



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Dallas, Texas

August 7, 1964

LEE HARVEY OSWALD

The President's Commission advised during a recent appearance on the Barry Gray program, which is broadcast nightly over Station WMCA, New York City, Mark Lane alleged that several months before he had advised the Federal Bureau of Investigation of a witness to the Tippit shooting. This alleged witness, who is a woman, was reported to have been interviewed by the Federal Bureau of Investigation, but she was never called as a witness by the President's Commission. She is alleged to have stated she saw two people involved in the Tippit shooting, one on each side of the street, conversing with each other. After the shooting of Tippit, these two men were alleged to have run in opposite directions. In the broadcast, which was taped, Lane refers to the woman as "another witness to the Tippit killing" and "this other eye-witness to the murder of Patrolman Tippit."

The President's Commission, by undated letter received at Federal Bureau of Investigation headquarters, Washington, D. C., July 29, 1964, requested it be advised whether Mr. Lane or anyone associated with him furnished information to the Federal Bureau of Investigation about a witness meeting the above description, and whether or not such a woman was interviewed by the Federal Bureau of Investigation. The President's Commission also requested to be advised whether the name of this witness was furnished to it if such a witness exists.

A review of all references to Mark Lane contained in the files of the Dallas Office of the Federal Bureau of Investigation was made and no information was located indicating

Re: LEE HARVEY OSWALD

Mr. Lane, or an associate, furnished information regarding a woman witness to the shooting of Tippit as described previously. It is noted in this connection, that as late as April 30, 1964, Lane, in his speeches, stated there was only one eyewitness to the Tippit shooting, namely, Helen Louise Markham.

A review of the investigation relating to the shooting of J. D. Tippit was made, and there is only one known female eyewitness to the shooting. This one eyewitness is Helen Louise Markham, who has testified before the President's Commission.

It was noted during a review of the results of investigation relating to the Tippit shooting, the report of Special Agent Robert P. Gemberling, Dallas, Texas, dated March 10, 1964, on pages 262-264, sets forth the interview of Ted Callaway. Mr. Callaway, who, on November 22, 1963, was employed at Harris Brothers Auto Sales, 501 East Jefferson, Dallas, Texas, stated at about 1:00 P.M. that date he heard about five shots, which apparently came from the back of the car sales lot on 10th Street. He stated he ran out on the Patton Street side of the sales lot toward 10th Street, looking in the direction of 10th Street, when he observed a person running in a sort of trot on the east side of Patton toward Jefferson Avenue. This man had a pistol in his right hand in a "raised pistol" position. He said the man was across the street from him and he hollered at the man, "Hey, man, what the hell is going on!" He said the man slowed his pace, shrugged his shoulders and made an unintelligible reply and continued toward Jefferson.

Mr. Callaway said he called to salesman B. D. Searcy and told him, "Keep your eye on that man and follow him." Callaway then went to the place on 10th Street east of Patton where Patrolman Tippit was lying in the street, apparently dead.

The report of Special Agent Gemberling dated February 11, 1964, on page 93 sets forth an interview with Mrs. Mary Brock, who, on November 22, 1963, was employed at the Ballew Texaco Service Station located in the 600 block of East

Re: LEE HARVEY OSWALD

Jefferson Street in Dallas. Mrs. Brock advised that at about 1:30 P.M. on November 22, 1963, a man came past her walking at a fast pace. About five minutes later two individuals from Johnny Reynolds Used Car Lot came to the station and inquired if she had seen a young white man come by the station. She advised them she had and the person was last observed in the parking lot directly behind Ballew's Texaco Service Station. Mrs. Brock identified a photograph of Lee Harvey Oswald as being a picture of the individual she had seen. Mrs. Brock is not known to have appeared before the President's Commission, nor is it known whether she was interviewed by any member of the President's Commission.

On August 3, 1964, Mrs. Mary Brock, who now resides at 3519 30th Street, telephone SWift 9-5545, Lubbock, Texas, advised a Special Agent of the Federal Bureau of Investigation that she has not been contacted by Mark Lane, attorney, or anyone representing Lane, concerning the Lee Harvey Oswald matter. She has not furnished a signed statement to anyone concerning the Oswald matter, and, to her knowledge, no one has taped an interview with her.

She advised the first week of July 1964, she received a telephone call from a man who identified himself as George Nash, a law student at Columbia University, who claimed he was calling from Dallas, Texas, and was doing research on the assassination of President Kennedy. Nash asked her if she was the one who observed Lee Harvey Oswald walk, or run, through a service station, in Dallas, on November 22, 1963, and she informed she had seen Oswald. He asked her some questions concerning Oswald's actions and terminated the interview. He did not ask her if she had seen Oswald shoot Officer Tippit of the Dallas Police Department, and she certainly did not tell him she had witnessed the slaying of Officer Tippit.

She advised the only interviews she has had concerning Oswald were with the Federal Bureau of Investigation, and the telephone conversation had with George Nash the first week of July 1964.

LEE HARVEY OSWALD

The report of Special Agent Gemberling dated November 30, 1963, on pages 74-76, sets forth interviews with W. W. Scoggins, who on November 22, 1963, was employed as a cab driver for the Oak Cliff Cab Company, Dallas, Texas.

Scoggins advised that at approximately 1:25 p.m. on November 22, 1963, he was sitting in his cab preparing to eat his lunch. His cab at that time was parked on the east side of Patton Street facing north at 10th Street at a point where a stop sign had been, but which had been removed.

He observed a policeman in a squad car going east on 10th Street at a slow rate of speed. This officer stopped on 10th Street just east of Patton, got out of his car, and apparently said something to a man walking west on the south side of 10th Street. When the officer spoke to him, the man stopped.

The next thing that attracted Scoggins' attention was a gun firing and he heard three or four shots, saw smoke near the squad car, and saw the officer fall beside the car on the driver's side. The man, whom the officer had stopped, started running, proceeding west on 10th Street to Patton Street and then south on Patton Street onto Jefferson Avenue. As this man passed Scoggins' cab, he muttered either "Poor dumb cop" or "Poor damn cop", and he was observed to have a pistol in his left hand.

On November 23, 1963, Scoggins identified Lee Harvey Oswald as being the same individual whom he had seen shoot a uniformed police officer of the Dallas Police Department in the 400 block of East 10th Street on the early afternoon of November 22, 1963.

The report of Special Agent Gemberling dated April 15, 1964, on pages 232 and 233, records an interview with Barbara Jeannette Davis, who on November 22, 1963, was residing in an apartment at 400 East 10th Street, Dallas, Texas, the apartment building being located at the southeast corner of East 10th Street and Patton Street.

LEE HARVEY OSWALD

She advised that shortly after 12 noon, November 22, 1963, she had put her two children to bed for a nap and she had lain down with them. Her sister-in-law, Virginia Davis, was lying on a couch in Barbara's apartment at this time.

Approximately 15 to 30 minutes later she heard two loud reports, which she thought were gunshots. She and her sister-in-law ran to the front door of the house and looked out. She observed a young white man walking across her front yard in a southwesterly direction, who had a pistol in his hand and who appeared to be trying to unload it. The chamber of the pistol was open and he was shaking it as he walked. She and this individual looked at each other and he then disappeared around the corner of the house on Patton Street.

At this point she heard a woman, who was standing on the northwest corner of the intersection of East 10th Street and Patton Street, scream "He shot him, he shot him, he killed him", and saw her point toward a police car parked on East 10th Street, a short distance east of her residence. After seeing the police car approximately a house and a half from her residence, she went into her residence and called the police. She later went to the police car where she observed a uniformed police officer lying on the ground bleeding.

Later that same evening she identified a man in a line-up at the Dallas Police Department as being the same man whom she observed walking across the front of her yard carrying a pistol and trying to empty it. She later learned the individual, whom she identified, was Lee Harvey Oswald.

The report of Special Agent Gemberling dated April 15, 1964, on pages 234 and 235, records an interview with Virginia Davis, who on November 22, 1963, was also residing in an apartment at 400 East 10th Street, Dallas, Texas.

RE: HARVEY OSWALD

... name, or an associate, furnished information regarding a woman witness to the shooting of Tippit as described previously. It is noted in this connection, that as late as April 30, 1964, Kark in his speeches, stated there was only one eyewitness to the Tippit shooting, namely, Helen Louise Markham.

A review of the investigation relating to the shooting of J. D. Tippit was made, and there is only one known female eyewitness to the shooting. This one eyewitness is Helen Louise Markham, who has testified before the President's Commission.

It was noted during a review of the results of investigation relating to the Tippit shooting, the report of Special Agent Robert P. Gemberling, Dallas, Texas, dated March 10, 1964, on pages 262-264, sets forth the interview of Ted Callaway. Mr. Callaway, who, on November 23, 1963, was employed at Harris Brothers Auto Sales, 501 East Jefferson, Dallas, Texas, stated at about 1:00 P.M. that date he heard about five shots, which apparently came from the back of the car sales lot on 10th Street. He stated he ran out on the Patton Street side of the sales lot toward 10th Street, looking in the direction of 10th Street, when he observed a person running in a sort of trot on the east side of Patton toward Jefferson Avenue. This man had a pistol in his right hand in a "raised pistol" position. He said the man was across the street from him and he hollered at the man, "Hey, man, what the hell is going on!" He said the man slowed his pace, shrugged his shoulders and made an unintelligible reply and continued toward Jefferson.

Mr. Callaway said he called to salesman B. W. Seady and told him, "Keep your eye on that man and follow him." Callaway then went to the place on 10th Street east of Patton where Congressman Tippit was lying in the street, apparently dead.

The report of Special Agent Gemberling dated February 11, 1964, on page 93 sets forth an interview with Mrs. Mary Bickel, who, on November 23, 1963, was employed at the Billie Texaco Service Station located in the 600 block of East