

TIPPIT KILLING

Deposition - Mrs. Earlene Roberts, 6 H 434-44, April 8, 1964, and
Affidavit, 7- 7 H 439 December 5, 1963

The affidavit is dated December 5, 1963. It was prepared by agents of the Secret Service and omits what the Secret Service may have wanted it to omit.

Comparison with her deposition will show the nature of the major omission - the incident of the police car.

Mrs. Roberts was then the housekeeper at 1026 North Beckley, where Oswald had a room. In the affidavit, again prepared by the Secret Service, she says that "approximately 1 p.m." Oswald, then known to her as O. H. Lee, came in and went to his room. He was not wearing a jacket when he came in but was when he left a few minutes after his arrival. Of the jacket he said, "I recall the jacket was a dark color and it was the type that zips up the front." Then she said, "Moments later, I looked out the window. I saw Lee Oswald standing on the curb at the bus stop just to the right and on the same side of the street as our house. I just glanced out the window that once. I don't know how long Lee Oswald stood at the curb, nor did I see the direction he went when he left there. About a half-hour later three Dallas policemen came to the house looking for him.

"Police and FBI agents took everything in the room that belonged to Lee Oswald and also took a pillow case and two towels and washcloths."

Mrs. Roberts' deposition was taken 4:10 p.m. April 8, 1964, by Asst. Counsels Ball and Stern. Mrs. Roberts had been housekeeper at 1026 North Beckley where Oswald roomed. According to newspaper reports, she left because of harassment. According to her testimony, it was chiefly because she didn't get enough money; she claimed the work was too hard and her wages had been cut back. She is another of the women who as a girl got ~~not~~ married too soon. Her education ended when she

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got married in the ninth grade (p.435).

She complains about treatment by the various police agencies in the following excerpt from p.436:

"Mrs. Roberts. Well, they put me through the third degree.

Mr. Ball. Who did?

Mrs. Roberts. The FBI, Secret Service, Mr. Will Fritz' men and Bill Decker's.

Mr. Ball. They did?

Mrs. Roberts. Every time I would walk out on the front porch somebody was standing with a camera on me - they had me scared to death."

Oswald was, by her description, a quiet, self-contained stay-at-home who gave no one any trouble. The following excerpt on this subject is on p.437:

"Mrs. Roberts. No - in a way - but all he did ever watch the television was if someone in the other rooms had it on, maybe he would come and stand at the back of the couch - not over 5 minutes and go to his room and shut the door and never say a word.

Mr. Ball. Did he go out any at night?

Mrs. Roberts. No.

Mr. Ball. Did he stay home every night?

Mrs. Roberts. Yes - he stayed home every night - I didn't ever know of him going out. If he did, he left after I went to bed and I never knew it."

Oswald, who had registered under the name of O. H. Lee, always paid his rent promptly. On the day of the assassination, Mrs. Roberts was looking at the television news when she said Oswald came in in somewhat of a hurry. "He never said a thing, not nothing. He went to his room and stayed about 3 or 4 minutes." (p.438)

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As he left, he was closing the zipper on a jacket, the exact color of which she didn't recall with certainty. This exchange then follows:

"Mr. Ball. I'll show you this jacket which is Commission Exhibit 162 - have you ever seen this jacket before?

Mrs. Roberts: Well, maybe I have, but I don't remember it. It seems like the one he put on was darker than that. Now, I won't be sure, because I really don't know, but is that a zipper jacket?

Mr. Ball. Yes - it has a zipper down the front.

Mrs. Roberts. Well, Maybe it was." (p.439)

~~Mr. Ball.~~ This, she said, was "around 1 o'clock, or maybe a little after ..." (This single sentence is on p.440).

Likewise, she would make no positive identification of the shirt, Exhibit 150. All she would say was, "that looks kind of like the dark shirt that he had on." She then said, "I think it was a dark one, but whether it was long sleeve or short sleeve or what - I don't know." (P.439)

When asked, "Does the color of this shirt which I show you here, Commission exhibit 150, look anything like the shirt he had on?" she replied, "I'm sorry, I just don't know." She doesn't remember about his pants because "I just didn't pay that much attention."

She heatedly denied ever going through the wardrobe or chest of drawers in which Oswald stored his possessions. The above and the following excerpt are from p.440:

"Mr. Ball. Had you ever seen a gun in his room?

Mrs. Roberts. No, sir.

Mr. Ball. Had you ever cleaned up his room?

Mrs. Roberts. Yes; I cleaned his rooms, but I didn't see no gun.

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Mr. Ball. Did you ever go through any of his effects?

Mrs. Roberts. Oh, no."

Ball has been describing the contents of Oswald's room, but he is extremely careful not to describe the room itself. The Commission has been just as careful to avoid using any photographs of the room. Oswald claimed he needed the curtain rods; Joesten claimed Oswald had no privacy in his cubicle - for it was not what would ordinarily be called a room. And the very simple and direct answer would have been to have had a photograph as of the time of the assassination. We know the police were there and we know that the press was there. Yet there is no such photograph. This would seem to lend credibility to Oswald's claim. Especially so when so many months went by without the Commission making any effort to find out whether, in fact, he had taken curtain rods to the Depository the morning of the assassination. (There is a separate memo on this.)

Oswald left Friday night and returned Monday evenings. He had once told Mrs. Roberts he was spending the weekends with friends. The exception was Armistice Day weekend when he told her he was going to have a long weekend and he returned Tuesday evening. (p.442)

The incident of the police car that pulled up and honked during the short period Oswald was in the house follows with the excerpts from pp.443-4:

"Mr. Ball. Did a police car pass the house there and honked?

Mrs. Roberts. Yds.

Mr. Ball. When was that?

Mrs. Roberts. He came in the house.

Mr. Ball. When he came in the house?

Mrs. Roberts. When he came in the house and went to his room, you know how the sidewalk runs?

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Mr. Ball. Yes.

Mrs. Roberts. Right direct in front of that door - there was a police car stopped and honked. I had worked for some policemen and sometimes they come by and tell me something that maybe their wives would want me to know, and I thought it was them, and I just glanced out and saw the number, and I said, 'Oh, that's not their car,' for I knew their car.

Mr. Ball. You mean, it was not the car of the policemen/ you knew?

Mrs. Roberts. It wasn't the police car I knew, because their number was 170 and it wasn't 170 and I ignored it.

Mr. Ball. And who was in the car?

Mrs. Roberts. I/ don't know - I didn't pay any attention to it after I noticed it wasn't them - I didn't.

Mr. Ball. Where was it parked?

Mrs. Roberts. It was parked in front of the house." (p.443)

and later on the same page,

Mr. Ball. Did ~~this~~ ^{this} police car stop directly in front of your house?

Mrs. Roberts. Yes - it stopped directly in front of my house and it just 'tip-tip' and that's the way Officer Alexander and Charles Burnely would do when they stopped, and I went to the door and looked and saw it wasn't ^{sn} their number.

Mr. Ball. Where was Oswald when this happened?

Mrs. Roberts. In his room.

Mr. Ball. It was after he had come in his room?

Mrs. Roberts. Yes.

Mr. Ball. Had that police car ever stopped there before?

Mrs. Roberts. I don't know - I don't remember ever seeing it.

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Mr. Ball. Have you ever seen it since?

Mrs. Roberts. No - I didn't pay ^{that} much attention - I just saw it wasn't the police car that I knew and had worked for so, I forgot about it. I seen it at the time, but I don't remember now what it was.

Mr. Ball. Did you report the number of the car to anyone?

Mrs. Roberts. I think I did - I'm ~~not~~ ^{not} sure, because I - at that particular time I remembered it.

Mr. Ball. You remembered the number of the car?

Mrs. Roberts. I think it was - 106, it seems to me like it was 106, but I do know what theirs was - it was 170 and it wasn't their car.

Mr. Ball. It was not 170?

Mrs. Roberts. The people I worked for was 170.

Mr. Ball. Did you report that number to anyone, did you report this incident to anyone?

Mrs. Roberts. Yes, I told the FBI and the Secret Service both when they were out there.

Mr. Ball. And did you tell them the number of the car?

Mrs. Roberts. I'm not sure - I believe I did - I'm not sure. I think I did because - there was so much happened then until my brains was in a whirl.

Mr. Ball. On the 29th of November, Special Agents Will Griffin and James Kennedy of the Federal Bureau of Investigation interviewed you and you told them that 'after Oswald had entered his room about 1 p.m. on November 22, 1963, you looked out the front window and saw police car No. 207.'

Mrs. Roberts. No. 107.

Mr. Ball. Is that the number?

Mrs. Roberts. Yes - I remembered it. I don't know where I got

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that 106 - 207. Anyway, I knew it wasn't 170.

Mr. Ball. And you say that there were two uniformed policemen in the car?

Mrs. Roberts. Yes, and it was in a black car. It wasn't an accident squad car at all.

Mr. Ball. Were there two uniformed policemen in the car?

Mrs. Roberts. Oh, yes.

Mr. Ball. And one of the officers sounded the horn?

Mrs. Roberts. Just kind of a 'tit-tit' - twice.

Mr. Ball. And then drove on to Beckley toward Zangs Boulevard, is that right?

Mrs. Roberts. Yes. I thought there was a number, but I couldn't remember it but I did know the number of their car - I could tell that. I want you to understand that I have been ~~put~~ ^{an} ^{put} through the third degree and it's hard to remember.

Mr. Ball. Are there any other questions?

Dr. Goldberg. No, that's all.

Mr. Ball. Now, Mrs. Roberts, this deposition will be written up and you can read it if you want to and ^{you can} sign it, or you can waive the signature.

Mrs. Roberts. Well, you know, I can't see too good how to read. I'm completely blind in my right eye." (pp.443-4).

The Commission has been very careful with those witnesses whose alleged observations they want to believe, such as Brennan and Markham, to ask about the condition of their eyes, when they had last been examined and what the results of the examinations were. In the case of a witness whose poor vision could be a factor against the Commission, and clearly Mrs. Roberts, from the last line quoted above, is such a witness,

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they are careful to avoid any such question. In all the hocus-pocus about numbers, the one thing the Commission fails to do, here in the questioning or in the text of the report, is to note that Tippit's car was No. 10. So, in spite of the Commission's implications, Mrs. Roberts~~x~~ did have 2 of the 3 numbers correct.

The representation of the above deposition in the report (p.253) is cleverly and subtly distorted. It does not tell a lie. It just tells the story in a deceptive manner. These are the words: "... a Dallas police car drove slowly by the front of the 1026 North Beckley premises and stopped momentarily ...". She did not testify that the police car drove by. Her testimony was that it was driving slowly when it came up to the house and parked. Notice that in the first excerpt above, from p.443, Mr. Ball asked, "where was it parked?" and, of course, when Oswald was in the house only about 3 minutes, according to Mrs. Roberts' testimony, how much more than "momentarily" could it have stopped? Her testimony is that it stopped long enough to signal twice. The nature of Mrs. Roberts' vision being what it was, it is quite possible she could have had trouble reading the lettering. There is a photograph of this car on 17 H 228, Exhibit 522. The left front door, which is visible in this case, shows the words "Dallas" and "Police" in larger and thicker letters than the number "10" which appears above the "L" in police and below the "LL" in Dallas, the word "Dallas" being in the form of an arch.

The Commission has made ~~an~~ sins of omission and commission in the course of reconstructing the Tippit killing. Without knowing a Dallas bus schedule and routing, it is impossible to appraise the significance of this omission. Nonetheless, the omission is of such a nature and the import is so obvious that it cannot be regarded as an accidental omission. Elsewhere I have noticed the complete lack of logic in the path the Commission has drawn for Oswald from his roominghouse to the theatre. In

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her affidavit of December 5, 1963, to the FBI, she had reported "Oswald went out the front door. A moment later I looked out the window. I saw Lee Oswald standing on the curb at the bus stop, just at the right, and on the same side of the street as our house. I glanced out the window that once. I don't know how long Lee Oswald stood at the curb ..."

There is no estimate that I can recall in the Commission's reconstruction of Oswald's movements, nor do I recall any allowance for time waiting for a bus. Entirely aside from that, however, it is important in the context of Mrs. Roberts' statement to examine Commission Exhibit 1119 on p. 1⁵/₄₈ of the report. Mrs. Roberts has testified their house was about 3 houses from the corner.

She said that Oswald went to the corner to await the bus on the same side of the street. That meant a bus going north. Even if this had been a one-way street, it still meant a bus going north because the 1026 address is shown by Exhibit 1119-A to be on the east side of Beckley Street. However, the scene of the Tippit killing is south of the 1026 North Beckley address. What, then, was Oswald doing awaiting transportation to take him the opposite direction from that in which the Commission said he went?

This is neither a rumor nor a speculation. It is an uncontradicted fact. The Commission itself chose to ignore it in the course of examining Mrs. Roberts, yet it is one of the few facts set forth in the affidavits collected by the FBI agents. Of all the things Mrs. Roberts had to say, the inclusion of this fact, the particular language used by the FBI in drafting this affidavit for Mrs. Roberts' signature, is a clear indication of the fact that the FBI agents conducting the investigation imputed value and importance to what Mrs. Roberts ^{So what does} saw. /The ~~was~~ commissioner say about Oswald's movements from the time he left his roominghouse no

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earlier than 3 minutes after 1 on the day of the assassination? He went to a bus stop and waited for an unknown length of time to catch a northbound bus. He walked south instead of going north to Davis Street, then turned east, then turned southeast, then turned northeast where Tippit stopped him. Then after the Tippit killing, he went in the opposite direction, southwest, to the corner, then he again turned southeast only to turn southwest again. There were a couple of alleged detours in his southwesterly path thereafter.

Now the Commission itself, in trying to avoid the inescapable fact that the man who it says planned the killing expected to get caught - in fact, may have wanted to - hence, he left a considerable amount of money at home the morning of the assassination. Ignoring for a moment that the last time Oswald was unequivocally seen, he was waiting for a northbound bus, he went south in the general direction of the movie in which he was captured. The Commission gives no reason for any of Oswald's movements and ignores the obvious, that he was going to a movie. He himself told the police this had been his plan. If he had planned to go to a movie, why should he have left Beckley Street and turned over on Davis and then gone down Crawford to 10th to turn left or northeast on 10th? Beckley Street was a direct route to the movie. If it had, in fact, been Oswald who made these movements, where could he conceivably be going following such a route? I have no way of knowing. The Commission did not mention this at all. It had means of learning what objective Oswald might have had in following routes it projects as far as 10th and Patton.

There is no meaningful map that is legible printed in the report or in any part of the hearings that I have yet seen. The only map of Dallas available to me at the moment is the one printed in Joesten's book.

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Here I find Jack Ruby's apartment located, approximately 4 blocks from the scene of the Tippit killing.

The Commission has gone to great lengths to try and prove the total absence of a link between Oswald and Ruby. I have no reason to presume such a link existed. Likewise, I have no reason to presume such a link did not exist. Newspaper storées and public statements of private investigators claim such a link did exist.

Had Oswald, in fact, planned to go to Ruby's apartment, he did not take the most direct route, which would have called for him to go first to the east and then to the south and with this one turn he would have arrived at Ruby's apartment. Let us then assume that Oswald, while walking in the direction the Commission alleges, toward the movie, suddenly decided to go to Ruby's apartment. Having once gone down Beckley Street, a sudden impulse would indeed have called for him to have turned over Davis to Crawford but he should have turned to his left, to the east on 9th, and not 10th, to take the shortest route to Ruby's apartment.

With the death of Oswald (and possibly with the insanity of Ruby) there is no way of determining what Oswald might have had in mind in following such a completely meaningless path. The only other alternative that might make sense is a planned rendezvous with Tippit, which the Commission also goes to great lengths to persuade us could not have been a possibility. The Commission has tried to establish that Oswald could not have known Tippit. There

There are only two things that can be said of the Commission's reconstruction of Oswald's movements from the time he left his rooming house: The Commission has been dishonest and deceitful about them, in ignoring the known fact of Oswald's plan to take a northbound bus; its

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reconstruction of his alleged southbound movements make no sense and are totally inexplicable except in the context of a conspiracy.