weeks later.

Oswald worked at a photographic company for a few months but lost his job and failed to find another. In Fort Worth and Dallas, Lee and Marina Oswald made friends with George and Jeanne DeMoreschildt, both of whom had extensive backgrounds in intelligence activities. In March 1963 Oswald purchased a Mannlicher-Carcano 6.5mm rifle through the mail, and some writers claim that he used the weapon in an attempt on the life of retired army major general Edwin A. Walker, although conclusive evidence of the incident has never been developed. The following month he moved to New Orleans, where he got a job at a coffee company. During his five months in New Orleans, Oswald outwardly posed as a Marxist and a staunch supporter of Fidel Castro's regime in Cuba. However, all of his known acquaintances of the time were men of extremist anti-Communist, right-wing views. On 25 September 1963 Oswald took a bus to Mexico City, where he spent a week visiting the Soviet and Cuban embassies. On 1 October he arrived in Dallas, where he rented a room by himself. In the middle of the month he got a job as an order filler at the Texas School Book Depository.

Although Lee and Marina lived apart, he often visited her at the Irving residence of Ruth Paine, especially after their second child was born. On 21 November Oswald made an unusual weekday visit to the Paine home, supposedly to obtain curtain rods to install in his room. On the morning of 22 November Oswald, carrying a package in a brown paper bag, rode to work with fellow depository employee Buell Wesley Frazier. He was last observed on the building's first floor at about 12:20 P.M., ten minutes before the assassination of President Kennedy. At the time of the assassination, a spectator named Howard L. Brennan observed a man, whom he later identified as Oswald, fire a shot at the presidential limousine. Two other witnesses saw Oswald in a second-floor lunchroom less than two minutes after the assassination, and he was

also identified as taking a Dallas bus and a taxi minutes later. At 1:00 he was spotted entering and then leaving his rooming house. Fifteen minutes later, witnesses saw Oswald at the scene of the murder of Dallas police officer J. D. Tippit, and running away from the scene. Observed entering a nearby movie theater at 1:45, Oswald was arrested there minutes later. Taken to Dallas police headquarters, he vehemently denied complicity in either the Kennedy assassination or the Tippit murder. At 11:20 A.M. on 24 November 1963, as Oswald was being led into the basement of police headquarters to be transferred to the more secure Dallas county jail, Jack Ruby, a Dallas nightclub owner, bolted from a crowd of police and reporters and fired one shot into Oswald's abdomen. Oswald was rushed to Parkland Hospital but died during surgery because of massive internal hemorrhaging.

President Lyndon B. Johnson appointed a commission headed by Chief Justice Earl Warren to allay public concerns about the Kennedy and Oswald assassinations. In September 1964 the commission issued its report, which found Lee Harvey Oswald solely responsible for the murder of President Kennedy, the simultaneous wounding of Texas governor John B. Connally, and the murder of Officer Tippit. The Warren Commission in particular emphasized that it found no evidence of a conspiracy. In finding Oswald guilty, the commission pointed to the eyewitness identification of him as the sixth-floor gunman, the discovery of his rifle and cartridge cases on the sixth floor, the medical evidence proving that all shots came from the rear, and Oswald's shooting of Officer Tippit. The best case for the argument that Oswald was the sole assassin has been made by Gerald Posner in *Case Closed* (1993). However, under pressure from Johnson to conduct a hasty inquiry, and handicapped by the destruction of evidence by various federal agencies and the suppression of several million pages of documents relating to the assassination, the Warren Commission failed to resolve conclusively the question of Oswald's responsibility.

In the opinion of the present writer, the evidence makes it likely that shots were fired by two assassins, prima facie proof of a conspiracy. A film of the shooting made by spectator Abraham Zapruder demonstrates that Kennedy and Connally could not have been wounded by two separate shots fired from Oswald's bolt-action rifle, as the Warren Commission contended in its controversial "single bullet theory." A bullet from Oswald's rifle allegedly found on Connally's stretcher at the hospital was in such pristine condition that most authorities agree that it could not have inflicted the wounds on the two men. The explosive impact of the fatal shot on the president's head and the sharp backward movement of the head indicate that the bullet was fired from in front. The sighting of Oswald in a second-floor lunchroom only ninety seconds after the assassination makes it virtually impossible for him to have fired the shots from the sixth floor. The incompetence of the autopsy on Kennedy leaves many medical questions unanswered

*not  
to call*

*none  
really  
in it one from  
depository*

*weekly visit*

\* Oswald left no collection of papers. His "Historic Diary," address book, personal letters, and other paraphernalia are in the National Archives, Records of the President's Commission on the Assassination of President Kennedy, RG 272. These, together with the assassination records of all federal agencies, will be gathered in the President John F. Kennedy Assassination Records Collection in the National Archives. Although the collection will contain a considerable amount of material unrelated to Oswald, it will become the center of primary source material on him. Of the many studies of the assassination, the most significant dealing with Oswald include Edward Jay Epstein, *Legend: The Secret World of Lee Harvey Oswald* (1978), which provides a stimulating account of Oswald's possible ties to American intelligence agencies; Don DeLillo, *Libra* (1988), a fascinating novel in which Oswald is the central character; Michael L. Kurtz, *Crime of the Century: The Kennedy Assassination from a Historian's Perspective* (1982), which raises serious questions about Oswald's guilt, and "Lee Harvey Oswald in New Orleans: A Reappraisal," *Louisiana History* 21 (1980): 7-22, which documents Oswald's "double life" in New Orleans; Priscilla Johnson McMillan, *Marina and Lee* (1977), which covers their personal relationship from Marina's perspective; Gerald Posner, *Case Closed: Lee Harvey Oswald and the Assassination of JFK* (1993); and Norman Mailer, *Oswald's Tale: An American Mystery* (1995). President's Commission on the Assassination of President Kennedy, *Report of the President's Commission on the Assassination of President Kennedy* (1964), commonly called the Warren Report, details some parts of Oswald's life and the commission's case against him. U.S. House of Representatives, Select Committee on Assassinations, *Report of the Select Committee on Assassinations* (1979), concludes that Oswald and another gunman fired shots and emphasizes the "probability" of a conspiracy.

MICHAEL L. KURTZ

*none on as. stuff*

**OTERO, Miguel Antonio** (21 June 1829-30 May 1882), politician and businessman, was born in Valencia, New Mexico, then a province of the Mexican Republic, the son of Don Vicente Otero and Dona Gertrudis Chaves y Argon. Vicente Otero was primarily a farmer and merchant but also filled local judicial positions under the Mexican government. Miguel Antonio Otero entered St. Louis University, St. Louis, Missouri, in September 1841 and continued his education there until the outbreak of the Mexican-American War in May 1846, at which time his parents sent for him. In 1847 he enrolled at Pingree College, located in Fishkill on the Hudson, New York. Within a short time he became a teacher at the college and also an assistant to the principal. In 1849 Otero commenced the study of law, first with James Thayer, an attorney living in Fishkill on the Hudson, then with a General Sanford in New York City during the winter of 1849-1850, and finally with Trusten Polk in St. Louis, Missouri, from 1851 to 1852. Otero was admitted to the Missouri bar in the spring of 1852, immediately after which he returned to New Mexico, now a U.S. territory. That same year he took a herd of sheep, presumably the property of his brother, Antonio José Otero, overland to California.

After his return from California, Miguel Otero began a law practice in Albuquerque, New Mexico, but shortly accepted the position of private secretary for

William Carr Lane, territorial governor of New Mexico, serving in that capacity until the end of Lane's term in 1853. In September 1852 Otero was elected to the New Mexico territorial legislature. He represented Valencia County in the house during the Second Legislative Assembly, convened in December 1852. According to his son, Miguel A. Otero, Jr., Otero supposedly served as the attorney general for New Mexico Territory for a period during Governor David Meriwether's administration, 1853-1857; however, Miguel Otero is not listed as such in the first edition of the *New Mexico Blue Book* (1882).

After declining a presidential appointment as U.S. district attorney for New Mexico Territory, Otero was elected New Mexico's delegate to Congress in 1855. He held this seat for three consecutive terms, from 1855 to 1861. In 1857 he married Mary Josephine Blackwood; they had four children, three of whom survived to adulthood. A Democrat, Otero persuaded the New Mexico legislature to pass a slave code in 1859, thus aligning the territory with southern interests. He also endeavored as delegate to get a transcontinental railroad routed through New Mexico and made an attempt to secure statehood for the territory. In September 1859 Otero fought a bloodless duel with John S. Watts, a former associate justice of the New Mexico Supreme Court and a political adversary.

In 1861 President Abraham Lincoln appointed Otero secretary for New Mexico Territory. Lincoln had previously offered Otero the post of U.S. minister to Spain, which Otero declined. Because of Otero's known Southern leanings, he was not confirmed in his post by the U.S. Senate, thus he only served as secretary from April to September. According to one short biography, Otero "never favored secession, but sympathized with the South" (Speer and Brown, p. 31). However, New Mexico historian Ralph E. Twitchell charges that Otero was involved in a "conspiracy" that would have enabled the Confederacy to seize control of the forts and military supplies in the Southwest. Twitchell also states that Otero "secured the distribution of an address, in Spanish and English, throughout the territory inciting the people to rebellion" (Twitchell, *Old Santa Fe* [1925], p. 369). Neither effort, if they indeed occurred, succeeded.

After the loss of his secretarial appointment, Otero focused his attention on business pursuits. He moved to Kansas City, Missouri, in 1862, where he had formed a partnership with David V. Whiting. Whiting & Otero, as the firm was called, conducted a forwarding and commission business out of Kansas City and later New York City as well. In 1864, after apparently severing his business ties with Whiting, Otero moved to Leavenworth, Kansas. There he was a silent partner in C. R. Morehead & Co., also a forwarding and commission firm. While at Morehead & Co., Otero became acquainted with bookkeeper John Perry Sellar, and in 1867 the two started their own forwarding and commission business at Fort Harker, Kansas, then the western terminus of the Union Pacific Eastern Division (afterward the Kansas Pacific). The Otero & Sel-