

(Gordon has just introduced Jenner and allows him to make statement in response to what Groden et al have previously said):

JENNER: Were I not an experienced litigator I would be very angry by the fact that the people ~~the~~ of the United States are being so grossly misled by these gentlemen who are on this program, who slander every member of the Commission and the Commission's staff and who make assertions which in no respect--there hadn't been a factual statement uttered by these three gentlemen up to the moment. One of the problems, ladies and gentlemen, in these matters is those who accuse and those who are careless and those who have no responsibility to the people of the United States of America, they pick a piece here, a piece there, an assertion here, an assertion there, Mr. Jones is especially one who asserts things that have absolutely no foundation of truth whatsoever, which would take 8 or 10 of these programs to answer as to each one. Now what I want to say to the people of the United States who are looking at this fine program is that you must go back to the fundamentals here.

The Commission was appointed by President Johnson of leading men and the--two from the Senate, 2 from the House, and the former head of the CIA, Mr. Allen Dulles, a tremendous gentleman, one or two others who was mentioned by these gentlemen, and the Chief Justice of the United States of America, Earl Warren. They gathered together a staff of lawyers from all over the country, young, middle-aged and old, as the case might be, litigators, professors of law, practitioners generally, all of whom since the time of that Commission have been (disporting?) themselves to the great credit of their and the credit of their country and community. The Commission at the outset, said by Earl Warren, "We seek the facts, no matter where they may lead." When I came aboard in late December of 1963, I was told not only by Lee Rankin, the then retired Solicitor General of the United States of America, the chief counsel to the Commission, and by Mr. Chief Justice Warren on the Commission itself, that this staff must seek out and cover every possible claim which, as Mr. Rankin put it, every jack-rabbit that you see jumping out of a hole, no matter what the assertion may be, no matter how you may feel at the outset, that it's ridiculous to go ahead and investigate that particular matter. We also were instructed and we pursued the policy of not talking to any witness in advance of our examining the witness under oath, and all witnesses were examined under oath and a ~~total~~ record was kept, certified stenographic record of all conversations with and all examinations of all of the witnesses. And that record is preserved.

Now, an assertion has been made here, for example, and you can't take up all of these jack-rabbits that have been uttered on this program, I wish to take the fundamental one, and that is the challenge that Lee Harvey Oswald was not on the sixth floor of the TSED building and that he was not the person who shot the President and murdered, or assassinated him as we say with respect to high offices of the government.

My task force as a senior counsel covered the areas of conspiracy, motive, and most important, the life and background of Oswald.

I followed him with my staff from the day of his birth on Aug. 19, 1939, to 8:20 in the morning of Nov. 22, 1963, as he entered the TSED building with the Mannlicher-Carcano rifle under his arm, in brown paper wrapping.

Now, let us make the scene, and all I can do is convince the people of America on the facts at the time, at exactly 12:30 or 12:31 in the afternoon of Nov 22, there was seated on the viewpoint (unintelligible) stone wall there, there was seated there a gentleman by the name of Brennan, who at the time was working, doing work in the TSHD building as an independent contractor. He had been to lunch, and he was seated there facing the TSHD building, and he looked up, as curious, waiting for the entourage to come along. And he noticed somebody whom he later identified as a man about in his thirties, 5 foot 10 tall, weighing somewhere between 160 and 170 pounds, and he gave that description to the police immediately following the assassination of President Kennedy. Within minutes he rushed over and gave that to the police and that was the identification that ultimately they were able to employ in order to run Oswald down in the Texas theater after he had murdered Officer Tippit in his effort to escape from having assassinated President Kennedy. So he saw him in the window.

Now, in addition to that, as the motorcade went down Houston, as it turned to the right to the north on Houston and then when it reached the intersection of Elm St. and Houston turned left and went down that diagonal, there were newspaper men, photographers and other newspaper men who are experienced in identification. And they looked up and they saw as Mr. Brennan had seen, not only the man in the window, but as Mr. Brennan testified, the man with a rifle in his hand, aiming the rifle at the President. And a motorcycle policeman who was in the midst of the motorcade, who had just returned from a hunting trip, when he heard the shots and looked up, he saw arising from the top of the TSHD building, pigeons. And he also saw in the window on the fifth floor, Oswald was on the sixth floor, two gentlemen who were watching the parade. Immediately following...

(Gordon interrupts for break. Asks to expedite after break, for time reasons)

(tape picks up)...up to the sixth floor and found the cartridge casings, the 3, on the floor, at the window on the sixth floor of the TSHD building. They then moved down the hall and they found the Mannlicher-Carcano rifle which Oswald had used to assassinate the President, hidden among boxes on the sixth floor. In the meantime, the motorcycle policeman who had rushed into the building, went upstairs or tried to go upstairs with the superintendent of the TSHD building, and found that the elevator was stuck upstairs, and they went up the stairway and found Oswald walking away on the second floor. And when the policeman with drawn gun sought to hold up--hold Oswald, the superintendent said, "Oh, that's one of our employees." And they turned and then rushed upstairs because that's where the noises had come with respect to the ~~shooting~~ shots that had killed President Kennedy.

Oswald then rushed downstairs and took a bus 7 blocks away from the TSHD building, and he turned out to be the only employee of the TSHD establishment who was not still in the building when the police began to bring everybody together. He was identified on that bus by his former landlady, Mrs. Eledsoe. When the bus came back down to the crowded area and was being held up, Oswald jumped off the bus and got into a cab. The cab driver appeared as a witness and testified to taking Oswald not directly to his home in Dallas, but 7 blocks beyond. When he came back his landlady was amazed that he was in that home at that time of the afternoon. He went in, put on a jacket, and left, at that time picked up a pistol which he had also ordered by mail order under the false name of A. Hidell.

And he left then and he came down Patton St. and 10th St, and in the meantime the police had been alerted through the description of Mr Brennan and that poor Officer Tippit, in his squad car, seeing a man of that description pulled over to the curb. Oswald came to the window, placed his arms on that window. Officer Tippit got out of the left side of the car, was moving over with his gun in his hand, and Oswald shot and killed him, four times with four shots. He then rushed back, down toward Patton St, as he tried to empty the casings out of the pistol, 2 ladies in--not only 2 ladies in the corner house saw him do that, but 2 ladies across the street at the intersection saw him do the same thing, and a cab driver who was frightened to death, all of whom had exhibited the murder of Officer Tippit likewise saw him, and those casings were--been picked up, 2 by the ladies and 2 by police officers. He then rushed back down Jefferson St, went into a gas station, into a parking lot near it, took off his jacket, he being identified by various people along this route, and then rushed down Jefferson St. When he heard the scream and siren of a squad car he was opposite a shoe store. He rushed in the entrance of a shoe store, turned his back, and when the squad car turned around, he then rushed down the street to the Texas Theater. The owner of the shoe store, noticing that he had done this and noticing that the squad car turned around and being alerted to the fact that the President was shot at the TSHD area, followed him into the Texas School Book--into the Texas Theater, alerted the cashier, the ticket taker. The police were then alerted. They surrounded the Texas Theater, and turned on all the lights, and Mr. Oswald was found in that Texas Theater with his gun in his hand and he attempted when officer MacDonald attempted to arrest him, to ~~sh~~ shoot Officer MacDonald who thrust his right arm away so he couldn't shoot.

Now the pistol was identified by all ballistics experts as being that of Oswald, as being the gun that discharged the shots into the body of Officer Tippit. In the meantime, as all of you know, Oswald had purchased the Mannlicher-Carcano rifle in the same way, by mail order house, that he had obtained the pistol. So the evidence is overwhelming, overwhelming, ...

(Gordon stops him now, notes others want to ask him questions).