

1/6/70

Inv 3-13:2-3

If it was desired to keep Brain out of Dallas for a while, this was a perfect way of doing it (I do not know this to have been the case, but it was the effect). It is true, as Hoover never indicates, that the Dallas police had a hangup on the FBI, one of the rare cases it shows (and Curry doesn't even hide it in his book), but there is no reason to believe they referred Brain to Hoover, for example. FBI custody should have satisfied them. And they knew damned well Brain wasn't sleeping in a safe with this evidence. So, I just wonder a little if Hoover had something going here I do not detect.

One possible inference of the third paragraph is that Rankin desired the clothing not to be in Dallas for that trial.

The explanations of the phone numbers, seemingly fortuitous, are not.

What was Oswald doing with "the general telephone number for the City of Dallas" after he had been frisked and stripped? The most obvious suggestion is that this is the number through which the jail phone he had available to him worked, which tends to corroborate the repeated rumors of a special phone call he is alleged to have made. If it were the number on which he could be called, then, of course, he should have had it. But this also means eavesdropping on him was child's play.

And why was not McDermid's number in his pocket--the whole slip of paper allegedly given him, with the number and the message? This lack seems to debunk the police claim to have given him the message.

I do not know whether or not Abt is in the Freedman & Unger law firm. If he is not, that it strikes me as strange Oswald didn't have it in his possession when shot, for he had never been told Abt would not take the case. If Abt is not in that firm, we have no explanation for this number, also never having been alleged to have called it.

Strange now there is never an explanation that really explains or that doesn't raise new, unanswered questions.

OFFICE OF THE DIRECTOR-



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D.C.

February 3, 1964

Honorable J. Lee Rankin  
General Counsel  
The President's Commission  
200 Maryland Avenue, N. E.  
Washington, D. C.

Dear Mr. Rankin:

Reference is made to your letter of February 1, 1964, wherein you requested items of clothing worn by Lee Harvey Oswald at the time he was arrested in Dallas by the Dallas Police Department.

Appropriate arrangements were made with District Attorney Henry Wade and the Dallas Police Department to obtain the items of clothing desired. In order to obtain these items of clothing it was necessary to promise the Dallas authorities that these items of clothing would be returned to Dallas by the end of this week in order that they would be available for a hearing on the Jack Ruby case to be held on February 10, 1964. In addition, it was necessary to sign a receipt showing that these items of clothing would be retained in the custody of Special Agent Vincent Drain until returned to the Dallas, Texas, authorities.

This was discussed with you telephonically on February 1, 1964, and you agreed that these items would be made available in sufficient time to return them to the Texas authorities or, if for some reason this could not be done, you would work out the necessary arrangements with the Texas authorities.

Prior to showing the items of clothing to Messrs. Melvin Eisenberg and Norman Redlich of your staff on February 2, the clothing was examined to see if any extraneous material was located in the pockets. A small slip of paper bearing four telephone numbers was located, which are as follows: OR 9-6450, RI 8-9711, AC 2-4611, and CO 7-3110. Appropriate inquiry by our New York and Dallas offices has resulted in these numbers being identified as follows:

114V 3-13 PAGE 2

Honorable J. Lee Rankin

RI 3-9711 is the general telephone number for the City of Dallas, Texas.

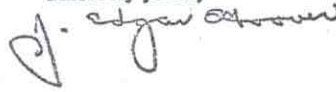
OR 9-9450 is the telephone number for "The Worker", 23 West 26th Street, New York City. (This is the East Coast Communist newspaper.)

CO 7-3110 is the telephone number for the law firm of David Freedman and Abraham Unger, 320 Broadway, New York City. (The firm of Freedman and Unger has represented the Communist Party and various members on numerous occasions for a number of years.)

AC 2-4611 is listed to John J. Abt, 444 Central Park West, New York City, and Jessica Smith, the wife of Abt who uses her maiden name as a practicing attorney. (Both Abt and Smith have represented members of the Communist Party for a number of years.)

I would appreciate your advising when these articles of clothing have served their purpose in order that they may be returned to the Dallas authorities.

Sincerely yours,

 J. Edgar Hoover