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involved in it. Their testimony about Oswald or "Oswald" and his mysterious friends hinges around an unforgettable incident in which Oswald was the first man ever to order a lemonade in Pena's establishment, and Rodriguez did not know what it was. Pena told the bartender how to concoct a synthetic one. The affair ended, after earlier arguments about Pena's prices, with the non-drinking "Oswald" getting sick all over the place in a spectacular manner none had forgotten. Orest, however, had additional things to say, about the FBI and Bringuier especially.

Orest had been a member of the Cuban Revolutionary Council of sufficient prominence to have his picture on the front page of the New Orleans papers (11H367-8). FBI Agent De Brueys, he said, was "sticking with the organization very, very close" (11H361). Orest passionately denounced his former friend Bringuier as an enemy of the United States, who "hates the United States more than he does Russia" (11H353). Quoting Spanish obscenities he says Bringuier addressed to the United States, Pena challenged Liebelier, if he did not believe him, "let him (Bringuier) and me take a lie detector test and see who is right on it". Orest declared he had never done anything against the interest of the United States and was told by Liebelier, "I have no reason whatsoever not to believe you". Pena attributes Bringuier's hatred of the United States to its Cuban policy.

Pena's disputes with the FBI had two unrelated causes. First, he had been reporting the pro-Castro Cubans who patronized him to the FBI and the FBI was staying so close to him it hurt his business (11H361). Also, he had been questioned by them so many times in connection with the Oswald case, he was so annoyed he got a lawyer (11H350).

Oswald's identity was unknown to him and Rodriguez until following the assassination, when they saw Oswald on television. At that time Rodriguez "run from his house to my house to tell me about it" (11H356).

Ruperto Pena had little to add (11H364-7). He described himself, through interpreter FBI Agent Richard E. Logan, as "more or less pro-Batista". He was not in the bar at the time of Oswald's visit, but he did discuss it later with Rodriguez (11H339-46), upon whom the first mention he had ever heard of lemonade made a lasting impression.

Speaking through the same interpreter, the night bartender, Rodriguez, recalled the patronage of "these two men (who came into the bar). One of them spoke Spanish (and) ordered the tequila ... Then the man I later learned was Oswald ordered a lemonade. Now, I don't know what to give him because we don't have lemonades in the bar. So I asked Orest Pena how to fix a lemonade. Orest told me to take a little of this lemon flavoring, squirt in some water, and charge him 25 cents for the lemonade, and that's the incident surrounding this situation" (11H342).

It was really only the beginning. There was an exchange of unpleasantries about the prices, and Oswald apparently found one of the Rodriguez lemonades enough. He switched and got drunk, with such a monumental illness that Rodriguez described it thus: "He got sick on the table and on the floor" and into the street where "he continued to be sick". Oswald's companion "could have been a Mexican", but Rodriguez said "at this point I don't recall". He was positive that the man was hairy, a description subsequently used by Mrs. Sylvia Odio in detailing the appearance of the two men who accompanied the man introduced to her as Oswald. In other respects their descriptions also agree. This man was about 5'8" and rather stocky. They, as did other witnesses, clearly recalled this man's "receding hairline".

Unable to recall the exact date, Rodriguez related it to what was then undoubtedly a big thing in the Cuban colony, the Bringuier demolition of the Oswald handbill distribution. Rodriguez said Oswald's only recorded pub-crawling was a few days either side of the incident. His recollection of the lemonade incident was so clear

he even described the part of the bar in which the pair was seated (11H343).

Rodriguez made positive identification of Oswald from pictures (11H345). His opinion of the faithfulness with which the three different pictures represent Oswald coincides with that of Mrs. Odio (11H383). They were shown Bringuier Exhibit No. 1 (21H173), Garner Exhibit No. 1 (20H4), and Pizzo Exhibit 453-C (21H140). Each made immediate identification from the Bringuier exhibit. Rodriguez said of the Garner photograph that the Bringuier one seemed a better representation (11H345-6). Mrs. Odio said of the Garner picture that, while she could identify "Oswald", he did not look quite the same (11H385). Shown the Pizzo picture, Rodriguez (11H346) and Mrs. Odio (11H385) each indicate a difference in appearance.

FBI Agent Logan summarized Rodriguez's picture testimony, saying, "In his mind 'Bringuier Exhibit No. 1', which has the man with the 'X' on him is the man who was in the bar and who he later learned was Oswald. This picture stands out in his mind the best, reminds him of the man best; this one (Pizzo) appears to him to be Oswald, but he still says the other photograph is the one he can best identify ..." (11H346).

Closely paralleling the testimony of the Cubans was that of Attorney Dean Adams Andrews, Jr. (11H325-39), who flavored his remarks with a pungency of speech and picturesqueness of phrasing that lent an unseemly lightness to the seriousness of the occasion. He also volunteered expert data on firearms and other unsolicited information.

In the summer of 1963 "Oswald came into the office accompanied by some gay kids. They were Mexicanos. He wanted to find out what could be done in connection with a discharge, a yellow discharge ... when he brought the money I would do the work, and we saw him three or four times subsequent to that, not in the company of the gay kids. He had this Mexicano with him ...". Later Andrews saw some of these "gay kids" professionally after a police "scoop" that resulted in the arrest of about 50 "for wearing clothes of the opposite sex". Andrews apparently has more than a fair share of this kind of clientele from the Latin population. Asked to estimate the volume, he said, "Last week there were six of them... Depends on how bad the police are rousting them. They shoo them in. My best customers are the police ... God bless the police" (11H336).

Andrews' link with this element was a semi-mysterious Clay Bertrand, whom he described as "a lawyer without a briefcase" (11H337). Bertrand frequently phoned him on behalf of the homosexual clients "either to obtain bond or parole for them. I would assume he was the one that originally sent Oswald and the gay kids ... because I had never seen those people before at all" (11H331).

He is looking for Bertrand and the Mexican but indicated the latter was no longer in New Orleans because "he just couldn't have disappeared because the Mexican community here is pretty small. You can squeeze it pretty good... He is not known around here... Not too many places they can go without being noticed". His search was subsequent to the assassination (11H331). Bertrand owes him money, and Andrews connects both with the assassination. Six weeks prior to his July 21, 1964, appearance, he saw Bertrand in a bar and he "spooked" through another entrance when Andrews sought a phone to alert the FBI. Andrews berated himself for not following his instinct, saying, "What I wanted to do and should have done is crack him on the head with a bottle... I probably will never find him again... he could be running because they have been squeezing the quarter pretty good looking for him... somebody might have passed the word he was hot and I was looking for him..." (11H334,337). Andrews indicated the FBI is also looking for at least the Mexican, and said, the FBI needs "Latin stools for that boy".

Andrews also saw Oswald distributing his literature outside his office and said there were "a lot of guys... that will tear your

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Monk if he would go over ... I thought I called Monk once. Monk says we talked twice" (11H337). No lawyer - no one named Zelden appeared before the Commission.

These clear evidences of a "False Oswald", the connections of the real or false one with Cuban refugee groups and the attempted establishment of a "cover" in New Orleans are totally ignored by the Commission in its exhaustive inquiry into Oswald's trip to Mexico City, from September 26 until October 3, 1963 (R299-311,658-9,730-6).

But it is in this context only that his trip makes sense or has reason. Except for the collateral benefits of being able to quiet rumors and speculations about his possible connections with foreign governments, this tremendous effort in which presumably the FBI and CIA collaborated, possibly with some help from the State Department and in which the Mexican Government assisted, was wasted. There are few things Oswald said or did during the trip that remain unknown. Passengers who shared the buses were tracked down all over the world and interviewed. They recalled his conversation (pro-Castro, and he hoped to get to Cuba), what he ate, where he ate it, where he slept, who he saw where - all are completely and uselessly recorded. Even details of his conferences with the officials of the Cuban and Russian consular staffs are recorded. These included a fight he had with Cuban Consul Eusibio Azque, a long-time career civil servant.

Upon being told by Senora Silvia Tirado de Duran, a Mexican national employed by the Cuban consulate, that there would be four-month delay in consideration of his visa application, Oswald blew his stack. All those press notices, all the trouble he had gone to, all his phony "Fair Play for Cuba" activity which he showed Senora Duran, were wasted. When Oswald became "very excited", Azque came out of his office and began a heated discussion with Oswald that concluded by Azque telling him that a person of his type was harming the Cuban Revolution rather than helping it.

None of the rest of Oswald's Mexican trip had any bearing on what led to the assassination. It is a truly impressive investigation, a credit to the competence of the investigative agencies, but immaterial because it is out of context.

Oswald "blew his cover", in the terminology of the intelligence trade. And he returned to Dallas.

It was later revealed that he had been kept under surveillance (Newsweek, 12/9/63). This is clear from the knowledge the FBI had of him, disclosed in the very first interrogation November 22, 1963.

Whatever value Oswald might have had to his Cuban associates, he had none when he left Mexico City. He was, to them, the most expendable of men.

Meanwhile, back in Dallas, the "False Oswald" and his companions were busy. Within a day or two of Oswald's departure from New Orleans, they knocked on the door of the modest apartment of Mrs. Sylvia Odio, the United States-educated daughter of a once prominent Cuban couple, then imprisoned on the Isle of Pines (R321-4;11H367-89).

Representing themselves as friends of her father and as coming from the Cuban anti-Castro group known as JURE, led by Manolo Ray, they quickly overcame her initial uneasiness. Ray, she said, "is a very close friend of my father and mother. He hid in my house several times in Cuba" (11H369). The presumed purpose of their visit was to enlist her assistance in JURE activities. To a degree, she assented.

The detailed information these men had about her family convinced her, "... details about where they saw my father and what activities he was in. I mean, they gave me almost incredible details about things that somebody who knows him really would or that somebody informed well knows. And after a little while, after they mentioned my father, they started talking about the American" (11H370). "The American" was introduced as "Leon Oswald", a former

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Marine. The other two used aliases she described as "war" names, a device to hide identities from the Castro government. One she recalled was "Leopoldo". Of the other she is uncertain, but believes he called himself "Angelo".

Representing themselves as having just left New Orleans (as the real Oswald had), they said "they were leaving for a trip (on which the real Oswald had started) and they would like very much to see me on their return to Dallas ..." (11H372-3).

Mrs. Odio's sister was in her apartment at the time of the visit. They both immediately "recognized" Oswald at the time of the assassination. Mrs. Odio's shock was spectacular. She immediately connected these men with the assassination and fainted before the suspected assassin's name was broadcast. She was taken to the hospital by ambulance from her place of work, where she lost consciousness at about 1:50, almost to the second the time the real Oswald was being arrested at the Texas Theatre. She said she thought "the three men ... had something to do with the assassination" (11H383).

There was, indeed, reason for Mrs. Odio to have made this association. "You know," Leopoldo had said of the "False Oswald", "our idea is to introduce him to the underground in Cuba, because he is great, he is kind of nuts ... He told us we don't have any guts, you Cubans, because President Kennedy should have been assassinated after the Bay of Pigs, and some Cubans should have done that, because he was the one that was holding the freedom of Cuba actually ... And he said, 'It is so easy to do it'. He has told us ..." (11H372-3).

The next day "Leopoldo" again spoke of the "False Oswald", saying he "would be the kind of man that could do anything like getting underground in Cuba, like killing Castro." He repeated several times that he was an expert shotman ..." (11H377).

Mrs. Odio was not called until quite late in the hearings, July 22, 1964, eight months after the assassination and when most of the trail was harder to follow. She had, however, made her story known earlier to the authorities and had been interviewed by the FBI December 18, 1963. At 6:30 p.m. the night of her testimony, she was in the office of the Secret Service where she was shown "some movie films of some street scenes in the city of New Orleans, and also a television appearance that Lee Harvey Oswald made over station WDSU in August of 1963". Some of the people seemed familiar, and she pointed out certain identifications she had made previously in her testimony, such as an unshaved appearance around the mouth, suggesting a mustache on Oswald. But she could not identify his voice. When asked if looking at the pictures had made her more or less convinced or if she had the same feeling about the identity of Oswald, she said, "... I have the same feeling that it was ... I have a feeling there are certain pictures that do not resemble him. It was not the Oswald that was standing in front of my door", and she pointed out some other slight differences.

The film was rerun a number of times. She was also shown the still pictures and made identification from and comments about them. Of the "False Oswald's" companions, she also pointed out distinguishing characteristics paralleling those made by the New Orleans witnesses, including the opinion they "looked like Mexicans. They did not look like Cubans".

Even when the Commission could not shake or even belittle the testimony of Mrs. Odio, corroborated as it was by her sister and the identification both made of Oswald, it still looked into this further only "in view of the possibility it raised that Oswald may have had companions on his trip to Mexico", and to be certain of its reconstruction of Oswald's schedule on his trip. At no point does the Commission concede the possibility of a "False Oswald".

Most of the section devoted in the Report to the unshakable Sylvia Odio is, in fact, devoted to the recitation of evidence prov-

ing that Lee Harvey Oswald could not have been at her apartment September 27 or 28, 1963, the entire point the Report avoids.

The most astounding statement of fact in the entire Report is quietly buried in the last paragraph of the pages quoting and commenting upon Mrs. Odio:

"On September 16, 1964, the FBI located Loran Eugene Hall in Johnsandale, Calif. Hall has been identified as a participant in numerous anti-Castro activities. He told the FBI that in September of 1963 he was in Dallas, soliciting aid in connection with anti-Castro activities. He said he had visited Mrs. Odio. He was accompanied by Lawrence Howard, a Mexican-American from East Los Angeles and one William Seymour from Arizona. He stated that Seymour is similar in appearance to Lee Harvey Oswald; he speaks only a few words of Spanish, as Mrs. Odio had testified one of the men who visited her did. While the FBI had not yet completed its investigation into this matter at the time the report went to press, the Commission has concluded that Lee Harvey Oswald was not at Mrs. Odio's apartment in September of 1963." (R324)

Of course it was not Oswald!

Once the FBI got working, they moved fast. Commission General Counsel J. Lee Rankin did not request the investigation until August 28, 1964. The FBI replied by letter September 21 - three days before the Commission delivered its printed Report to the President! But why did not the FBI suspect a "False Oswald" to begin with? And why did the Commission wait until nine months after the assassination, until its work was done, to look into it?

Above all, how could it ignore the existence of a "False Oswald" until the bitter end? How could it close up shop, with its files interred for 75 years, knowing a "False Oswald" existed?

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