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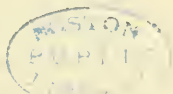
INVESTIGATION OF
THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

HEARINGS
Before the President's Commission
on the Assassination
of President Kennedy

PURSUANT TO EXECUTIVE ORDER 11130, an Executive order creating a Commission to ascertain, evaluate, and report upon the facts relating to the assassination of the late President John F. Kennedy and the subsequent violent death of the man charged with the assassination and S.J. RES. 137, 88TH CONGRESS, a concurrent resolution conferring upon the Commission the power to administer oaths and affirmations, examine witnesses, receive evidence, and issue subpoenas

Volume

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President, Mr.

Lee

PRESIDENT'S COMMISSION
ON THE
ASSASSINATION OF PRESIDENT KENNEDY

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Biographical information on the Commissioners and the staff can be found in the Commission's *Report*.

*Mr. Willens also acted as liaison between the Commission and the Department of Justice.

Preface

The testimony of the following witnesses is contained in volume X: Everett D. Glover, who became acquainted with Lee Harvey Oswald following his return to Texas in 1962; Carlos Bringuier, Francis L. Martello, Charles Hall Steele, Jr., Charles Hall Steele, Sr., Philip Geraci III, Vance Blalock, Vincent T. Lee, Arnold Samuel Johnson, James J. Tormey, Farrell Dobbs, and John J. Abt, who testified concerning Oswald's political activities and associations; Helen P. Cunningham, R. L. Adams, Donald E. Brooks, Irving Statman, Tommy Bargas, Robert L. Stovall, John G. Graef, Dennis Hyman Ofstein, and Charles Joseph Le Blanc, who testified concerning Oswald's employment history; Adrian Thomas Alba, who was acquainted with Oswald in New Orleans in 1963; Chester Allen Riggs, Jr., Mr. and Mrs. Mahlon F. Tobias, Sr., Mr. and Mrs. Jesse J. Garner, Richard Leroy Hulen, Colin Barnhorst, and Mr. and Mrs. Arthur Carl Johnson, who testified concerning Oswald's various residences; and Clifton M. Shasteen, Leonard Edwin Hutchison, Frank Pizzo, Albert Guy Bogard, Floyd Guy Davis, Virginia Louise Davis, Malcolm Howard Price, Jr., Garland Glenwill 'Slack, Dr. Homer Wood, Sterling Charles Wood, Theresa Wood, Glenn Emmett Smith, W. W. Semingsen, and Laurance R. Wilcox, who testified concerning contacts they believed they had with Oswald under varying circumstances.

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Hearings Before the President's Commission on the Assassination of President Kennedy

TESTIMONY OF EVERETT D. GLOVER

The testimony of Everett D. Glover was taken at 11 a.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission.

Mr. JENNER. Mr. Glover, would you stand? Do you promise to tell the truth, the whole truth, and nothing but the truth in response to my questions in the taking now of your deposition?

Mr. GLOVER. I do.

Mr. JENNER. Mr. Glover, you have received, I think, sometime last week a letter from Mr. Rankin, general counsel for the Commission, advising you we desire to take your testimony by deposition.

Mr. GLOVER. Advising me that you wanted to take my testimony. I don't know whether it was specifically deposition, but yes.

Mr. JENNER. Now the Commission has been established to investigate and report all the circumstances surrounding the assassination of President Kennedy and any participation by Lee Harvey Oswald and Marina Oswald and others in that tragic event.

We understand that you had some acquaintance with the Oswalds as well as people in the community who, in turn, had an acquaintance with the Oswald's, and that you also had an acquaintance with George De Mohrenschildt, naming him in particular, although there are others I will probably examine you about. But it is in those general areas that I will proceed.

Now you are at liberty to have counsel present should you so desire, and since you don't appear to have anybody with you, I assume you do not wish any counsel?

Mr. GLOVER. That's right.

Mr. JENNER. Your name is Everett D. Glover?

Mr. GLOVER. Right.

Mr. JENNER. Do you reside in Dallas, Tex.?

Mr. GLOVER. Right.

Mr. JENNER. Where is your present residence?

Mr. GLOVER. My present residence is 9838 Webbs Chapel Road, Dallas, 20.

Mr. JENNER. How long have you resided there, sir?

Mr. GLOVER. Since January 1, of this year, 1964.

Mr. JENNER. Where did you reside immediately prior to that?

Mr. GLOVER. 5723 Southwestern Boulevard. I forget the zone in Dallas.

Mr. JENNER. How long had you resided there?

Mr. GLOVER. Sometime around April 20, of 1963.

Mr. JENNER. I will have to keep going back. Where did you live prior to that?

Mr. GLOVER. I lived at 4449 Potomac in Dallas also. It is in University Park.

Mr. JENNER. For what span of time?

Mr. GLOVER. Span of time there, I don't have the figures right in my mind, but approximately 2 years there.

Mr. JENNER. That would take you back to sometime in 1961?

Mr. GLOVER. Yes. We'd have to check these to be sure, this is approximately.
Mr. JENNER. That is sufficient. I will ask you this general question. Over how long have you resided in Dallas or the Dallas area?

Mr. GLOVER. Since 1955. June 2, 1955, I took a position with Socony Mobil Oil Co. and came here to work on that day. I have lived here since that time.

Mr. JENNER. Are you married?

Mr. GLOVER. I am married; yes.

Mr. JENNER. Do you have a family?

Mr. GLOVER. Well, I am married for the second time at the present time. My former wife and a son by my former marriage are living in Pennsylvania.

Mr. JENNER. Of what country are you a native?

Mr. GLOVER. United States.

Mr. JENNER. You were born in the United States?

Mr. GLOVER. Oh, yes.

Mr. JENNER. How old are you?

Mr. GLOVER. 47 years old.

Mr. JENNER. Where were you born in the United States?

Mr. GLOVER. I was born in Worcester, Mass. I resided in Millbury, Mass., but I was actually born in the city of Worcester.

Mr. JENNER. Tell me about your education, please. Elementary school and high school and if you went beyond high school.

Mr. GLOVER. Yes; I went to college at North Clark University in Worcester, Mass., and I later went to the University of Wisconsin. I completed a master's degree there and a great deal of work on a doctor's degree.

Mr. JENNER. So you have a bachelor of arts degree?

Mr. GLOVER. Yes.

Mr. JENNER. And master's degree and you have completed a good deal of work on a Ph. D.?

Mr. GLOVER. Right.

Mr. JENNER. You were first married when?

Mr. GLOVER. 1940.

Mr. JENNER. Where were you residing then?

Mr. GLOVER. At that time I was residing in Worcester, Mass.

Mr. JENNER. What was your wife's maiden name?

Mr. GLOVER. The name was Mary Elizabeth Butler.

Mr. JENNER. She was a resident of Worcester, was she?

Mr. GLOVER. She was a resident of Worcester.

Mr. JENNER. And was a native-born American?

Mr. GLOVER. Yes; she was.

Mr. JENNER. How many children do you have by that marriage?

Mr. GLOVER. I have one.

Mr. JENNER. He is with his mother, is he?

Mr. GLOVER. He is with his mother now in Pennsylvania; yes.

Mr. JENNER. That marriage was terminated in divorce when?

Mr. GLOVER. In Texas last year, 1963, in June, I believe it was, the 29th.

Mr. JENNER. All right, had you been separated from your wife prior to that time?

Mr. GLOVER. Yes; I had been separated.

Mr. JENNER. When did the separation occur?

Mr. GLOVER. The separation occurred on approximately September 1 of 1962.

Mr. JENNER. Where were you residing then?

Mr. GLOVER. I was residing at 4449 Potomac.

Mr. JENNER. Did your wife leave this vicinity then?

Mr. GLOVER. Yes; she left this vicinity then.

Mr. JENNER. And returned to where or went to where?

Mr. GLOVER. She didn't return. The circumstances of her leaving were that my son is very interested avocationally in ice skating, and he had earned enough money selling the Times Herald, the local newspaper, to take him for 1 summer's ice skating, and it so happened that he ended up in Hershey, Pa., which has a teacher or pro who is very good, and the circumstances just happened that way.

Mr. JENNER. Indoor arena rink?

Mr. GLOVER. Yes; he stayed there for the summer and he wanted to stay there

beyond that time very badly. He wanted to continue his ice skating under some such situation as he had there, and my wife and I had not gotten along too well, and it seemed like a natural time to make a separation, so she left and went to Pennsylvania during this time at approximately the end of the summer and stayed there, and I filed for a divorce.

Again I am not sure of the actual date, but approximately December 1 of that year, 1962. And the divorce was granted in the summer in 1963, approximately June 29, of 1963.

Mr. JENNER. And you remarried when?

Mr. GLOVER. I remarried August the 26th of this same year, 1963.

Mr. JENNER. And remained in the same quarters, did you?

Mr. GLOVER. No; I moved about April 20 to 5723 Southwestern Boulevard after having sold the house at 4449 Potomac, which I owned, and made the divorce settlement.

Then I moved to 5723 Southwestern Boulevard where I rented a house with two colleagues of mine where I worked, who were all unattached, since I had to move from 4449 Potomac. One moved in on December 1, 1962, and another one on January 1, 1963.

Mr. JENNER. Now when you and your wife separated, that is when she went to Pennsylvania, Hershey, Pa., with her son for this period, did anyone join you in your quarters as roommates or persons living with you?

Mr. GLOVER. Well, these are the people I just referred to. One man, Richard L. Pierce, who works with me in the same section of my laboratory, joined me December 1, of 1962, and the second man, Volkmar Schmidt, who came from Germany and worked with the company as a geologist, came to live with me approximately January 1.

It was an arrangement we tried out to see if there would be mutual satisfaction.

Mr. JENNER. Do you have a German derivation?

Mr. GLOVER. I do not.

Mr. JENNER. What is yours?

Mr. GLOVER. My background on that respect, my derivation would be English on both sides. I know on the Glover side it is English and goes back down to the 1700, but I don't know the other side very well.

Mr. JENNER. All right. What is your occupation, profession, business or avocation?

Mr. GLOVER. Well, occupation is a chemist working with the geology group in the exploration section of Socony Mobil Oil Co., Field Research Laboratory here in Dallas.

Mr. JENNER. Your master's degree was in what?

Mr. GLOVER. It was in soil science.

Mr. JENNER. Involved chemistry?

Mr. GLOVER. Involved chemistry of fine grain material such as soil, sediments, and so forth.

This is the reason that I am working where I am, because of the kind of work I do, in the geology section. It is not soil per se, but using techniques in dealing with problems similar to soil problems.

Mr. JENNER. And in turn, related to the discovery or production or recovery of oil?

Mr. GLOVER. It is related particularly to the exploration for oil. That is the study of the mechanical constituents of rocks in which the oil is found.

I would say involving research work in order to find some more easily recognized signs of oil. That is the long term objective.

Mr. JENNER. I would say this to you, sir. It is common that witnesses can, especially in this type of examination where the witness sits across the desk from a questioner, to drop his voice. So to the extent that you can recall it, you won't do it all the time, keep your voice up.

Mr. GLOVER. Yes.

Mr. JENNER. Are you acquainted with a Mr. George De Mohrenschildt?

Mr. GLOVER. Yes; I am.

Mr. JENNER. When and under what circumstances did you first become acquainted with Mr. George De Mohrenschildt?

Mr. GLOVER. Again this is connected with my ice skating activities which I didn't mention. I mentioned my son's.

One of my avocations is ice skating. I do not know the exact time, but sometime in the period, I would say 1956 to 1959, when I have been ice skating, I met Mrs. De Mohrenschildt on the ice rink skating by herself. She skated a considerable time, maybe, probably, part of a year, and then later she brought Mr. De Mohrenschildt there, and that is the first acquaintance I had with them. This was a casual acquaintance.

Mr. JENNER. Is this the present Mrs. De Mohrenschildt?

Mr. GLOVER. This is the present Mrs. De Mohrenschildt.

Mr. JENNER. Was she then married to Mr. De Mohrenschildt?

Mr. GLOVER. I have no way of knowing. I wouldn't have thought of this particularly except in conversation with the FBI. By their reaction, what he said, apparently there was some question about this, but I wouldn't have known that myself. I assumed she was.

Mr. JENNER. Well, in order that we are certain we have the same lady in mind, did you learn what her first name was?

Mr. GLOVER. Yes. The name she wanted to be called was "Jon," the French J-e-a-n-n-e.

I didn't see it written down, but she insisted on her being called "Jon," the French.

Mr. JENNER. By American, it is Jeanne?

Mr. GLOVER. Jeanne, right.

Mr. JENNER. When you talk about ice skating, you mean figure skating?

Mr. GLOVER. Figure skating; right.

Mr. JENNER. This relationship, at least for a time, was relatively casual?

Mr. GLOVER. It was very casual. In fact, they did not seem very much interested in other people.

Mr. JENNER. Did that acquaintance ripen eventually into a friendship, or at least a closer relationship than that you have indicated?

Mr. GLOVER. Well, there are two phases of my acquaintance with them. The first phase ended when they didn't come to the skating rink any more, and I cannot recall when this was. But if it were necessary to find out, I could possibly find out more in detail, because they joined the Dallas Figure Skating Club which I belonged to, and it was after I had belonged to that organization a year or so that they left.

Mr. JENNER. Would you give me for the moment your best recollection as to when the first period of time to which you have reference ended?

Mr. GLOVER. Ended?

Mr. JENNER. That is, the casual acquaintance.

Mr. GLOVER. I really honestly don't know when that was.

Mr. JENNER. Maybe we can get at it this way. What is your present recollection as to the intervening span in which you had either little or no contact with the De Mohrenschildts? How long did that run?

Mr. GLOVER. Well, I know when I met them—I think I know when I met them again. This was in connection with playing tennis. And that must have been in the spring, I believe, of 1962, sometime in that period.

Mr. JENNER. You and your former wife were still living together at that time?

Mr. GLOVER. Yes, that's right; my former wife was still in Dallas.

Mr. JENNER. Would you say that the intervening period when you had a little or no contact with the De Mohrenschildts covered as much as a couple of years?

Mr. GLOVER. I would say that is what I think, but I could check this point if necessary.

Mr. JENNER. We will let you know as to whether we want you to do that.

That acquaintance was then renewed under what circumstances?

Mr. GLOVER. I went to a party at a friend's house one night.

Mr. JENNER. Who is the friend?

Mr. GLOVER. The man's name is Lauriston C. Marshall.

Mr. JENNER. That is a new name to me.

Mr. GLOVER. Well, he is called Larry, but his name, I am quite sure, was—

Mr. JENNER. L-a-u-r-i-s-t-o-n C. M-a-r-s-h-a-l-l?

Mr. GLOVER. Yes.

Mr. JENNER. All right.

Mr. GLOVER. He lived in Garland here.

Mr. JENNER. Garland, Tex.?

Mr. GLOVER. Right. This is not where I met the De Mohrenschildts, but that is the connection. I was at his house and I met Sam Ballen. And something was said about playing tennis, and it turns out that he likes to play tennis and I also like to play tennis. I hadn't played very much since I had been in Dallas, but I always wanted to play more than I had a chance to, and he said, "How about tomorrow morning?" and I agreed, okay.

So when I went to play tennis the next morning, it turned out that the other two people involved in this match of four people, doubles, was the De Mohrenschildts.

Mr. JENNER. You played doubles in tennis with him the next morning, Sunday morning?

Mr. GLOVER. This sounds right. I believe it was a Saturday night party, and I was playing Sunday morning. I believe that is what it was.

Mr. JENNER. And your friendship with the De Mohrenschildts blossomed?

Mr. GLOVER. Well, we played tennis an awful lot more. That was the basis.

Mr. JENNER. You say the double, the lady who played tennis with you on that initial occasion, was the same lady who had accompanied Mr. De Mohrenschildt earlier on the ice rink?

Mr. GLOVER. That's correct.

Mr. JENNER. Will you tell me, please, and I want you to tell me in your own words. I will try not to interrupt you, or at least I will keep it to a minimum, what you learned about George De Mohrenschildt first?

Mr. GLOVER. You mean what I learned about him from my complete acquaintance with him?

Mr. JENNER. Yes.

Mr. GLOVER. What he was like and so forth?

Mr. JENNER. What he was like, what you learned from him, if you can indicate information you received directly from him as to his travels, if any, as to his work, as to any associations he had.

Mr. GLOVER. Well, it is pretty hard to produce some order out of it, because I never got a complete picture. But he had apparently, and I believe this to be true, had come back from a trip to South America. I mean to Mexico where he had walked from the north edge of Mexico down to Central America, to Panama.

Mr. JENNER. Your information in this respect was obtained directly from him?

Mr. GLOVER. Directly from him and also by films which he had showing his trip, and also the fact that he apparently corresponded with Sam Ballen during the time that he had been down there, and that was mentioned, the fact that he had corresponded.

Mr. JENNER. Who mentioned it, Ballen or De Mohrenschildt?

Mr. GLOVER. I couldn't be sure about that, sir, but from one or the other people, I am sure I got the distinct impression that they corresponded.

He sent letters to Sam Ballen during the time he was there, so I do believe, and I have no reason not to believe, that he made such a trip, seeing the film.

Mr. JENNER. You saw the film?

Mr. GLOVER. Yes.

Mr. JENNER. You also talked to Mr. De Mohrenschildt, or he with you?

Mr. GLOVER. Yes.

Mr. JENNER. You had conversations with him about his trip to Mexico, and he told you about it?

Mr. GLOVER. Yes.

Mr. JENNER. Did he exhibit the film?

Mr. GLOVER. He exhibited the film.

Mr. JENNER. Was Mrs. De Mohrenschildt the lady called Jeanne and who preferred to be called "Jon" (Jeanne)?

Mr. GLOVER. Yes.

Mr. JENNER. Was she present when the film was shown?

Mr. GLOVER. She was present.

Mr. JENNER. And you also had conversation with her?

Mr. GLOVER. Yes, sir; I did.

Mr. JENNER. Did she confirm, as well as Mr. De Mohrenschildt, their trip, walking trip into Mexico?

Mr. GLOVER. Yes.

Mr. JENNER. Was anything said about the De Mohrenschildts, either of them having any—having met any officials with the Soviet Union?

Mr. GLOVER. During that trip?

Mr. JENNER. Yes.

Mr. GLOVER. No, sir; not that I remember.

Mr. JENNER. Not at all?

Mr. GLOVER. Nothing was said.

Mr. JENNER. You have no impression on that score, then?

Mr. GLOVER. I cannot remember any such thing was said.

Mr. JENNER. I take it then, it is your impression that this was a walking pleasure trip, a vacation, that sort of thing in which he and Mrs. De Mohrenschildt traveled from the border—that would be the north border of Mexico down as far as Panama?

Mr. GLOVER. Yes, but I would amend your statement a little bit. You said pleasure trip. It was in a sense, the way I understood the reason for this was, that De Mohrenschildt had a son and daughter by his, according to him, I believe, last marriage. The son had died of cystic fibrosis, and I had the impression that he was very much attached to his son, and this was one of the reasons that he sort of threw up everything. I had been given to believe he was in the oil consulting business.

Mr. JENNER. You were given to believe that De Mohrenschildt was in the oil consulting business?

Mr. GLOVER. Previous to that and after that time, too, and that he had thrown everything up and done this. He said that he and someone else started to make this trip at a much earlier time. I am not sure what time it was, but it was a long time. Seems to me he said they tried to drive a Model "T" Ford and hadn't been successful.

Mr. JENNER. That would be quite a long time ago?

Mr. GLOVER. Yes. That might be older than De Mohrenschildt is. I don't know when he came here, really, of course.

Mr. JENNER. All right.

Mr. GLOVER. But anyway, maybe it is a Model "A" Ford. I really am not sure about that point. It doesn't sound right, a Model "T" Ford.

Mr. JENNER. A Model "T," say that is my error, and the Model "A"—

Mr. GLOVER. Model "A" came in 1927 and 1928.

Mr. JENNER. 1927, 1928, and 1929. I was about a junior in college then.

Mr. GLOVER. Yes. I am a little bit younger than that. I was 10 years old in 1927, but I distinctly remember the Model "T's." I am not sure, but the important thing as far as my recollection was, he said he wanted to take this trip and started to take it with another fellow and he didn't get very far, but then he this time did take the trip and the feeling I had was the motivation was—he had been completely broken up by his son dying and he wanted to do this a long time ago, he went ahead and did it.

And his wife wanted to do it with him and they did it.

Mr. JENNER. So the impression you obtained from the conversation you heard overall was that the trip was not motivated by any objective or plan to have any contact with any persons connected with the Soviet Union, or representing the Soviet Union?

Mr. GLOVER. No; I did not get any such impression.

One other thing, I did get the impression, he mentioned specifically that he had some business along the way, which was looking at old mining areas.

Now I got the impression, although it was a hazy one, that he was actually being paid by some private concern to look at old mining areas as he passed through there.

Mr. JENNER. All right. Did you have any impression of any other trips that Mr. De Mohrenschildt made outside of this country?

Mr. GLOVER. Yes. He told me that after the war he was on a, I don't know

whether he was connected—somehow he said with a State Department venture which he was doing something with regard to advising in oil matters in Yugoslavia.

Mr. JENNER. And that he had gone to Yugoslavia?

Mr. GLOVER. He had gone to Yugoslavia, he told me that. He described the living there when he was there, drinking lots of wine in Yugoslavia with women and so forth, and it wasn't very descriptive, but from what he said, I got a very distinct impression he had been there, yes.

Mr. JENNER. Did you get an impression that he was married at that time?

Mr. GLOVER. I did. In fact, the impression I have, and I am not sure exactly where it all comes from, when I first met Mrs. De Mohrenschildt, she was alone, and her husband was never with her, and she was not very cordial at all.

You saw someone skating around and you'd just say a word and she was not particularly cordial.

And even later, I am not sure exactly the amount of time, but maybe a season of skating, he appeared.

And I assumed afterwards, I am not sure what basis I had, that this was the time that he was away in Yugoslavia, and he came back. And I think they referred to that afterwards, as if that were the case.

Mr. JENNER. In this early period was anything else said to you affirmatively that Jeanne or "Jon" De Mohrenschildt was his wife at that time?

Mr. GLOVER. When I come to think of it, I don't know of any specific instance where there was a big point made of them being married, but I assumed, since they were living together, and I just assumed that.

Mr. JENNER. How do you know they were living together?

Mr. GLOVER. At what time?

Mr. JENNER. The earlier period.

Mr. GLOVER. The earlier period, no. The later period I didn't live too far away from them. I would go to their house and have a glass of beer after the tennis match, and later I went to their house quite often.

Mr. JENNER. The tennis match was the second period?

Mr. GLOVER. The first period I don't have any proof whatsoever except it seemed to me they were giving the same name.

Mr. JENNER. They were?

Mr. GLOVER. I believe so. Now that could be checked with the Dallas Figure Skating Club where they were members. I assumed they were husband and wife.

Mr. JENNER. What did you learn as to George De Mohrenschildt's past in connection with whether he had been married more than once?

Mr. GLOVER. He said he had been married four times, including this.

Mr. JENNER. Including the marriage to Jeanne or Jon?

Mr. GLOVER. Yes.

Mr. JENNER. So he had had three marriages prior to this time?

Mr. GLOVER. That is what he said. He used to talk about that quite often, make remarks to the fact that he had been married four times.

Mr. JENNER. You have mentioned a son who died. Did he say anything about having any other children?

Mr. GLOVER. A daughter.

Mr. JENNER. A daughter?

Mr. GLOVER. Same wife.

Mr. JENNER. Was anything said about whether she was alive or dead?

Mr. GLOVER. Yes; he talked quite a bit about her.

Mr. JENNER. As being alive or dead?

Mr. GLOVER. As being alive.

Mr. JENNER. Was there an occasion eventually in which there was a discussion in which he indicated that she had been—she had become deceased?

Mr. GLOVER. No. He never indicated anything to me that she had become deceased. He talked quite a bit about her and was still talking about custody of the daughter who was remaining with the mother, who was trying to prevent any possible change in custody. That was right up to the last I knew him.

Mr. JENNER. Do you recall whether at any time you stated to the FBI that he had two children and they had both died?

Mr. GLOVER. I stated that he had two children?

Mr. JENNER. Yes.

Mr. GLOVER. And they had both died?

Mr. JENNER. Did die, yes.

Mr. GLOVER. I did not state such.

Mr. JENNER. Had two children by the marriage to Wynne Sharples.

Mr. GLOVER. The last name Sharples is correct, and I remember the nickname "Deedee" of the woman who he said he was married to by whom he had two children.

I did not say to the FBI that he had two children who died. I have said he had two children one of which died who apparently had cystic fibrosis.

Mr. JENNER. All right, did he mention any other relative of his?

Mr. GLOVER. I was asked this question by the FBI, and I believe he mentioned—I know he mentioned a brother—a brother who taught school, and I believe it is Dartmouth, N.H., and I think he taught history.

Anyhow, he taught some subject or related subject on liberal arts, but I don't know.

Mr. JENNER. He did mention Dartmouth?

Mr. GLOVER. I couldn't be sure.

Mr. JENNER. Could have—could he have mentioned Princeton instead of Dartmouth?

Mr. GLOVER. I don't think so, because I remember it being in that area up in the upper New England States, somewhere.

Mr. JENNER. Was there any discussion of Jeanne or "Jon's" background?

Mr. GLOVER. Yes. The impression I got of her background was that she was of White Russian stock and came through China where she was married, and then came to this country. That is the impression I got.

Mr. JENNER. That she had come from Russia and gone to China?

Mr. GLOVER. I don't know whether anyone said White Russia, but whether they said that or not, I got the impression that she had come originally from Russia.

Mr. JENNER. Did you learn anything about—perhaps I'd better so pursue Mrs. De Mohrenschildt. She had come through China?

Mr. GLOVER. She lived in China and was brought up there as a young girl, married, presumably, a Chinese man, and then came to this country. That is the story I got, and apparently from what she said, he did not adjust.

Mr. JENNER. She came here with her husband?

Mr. GLOVER. That is the impression I got.

Mr. JENNER. You had the impression that he was a Chinese?

Mr. GLOVER. I had that impression.

Mr. JENNER. After they arrived here, the husband did not adjust well?

Mr. GLOVER. Right, and it led to their breakup.

Mr. JENNER. And they were then divorced?

Mr. GLOVER. Yes.

Mr. JENNER. Or at least broke up, as far as you know?

Mr. GLOVER. That is the impression I got.

Mr. JENNER. And that her marriage to George De Mohrenschildt was her second marriage?

Mr. GLOVER. That is the impression I got.

Mr. JENNER. Did you learn whether Mrs. De Mohrenschildt had any business or occupation herself?

Mr. GLOVER. Yes, I did. She had worked some time during—at the time that I first met her, she worked as a designer of clothes.

Mr. JENNER. For what company?

Mr. GLOVER. I don't know what company, but she worked here in Dallas at the time. I believe at the time she joined the Figure Skating Club, someone learned that. I don't think she told me particularly, but someone, that she did this.

Mr. JENNER. Did you ever have a conversation on the subject with her which served to confirm the report that you had obtained from someone else? That is, that she worked as a designer here in Dallas.

Mr. GLOVER. I cannot recall at the time of the first meeting with her, but at

a later time, from things that were said, I am quite sure that she referred to that time when she worked, yes, here in Dallas.

Mr. JENNER. Give me your general impression of her. What kind of person was and is she?

Mr. GLOVER. Well, the most obvious thing about her that I can recall was her very, very great desire to help and dominate people, to help solve their problems, is the thing that always impressed me about her.

She had one daughter, which I haven't mentioned, apparently by this previous marriage, who grew up and who I met one time when she was passing through.

Mr. JENNER. That is, passing through Dallas?

Mr. GLOVER. With her husband. That was during the later period.

Mr. JENNER. She was married and lived somewhere else in this country?

Mr. GLOVER. All I know is that daughter and husband came from a Mexican trip and were going to Alaska.

And she had this one daughter who she talked very much about, how she had brought her up and so forth, and she seemed to have a desire to sort of help people out and sort of arrange their affairs.

She tried one time to give me advice on my family situation, at which time, as one would say, I told her off, told her that I had my own ideas about what I wanted to do about the situation and was not interested in hers at all. But that is the most outstanding impression I have of her, always trying to do something for someone, arrange things in some way, sort of an overdeveloped mother tendency, to me.

Mr. JENNER. Describe the physical characteristics of her, please.

Mr. GLOVER. Physically, I am depending somewhat on some pictures she showed. According to her, when she showed pictures in the album.

Mr. JENNER. I don't mean—are you relating to the pictures to describe Mrs. De Mohrenschildt?

Mr. GLOVER. No; well, I will just leave that out, if you prefer.

Mr. JENNER. Describe the physical characteristics of Mrs. De Mohrenschildt as you knew her, saw her.

Mr. GLOVER. Well, she was a person who looked in fairly good physical shape.

Mr. JENNER. About how old?

Mr. GLOVER. She looked like she was about 40 years old. She was accumulating fat on her body which was very noticeable. We played tennis all the time, and she looked like someone fortyish and was beginning to get quite a lot of fat.

Mr. JENNER. What about coloration?

Mr. GLOVER. Color of hair was brown, medium brown. I don't remember people's eyes very well. It sort of seems to me like they were blue. I am not sure. Her height was medium height.

Mr. JENNER. Medium for a woman and medium for a man differ—what would you say, five two, or five three or five five?

Mr. GLOVER. I am not very conscious. I would say five five or five six, maybe.

Mr. JENNER. Miss Reporter, would you please stand and tell us how tall you are?

The REPORTER. I am five two and a half in my stocking feet and about five five with heels.

Mr. JENNER. Having observed the reporter, what is your present recollection about Mrs. De Mohrenschildt's height. Is she taller or shorter?

Mr. GLOVER. I would say her height without her heels or anything was at least as tall as she is standing now, would be five five or five six which I said, or possibly taller than that. I am not very sure.

Mr. JENNER. But she was inclined to be on the heavy side?

Mr. GLOVER. Slightly. She was getting heavy.

Mr. JENNER. What would you say she weighed, offhand?

Mr. GLOVER. She talked about that when we were playing tennis. I can't remember. I really don't know. Maybe, I would say, 110 to 120, or so.

Mr. JENNER. She was five five and she weighed 110 pounds? She would be awfully thin.

Mr. GLOVER. Well, she must have weighed more than that. I am not very conscious about that.

(Comments off the record.)

Mr. GLOVER. Maybe she would be 130 or so. Maybe she weighed a little bit more than that.

Mr. JENNER. Did Mr. De Mohrenschildt speak to you of his background?

Mr. GLOVER. He spoke somewhat of it. I didn't get a very clear picture of the exact tracings of his background. I got a picture of him having been born in Sweden. He said he came from Sweden. And having lived in Russia for a short time, and then having left there. And the next thing I remember him saying was that he fought with the Polish National Army sometime in the Second World War, and had left the army. Now I am not quite sure when that was, when the army was disbanded, when Hitler invaded, or some other time. I am not sure. It must have been then, I guess, but that is the hazy impression I have of that part of it.

Mr. JENNER. At the time of the invasion of Poland by Hitler, which was roughly September of 1939, De Mohrenschildt then left Poland?

Mr. GLOVER. Well, he left the Polish Army at the same time. I really don't know for sure when that was. I didn't think very much about it.

Mr. JENNER. Did he say he came directly to this country at that time?

Mr. GLOVER. I do not have any impression of him saying he came directly here, no. The next thing I remember about his telling his background was that he came here to this country.

Mr. JENNER. Here in Texas?

Mr. GLOVER. First he came to New York, according to his story. And I remember one comment he made about that. He was wined and dined and passed around to people who he knew in some way, and this was fine, but when he came to find a job, he had a lot of trouble. And the next period I remember is that he was at the University of Texas, and I assume he was going to school and got a degree in petroleum engineering.

Mr. JENNER. But you are not so sure about that? You have the impression that he was a person who had the benefit of higher education?

Mr. GLOVER. Yes; I assumed that he had had at least some school knowledge of the subject of petroleum engineering or petroleum in general.

Mr. JENNER. He did say that he attended the university in this State?

Mr. GLOVER. Yes; he said he attended the University of Texas, I am quite sure. At least I got that impression. I am not sure of his exact words. He talked about being a student, so I guess I just assumed that. I don't know whether he said specifically he attended as a full-time student.

Mr. JENNER. Describe George De Mohrenschildt.

Mr. GLOVER. He is a heavy set rather Mr. Atlas type.

Mr. JENNER. Atlas or Adonis?

Mr. GLOVER. I notice that he is still around, Mr. Atlas. Very healthy looking specimen. Tall and heavy set. Little bit clumsy in his movements.

Mr. JENNER. A big man, in other words?

Mr. GLOVER. Big man, yes.

Mr. JENNER. And handsome?

Mr. GLOVER. Well, that is a matter of what you call handsome.

Mr. JENNER. You described him in that respect.

Mr. GLOVER. Well, I think he was a, he might be called handsome by somebody. I would call him a good heavy-looking physical specimen.

Mr. JENNER. Color of hair?

Mr. GLOVER. Hair was some kind of brown.

Mr. JENNER. Had a good crop of hair?

Mr. GLOVER. Yes; a lot of curly, wavy hair.

Mr. JENNER. What about his personality?

Mr. GLOVER. He was a very great mixture of things.

Mr. JENNER. Tell us about it.

Mr. GLOVER. He was a very cynical sort of person. He was a Bohemian sort of person.

Mr. JENNER. What do you mean by that? I think I know what you mean, but what do you mean by "Bohemian type of person"?

Mr. GLOVER. I mean he lived the kind of life where he went the way he

wanted to go and he did what he wanted to do and he didn't care very much about what anyone said.

He wanted to play tennis, morning, noon and night. He wanted to dress the way he wanted to. He was not very conforming in his physical dress or in his appearance or anything else. But the main thing that impressed me most about him was his immaturity. He acted like a fellow who is in his teens, who was reacting against everything in the world and never settled down, and acted like this minor revolution which occurs in most people, of being against authority and so forth, and wanted to travel over the world and do things himself. He is sort of a revolution inside of him. It never stops. He was sort of a rebel.

Mr. JENNER. Would you say he really had somewhat adolescent tendencies and had never grown up?

Mr. GLOVER. I would say that he was very much so; yes.

Mr. JENNER. In your time and my time, we talked about "Joe College." Is that expression familiar to you?

Mr. GLOVER. Yes.

Mr. JENNER. Was he that kind of a person, breezy?

Mr. GLOVER. Yes; very much so. Very outspoken. His language sometimes wasn't very nice. He said anything he wanted to say.

Mr. JENNER. Was he, in his conversation, somewhat of a braggart?

Mr. GLOVER. Yes; he was.

Mr. JENNER. Talked about himself a great deal and what his accomplishments were and so forth?

Mr. GLOVER. Yes; he did. He was somewhat of a braggart. He did, like many, many people, he embroidered things. I had the feeling one could never place full stock in exactly all the things he said. He was like a lot of people, he embroidered things. Not so much a braggart exactly as just one who just talked a lot about everything. I think, yes; he was sort of a braggart in a way.

Mr. JENNER. What would you say were his attitudes and his relationships, first, with the male sex, and second with the ladies?

Mr. GLOVER. Female sex?

Mr. JENNER. Overall attitude.

Mr. GLOVER. His overall attitude, one of his preoccupations was sex, seemingly, the female sex. He used to talk about every female he saw go by. He would ride along in his car and blow the horn at any female he saw going down the street. And his attitude toward males, as far as I know, there was no particular, nothing particular to be said on that subject.

Mr. JENNER. But he showed considerable interest in ladies?

Mr. GLOVER. Yes; he showed a very, very great interest in them, sort of a preoccupation thing with him.

Mr. JENNER. Did he seem to ingratiate himself with ladies when he was in their presence?

Mr. GLOVER. Yes; he was even somewhat rougher than that. He would act very, very aggressive toward them, very aggressive toward them. I don't know whether his bite was as bad as his bark. I never saw any evidence of it, but he was very, very rough and aggressive with people.

Mr. JENNER. Would you give me your present overall impression of George De Mohrenschildt insofar as character and integrity are concerned?

Mr. GLOVER. Well, he was a man who obviously very much embroidered things he said. And also from his political opinions, which he gave out from time to time, didn't show very clearly where he stood.

Mr. JENNER. Now would you give the circumstances and your—first give me your overall impression as to his political views. And I mean political in the sense of, first, I mean political in the sense of the views he entertained with respect to governments in general, and in particular, I mean as against any political party.

Mr. GLOVER. Well, he said—the main thing there is his cynical attitude towards things. I don't think he respected any kind of authority. I think that he is sort of apolitical. He sort of resented having to conform very much. But his political views, as far as our system versus communism, for

instance, it wasn't very clear how he stood. He made remarks which suggested that he didn't like the way the Communists were treated. Very pointed remarks, sometimes.

Mr. JENNER. He didn't like the way the Communists were treated?

Mr. GLOVER. Yes; he didn't like the treatment that some Communists were given. I can give you an example.

Mr. JENNER. You mean in this country or in the Soviet Union?

Mr. GLOVER. Well, I was thinking of outside this country.

Mr. JENNER. All right.

Mr. GLOVER. So I would say that the whole question—

Mr. JENNER. What did he say in that respect which gave you that impression?

Mr. GLOVER. Well, I remember that at the time of Castro and Cuba, when the incident occurred of removing the Russian missiles—

Mr. JENNER. Missile sites?

Mr. GLOVER. Yes; he was very much upset about this, and he was very angry at Kennedy for doing what he did.

Mr. JENNER. What did he say, as best you can give us in substance? I know you can't remember the words, but in substance, what he said.

Mr. GLOVER. Well, the substance of what he said, he didn't like what Kennedy was doing at all. And the reason he gave, as far as I can remember, was the possible involvement in a nuclear war.

Mr. JENNER. You seek to imply that De Mohrenschildt was opposed to what Kennedy was doing, not because of dislike for Castro, but rather that he feared we would be, those actions might involve us in a nuclear war?

Mr. GLOVER. Well, in this particular point, yes. He also remarked, which shows that he had sympathy with Castro—it is not possible for me to separate those exactly, but in this particular thing, I remember one time being very, very excited about the missile business in Cuba, and this business came up that that would lead us into a nuclear war. In other words, he was suggesting that he was sympathetic with Castro, at least I thought so—well, Castro is all right, he can't do any harm, he is just a little guy, and this is the general impression I got. Again, those may not be the exact expressions that he may have used.

Mr. JENNER. Would you give me an example that he was sympathetic with what Castro represented?

Mr. GLOVER. He certainly never, in my acquaintance with him, tried to make out a case for the Communist system against our system. It was just sort of his shouting off about this thing I just described. And also I remember one very distinctly, which I told the FBI. One time there was a cartoon in the newspaper which pictured Khrushchev with the face of a pig, a caricature, and George was very, very indignant about them doing that. And I said to George, well, he does look like a pig. And after all, the caricature has been around since the days of the famous Frenchman—

Mr. JENNER. Lautrec?

Mr. GLOVER. No; it isn't Lautrec. It's Daumier. I don't know, but that is what I was thinking, and he does look like one. And so he showed on this point that he resented something very much about this.

Mr. JENNER. Did you ever get into any political discussions with De Mohrenschildt?

Mr. GLOVER. There is not very much I remember, because as I say, there was never any real discussion about such issues, that amounted to anything, but there were occasions when he seemed to agree to what I consider a reasonable view.

For instance, things in Russia at the present time. I recall one instance once before that there was a discussion—whether it came from a remark of a public figure in the press or somebody else who may have been present, but there was a discussion about the fact that under the Khrushchev regime things had loosened up somewhat in Russia. Whoever was responsible for it, I think it was a public figure at the time who was talking, said that it was very true, things had loosened up in Russia, but how does the Russian feel about this. The answer was that the Russians didn't feel that it is necessarily going to stay that way very long. I remember talking about this in the presence of George and he seemed to be quite agreeable on this idea.

Mr. JENNER. When is the last time you saw De Mohrenschildt?

Mr. GLOVER. I saw him sometime in the early part of May, I believe. I moved into my house at 5723 Southwestern about the 20th of April, and I had taken all his furniture which he had, looking for a place to store, and we three fellows were needing furniture, because I sent all my furniture to my former wife, all the good furniture, so he was going to let us use the furniture for as long as we wanted, to save him storage fees and help us out. We moved it over, and then he finally, on leaving to go to Haiti, before he was going, he dropped by the house sometime in the day he departed, I think it was in the last few days of May, first week or two—

Mr. JENNER. 1963?

Mr. GLOVER. 1963, right. He came by the house looking for something which had been stored in some of the boxes, and they were loaded with their trailer and cargo to load on the boat in Florida where they going to take off from. They were sending goods by boat and flying themselves.

Mr. JENNER. That's the last time you have seen him?

Mr. GLOVER. That is the last time I have seen him.

Mr. JENNER. Have you heard from him at any time?

Mr. GLOVER. Have I heard from him?

Mr. JENNER. What has been the extent of that contact, first?

Mr. GLOVER. Well, he wrote to me and his wife wrote to me telling about how things were going in Haiti, and I have replied very little to him. I have replied, I don't know how many times, maybe once when they first went down there, and I replied after January 1, when I moved. I shipped most of his furniture to a storage, keeping some back that I can still use in the new house, and I wrote to him telling him, I told him I didn't need the furniture, and I haven't corresponded with him very much.

Mr. JENNER. In that correspondence he—has he given you any information as to what they are doing in Haiti? Did you have any information before they left for Haiti as to what they were, or thought they were, going to do?

Mr. GLOVER. Yes. I have the information from talking very much about his Haiti venture, and the impression I got was somewhat hazy, but the first part was that he was going to be doing a geological survey for chemicals and minerals.

Mr. JENNER. For what?

Mr. GLOVER. Minerals of economic value.

Mr. JENNER. Did he indicate the group or company for which he was to do this work, or was it independent?

Mr. GLOVER. I had the impression that he was the one who was running the show himself, but he was associated with some other businessman that was connected with it, that besides this initial venture of doing this chemical survey, they were also going to do other things and set up business ventures. That is what the other part involved, and I had the impression that this all tied together.

Mr. JENNER. This was in the nature, as near as you can recall, of a joint venture of some kind?

Mr. GLOVER. Yes; except he gave me the impression that he was really running the show, and I also had the impression, which he didn't emphasize, but that someone else was providing the money if there was any money needed.

Mr. JENNER. Give us your knowledge and also your impression of the De Mohrenschildt's financial status when they resided here in Dallas?

Mr. GLOVER. I had the impression that they didn't have very much money, because he had been away, and the time he came back, the oil consulting business had gone down pretty much. This was about the time when the companies were reorganizing and they were tightening their belts, and it just wasn't such good times, and he apparently had trouble in getting any oil consultant jobs. This was the impression I got from him and he didn't do very much, except I got the impression that he might have owned some leases, and he—

Mr. JENNER. Oil leases?

Mr. GLOVER. Oil leases. And he talked about one particular one where there was litigation about it. And I got the impression that he didn't have very

much money, except possibly some money coming in from the oil leases and they didn't have lots of food. They didn't have anything but very simple food, simple clothes. They hadn't bought anything new. They had clothes from time before, which were quite expensive, but they did, however, have a nice car. But they didn't spend a lot of money and didn't seem to have a lot.

Mr. JENNER. Would you say they attempted to live frugally?

Mr. GLOVER. Yes; I would say they attempted to live frugally.

Mr. JENNER. Speaking there about attire, in this connection, as evidence of their financial status or condition, do you recall mentioning to the FBI their tennis clothing and from time to time other clothing was quite informal, even to the extent of not being appropriate?

Mr. GLOVER. Well, Mrs. De Mohrenschildt used to wear a bathing suit all the time when she was playing tennis, one piece bathing suit, in which the lower half was sort of Bikini like. And George just wore a pair of shorts. That is accepted attire for a man tennis player. We used to go to the Dallas Athletic Country Club east of the city to play, sometimes, because Sam Ballen had a membership, and she was told it is against the rules to appear on the courts with a bathing suit.

Mr. JENNER. Tell me about Sam Ballen. Who is he?

Mr. GLOVER. Sam Ballen, I met him in the way I told you, and he told me that he had been in the stock market business in New York, and came here to organize a company which deals in cataloging, and has a library for oil well logs. These are the records of the physical measurements made in the oil well, and apparently was very successful in doing this. I have known him for the past 2 years—I met him actually when I told you; at Lauriston Marshall's house sometime in 1962, I guess.

Mr. JENNER. Is Ballen a friend of Mr. De Mohrenschildt?

Mr. GLOVER. Ballen is a friend of the De Mohrenschildts.

Mr. JENNER. Was it your impression that they were closely acquainted?

Mr. GLOVER. Fairly well, yes; closely acquainted.

Mr. JENNER. Did you play tennis together with Mr. Ballen and the De Mohrenschildts on more than one occasion? Did you continue to have this acquaintanceship subsequent to that first occasion about which you have testified?

Mr. GLOVER. Very much so; yes.

Mr. JENNER. Were there occasions thereafter—social events, parties, visits in the home, and what not, that Sam Ballen participated?

Mr. GLOVER. Yes; there were occasions, although the main association was that we played tennis together. We made a very good team. We have about the same degree of skill at it; yes.

Mr. JENNER. Does he reside here in Dallas?

Mr. GLOVER. Yes; he does.

Mr. JENNER. He still stays—lives here?

Mr. GLOVER. As far as I know.

Mr. JENNER. Do you know of a company with which he is associated?

Mr. GLOVER. I do not know the name offhand.

Mr. JENNER. And that his name is spelled B-a-l-l-e-n, and his first name is Samuel?

Mr. GLOVER. I just call him Sam. I don't know whether his name is Samuel or not.

Mr. JENNER. Do you know anything about the De Mohrenschildts' views toward religion?

Mr. GLOVER. They are very much against religion, I am quite sure. They don't think very much of organized religion at all.

Mr. JENNER. Do you have any information more definite than that? Are they atheistic, are they just—don't have any feeling one way or the other?

Mr. GLOVER. Be hard for me to say. I would think probably that atheistic would be more the correct term, but I don't recall specific remarks that they made.

Mr. JENNER. Did you have any impression, and do you now, as to any political affiliation of the De Mohrenschildts together or separate?

Mr. GLOVER. Any kind of affiliation?

Mr. JENNER. Political or otherwise.

Mr. GLOVER. Political or otherwise. Well, business, he belongs to the Petroleum Club. He talks about being down there. And I don't know of any other organizations.

Mr. JENNER. Well—

Mr. GLOVER. Well, cystic fibrosis, they are very active in that, because of his son.

Mr. JENNER. That is a charity organization?

Mr. GLOVER. A charity organization. And they were very active in this, because the wife, although it was not her son involved, was very, very active in that and went from door to door collecting, trying to get money for this purpose. I don't know of any other organizations. I remember one time being invited to some kind of charity program over at the—I don't know how to call it any more, but there is a center for retarded children over in the Cedar Springs area, which it seems that a Mexican-American organization was sponsoring, and he invited me to go to that. I don't know if they were members or not. I think that was sort of a Mexican-American, I am not sure.

Mr. JENNER. Did you ever have the impression they ever belonged to any political organizations?

Mr. GLOVER. No; I did not have any impression that he belonged to any.

Mr. JENNER. Did they express what their politics were? That is, say, as between being Republican or Democrat?

Mr. GLOVER. I don't recall anything very strong on that subject.

Mr. JENNER. Did you, during your time here in Dallas, become acquainted with Marina and Lee Oswald?

Mr. GLOVER. I did.

Mr. JENNER. Would you state when it was that you first became acquainted with either or both of them.

Mr. GLOVER. I am not able to give a specific time. I met Marina first at the home of George De Mohrenschildt.

Mr. JENNER. All right, give me the circumstances and when that occurred and what led up to it, and what you knew in advance before the meeting was held, about that? That is, whether this came all of a sudden without any advance notice, or whether there had been some discussion with the De Mohrenschildts prior to that time. Just tell me the whole circumstances leading up to the moment you met Marina.

Mr. GLOVER. I am not able to state a specific time, but of course it was somewhere, I am not really able to say whether it was sometime in December, or in January, or sometime in that time, or in the first part.

Mr. JENNER. What year?

Mr. GLOVER. This would be the year 1962-63.

Mr. JENNER. Now would you fix it with respect to when your wife and you separated. Was that in December of 1962, did you say?

Mr. GLOVER. No, we separated before September 1, 1962. I am not able to say when she (Marina) came to the De Mohrenschildts. Marina came to the De Mohrenschildts several times. The first time I met her and subsequent times, she was also there.

Mr. JENNER. Had there been—has there been any conversation about the Oswalds with you or in your presence prior to the time that you met Marina?

Mr. GLOVER. Well, I am not sure about this, but I would think, yes; they had mentioned her.

Mr. JENNER. The De Mohrenschildts had mentioned her?

Mr. GLOVER. Had mentioned her and her husband and their situation, but I really do not know a hundred percent that they mentioned it before I came over there. I rather think they mentioned she was coming there previous to my meeting her.

Mr. JENNER. What did they say about her in advance of the meeting?

Mr. GLOVER. Well, they told about, this is as far as I remember, that they told about her coming over here with Oswald and, as far as I remember the impression I got from De Mohrenschildt—it might not have been entirely from him, it may have come later—Oswald had gone to Russia to live and had become a citizen. That is the impression I got. And that he had decided he didn't like Russia and he came back here and brought his Russian-born wife with him,

and were living in Fort Worth, and they were having trouble getting along, the Oswalds were.

Mr. JENNER. Getting along with each other?

Mr. GLOVER. Getting along with each other.

Mr. JENNER. You remember that distinctly?

Mr. GLOVER. Yes; I remember that very distinctly, because they were trying to find a place for Marina to stay.

Mr. JENNER. You learned all this through conversations with the De Mohrenschildts?

Mr. GLOVER. Right.

Mr. JENNER. Is that correct?

Mr. GLOVER. Yes.

Mr. JENNER. And either or both of them told you that the Oswalds were not getting along?

Mr. GLOVER. Yes.

Mr. JENNER. And that they were seeking what for them?

Mr. GLOVER. They were seeking a place particularly for Marina to stay. She had a baby. And seeking a place for her to stay where she could just get a living, because apparently her husband didn't get along with her, Lee Oswald didn't get along, and I am not sure whether he had lost his job or something. It was suggested it was financial difficulties, the main thing, they didn't get along, and were trying to find a place for her where she could live.

Mr. JENNER. Did either of the De Mohrenschildts speak Russian?

Mr. GLOVER. So far as I know, both of them spoke Russian.

Mr. JENNER. In your presence?

Mr. GLOVER. Yes; spoke Russian, what I assumed to be Russian.

Mr. JENNER. What is your command, if any, of the Russian language?

Mr. GLOVER. Well, I know "Da," but I know very little about it. I have started to study Russian in connection with scientific work, because it is very valuable to be able to speak Russian, and I have always wanted to learn to speak Russian, but somehow I never got to do this. It is very slight, actually, and they both, as far as I know, spoke Russian.

Mr. JENNER. Now tell us what the occasion was, how it came about that you met Marina on this first occasion?

Mr. GLOVER. Well, I am not sure again as to all the details, but I believe that it was this way. That they told about her and that, I came over there one night when she was there. I might have been invited to dinner when she was there, or I might have just come over when she was there, and they called me during the day and said, "Glover, come over and meet this woman."

Mr. JENNER. Your recollection is that either George or Jeanne called you and asked you to come over to their home to meet Marina?

Mr. GLOVER. Yes; I am quite sure that he invited me to come over there, because that is usually the way. They were always inviting me to come over.

Mr. JENNER. And your impression, this was an evening or during the daytime?

Mr. GLOVER. Well, I couldn't be sure, because she would sometimes come and stay for a day. It might be in the evening or it might have been on a weekend during the daytime. My impression was, it was in the evening.

Mr. JENNER. But your impression also was that this time that she had been invited by them on occasions prior to this particular one?

Mr. GLOVER. I am not sure whether they had invited her prior or not.

Mr. JENNER. I'm just asking you what your impression was at that time.

Mr. GLOVER. At that time that I first saw her?

Mr. JENNER. Yes; as to whether she had been there to visit the De Mohrenschildts.

Mr. GLOVER. My impression was that she probably had, but I really couldn't be sure about that.

Mr. JENNER. Anything said that evening indicating how she had reached the De Mohrenschildt's home?

Mr. GLOVER. You mean just physically brought there?

Mr. JENNER. Had they, the De Mohrenschildts gone to pick her up? Had she gotten there by bus herself? Had she gotten a cab, or how did she get there?

Mr. GLOVER. I don't remember specifically how she had been brought there.

Mr. JENNER. That subject was not raised so as to give you the impression one way or the other, is that correct?

Mr. GLOVER. Well, since she didn't have any means of going herself, I am sure, whether she came by bus or whether she was brought by them, I had the impression that she was living in Fort Worth at the time, and I know she was, because at one time, either this time or another time, I volunteered, since I had a car, to take her down to the bus station with the De Mohrenschildts to take her on her way back to Fort Worth, and the bus wasn't leaving right away, and there was a long wait, so we took her over to Fort Worth. But I am not sure whether that was this time or another time.

Mr. JENNER. Had you had the impression then in that connection that there were occasions when she had come or gone back by way of bus, or that she was capable of doing so?

Mr. GLOVER. That she was capable, yes.

Mr. JENNER. And she knew enough about bus travel between Fort Worth and Dallas and the location of the De Mohrenschildt home so that she, unaccompanied by someone, could travel back and forth?

Mr. GLOVER. Well, at least go to the Fort Worth bus. I'm not sure about whether they would pick her up or what. That is the impression I got from the fact we took her to the bus station and she was supposed to leave by bus.

Mr. JENNER. Who was present? Yourself, Marina, and the two De Mohrenschildts on this occasion?

Mr. GLOVER. I believe that is correct.

Mr. JENNER. Anybody else that you can recall?

Mr. GLOVER. I do not believe so, but I could not be a hundred percent sure. I believe that is the way it was.

Mr. JENNER. Have the De Mohrenschildts said anything to you about how they had become acquainted with the Oswalds?

Mr. GLOVER. They had not said anything specifically, but again, I had the impression that because they were Russian speaking and knew some of the other people around the area who were Russian speaking, they learned from people they knew in Fort Worth of this Russian girl who was here in this country.

Mr. JENNER. What, if anything, did they say about their interest in her beyond, let's say, pure curiosity?

Mr. GLOVER. That is really the extent of what they ever said, that they were curious, and also trying to help her out. This was right in character with Jeanne, who was always trying to help people out in such situations.

Mr. JENNER. Was she a generous person in that respect?

Mr. GLOVER. I think you would call it generous although you have to realize this is a double-edged sword. People sometimes do things in order to control things and arrange things, and other times they do things out of the goodness of their heart, and I think it was one of the facts, she liked to help people out, and arrange things. Maybe this is my male bias coming into it.

Mr. JENNER. But in any event, they were, on the surface at least, cordial, and seeking to help her?

Mr. GLOVER. That's right.

Mr. JENNER. Did you detect that that was an active and not merely a passive effort on their part?

Mr. GLOVER. Yes; I felt it was an active thing.

Mr. JENNER. They were pursuing it with some vigor?

Mr. GLOVER. Yes; I would say so.

Mr. JENNER. Let's take George in particular. Was it characteristic of him? Was he a generous man and wanted to help others?

Mr. GLOVER. Much less so, I would say, than Mrs. De Mohrenschildt. I rather would attribute it to her. Maybe it is my male bias coming out, blaming it on Jeanne for being so interested in somebody else, but he went along with this too, and there were several other people I met there who they were trying to be good to. I think they were trying to do this to help. And shortly after my former wife left and I was by myself, I think they, in their relation to me, were trying to do something to help me out.

Mr. JENNER. You met her on this occasion. How many additional occasions were there?

Mr. GLOVER. I can't be sure of the number of occasions, because she came several times to the De Mohrenschildt house.

Mr. JENNER. Alone?

Mr. GLOVER. Yes; she came several times alone, and I would say two or three times I saw her there.

Mr. JENNER. And each occasion you saw her on these two or three or even more occasions, she was always alone in the sense that she was not accompanied on any of those occasions by Lee Oswald?

Mr. GLOVER. That's correct.

Mr. JENNER. Is that correct?

Mr. GLOVER. That's correct.

Mr. JENNER. What was the length of this visit that you had on the first occasion?

Mr. GLOVER. I am not really sure of the time, but the impression I had, it was in the evening, and again I am not sure which one of the times, but the impression I had, it was in the evening that I was over there, either to eat, and she left quite early in the evening. Well, we took, maybe, or she was taken by them, but one time she left around 9 o'clock or something like this, to get a bus to Fort Worth. Whether this was the first time, I really can't be sure.

Mr. JENNER. Was it your impression she and her husband were living together at that time?

Mr. GLOVER. Yes; it was my impression. I am not really sure now whether anything was said to the contrary on that or not. My impression was that she was living with her husband on this first occasion, yes.

Mr. JENNER. Did any occasion arise when you were advised or had the impression that she was not then at that period of time living with her husband?

Mr. GLOVER. Yes; I think this is subsequent to this first time I met her. Whatever those occasions were, they had arranged for her to stay with someone here in the Dallas area.

Mr. JENNER. Do you know the name?

Mr. GLOVER. I do not remember the name of the people, but they had arranged for her to stay here, and she had stayed for, as I recall, a fairly short time, that the arrangement did not work out.

Mr. JENNER. Does the name Elena Hall trigger your recollection?

Mr. GLOVER. Elena Hall?

Mr. JENNER. H-a-l-l?

Mr. GLOVER. I don't recall ever having heard that name.

Mr. JENNER. Meller, M-e-l-l-e-r?

Mr. GLOVER. I couldn't be very sure about that. They might have mentioned a name, but I do not recall. They mentioned the names of quite a number of people to me, and I am not sure.

Mr. JENNER. What impression did you have of Marina on this first occasion?

Mr. GLOVER. Well, my first impression was she was sort of an innocent person caught up in the situation. Although I have very little to go on, and I could not communicate with her, only through the De Mohrenschildts.

Mr. JENNER. Did she speak any English on that occasion?

Mr. GLOVER. She spoke practically none. No English. She understood a little bit that people said in English.

Mr. JENNER. But she did not speak it?

Mr. GLOVER. She couldn't speak English. It was very difficult for me to get any real good impression from her.

Mr. JENNER. And she was quite young?

Mr. GLOVER. Yes; she was quite young.

Mr. JENNER. Let's say this is February of 1963, did you say that was, or March?

Mr. GLOVER. This was sometime in the first part of the year.

Mr. JENNER. Of 1963?

Mr. GLOVER. Yes; it was probably in January. That would be my best recollection. It was during that time. It might have been later than that. I am hazy. The only thing I have to go by is, I learned later after discussion of the visit of Oswald and his wife to our house, I learned pretty much from the conversation that that meeting took place in the latter part of February.

Now I did not recall, I just talked with the other people who lived in the house, and we figured it must have been about that time. And other people present recalled this, so this is how I figured the whole business. And I know I met Marina previous to that time.

I know I was away for a week in February when I went on a business trip to Pennsylvania, and so I assume it was somewhere in January, but I really do not remember.

Again, if I had to recall those events, I might be able to. I can remember some of the events, but I am not very sure about it.

Mr. JENNER. When next did you meet Marina after this occasion?

Mr. GLOVER. Well, again, I am not sure at all about those occasions. She would come and stay at the house, and if I came in from playing tennis with George, she might have been there. This may have happened two or three times.

Mr. JENNER. There came an occasion, did there not, in which you met Lee Oswald?

Mr. GLOVER. Yes; when I met Lee Oswald the first time, was at their house.

Mr. JENNER. Did Marina accompany the De Mohrenschildts on that occasion?

Mr. GLOVER. That's right.

Mr. JENNER. When was that and how did that arise, and what was the circumstance?

Mr. GLOVER. The only thing I can remember about this, is again to fix this with respect to the other meeting when he and his wife, Oswald and his wife, came to my house, and that was apparently in late February, so it must have been previous to that.

Mr. JENNER. Does the date February 22, 1963, refresh your recollection as to the occasion they came to your home?

Mr. GLOVER. Well, I think I remember in the conversation with the FBI they mentioned a date about Washington's Birthday.

Mr. JENNER. It is not Lincoln's?

Mr. GLOVER. I think it was Washington's Birthday, but I don't remember dates, so I had no actual recollection of the specific date.

Mr. JENNER. Yes; that is Washington's Birthday. [Checking calendar.]

Mr. GLOVER. The only thing I have a hazy recollection about, that it was on a Tuesday or Wednesday of the week.

Mr. JENNER. Washington's Birthday in 1963, was on a Friday.

Mr. GLOVER. Maybe it was. My recollection isn't worth much on this.

Mr. JENNER. It was the latter part of February, in any event, of 1963?

Mr. GLOVER. The meeting at which I first met Oswald was just previous to the meeting where I met Oswald and his wife the second time.

Mr. JENNER. There were two occasions when you met Oswald and his wife?

Mr. GLOVER. That's right. The first one was at the De Mohrenschildts.

Mr. JENNER. Excuse me, we have one meeting described which you set in the early part of the year, Marina alone. That is, she was unaccompanied by her husband, and you met her at the De Mohrenschildts?

Mr. GLOVER. Yes.

Mr. JENNER. There might have been some additional occasions when you saw her at the De Mohrenschildts prior to your having met Lee Oswald?

Mr. GLOVER. That's right.

Mr. JENNER. Now what was the circumstance under which you had your first meeting or first occasion that you met Lee Oswald?

Mr. GLOVER. On that occasion the De Mohrenschildts invited the two Oswalds and invited quite a number of other people—I was included—to their house.

Mr. JENNER. About when was this?

Mr. GLOVER. Well, this was just previous to the time that Oswald and his wife came to my house, so I would say it was just a few days or a week before that.

Mr. JENNER. At the De Mohrenschildts, who was present on that occasion?

Mr. GLOVER. This is where I have difficulty in recollection. Several times the De Mohrenschildts had invited me to their house for dinner, when he had informal dinners, and I am not really sure at all who was present. I am

sure that De Mohrenschildt and his wife, Marina Oswald and Lee Oswald, and myself, and Volkmar Schmidt.

Mr. JENNER. He was then living with you?

Mr. GLOVER. Living with me. He was there. And of the other people, I have just a poor impression as to whether——

Mr. JENNER. What about Pierce?

Mr. GLOVER. Pierce was not there, I know that.

Mr. JENNER. Wasn't there anybody by the name of Fredricksen?

Mr. GLOVER. He was not there.

Mr. JENNER. Do you know Fredricksen?

Mr. GLOVER. You are talking about the first meeting? I know Fredricksen. He had his office next to me at the laboratory. He works also at the laboratory, so I know him quite well. He was not there.

Mr. JENNER. You have exhausted your recollection now? There were additional persons present on this occasion, but you don't recall their names?

Mr. GLOVER. I can recall names of people who might have been there, and I certainly wouldn't swear to it, because I really don't remember that well.

Mr. JENNER. Was it a large party?

Mr. GLOVER. There were quite a number of people for the small apartment. There may have been five or six, seven or eight more people.

Mr. JENNER. There may have been five or six or seven or eight more people in addition to these you have named?

Mr. GLOVER. Yes. Now I have an impression, and I may be completely wrong, that a man by the name of Richmond was there.

Mr. JENNER. Richmond?

Mr. GLOVER. I am not sure how you'd spell his name. I know they called him High Richmond, and he works at the, they call it SCAS, which is Southwest Center for Advanced Studies. He has taught physics at SMU. He may have been there. I do not know for sure. Sam Ballen might have been there, I don't know. I am not clear at all who might have been there.

Mr. JENNER. All right, this was a dinner party or an evening party?

Mr. GLOVER. Sort of a dinner.

Mr. JENNER. What did the Oswalds look like and what was your impression of Lee Oswald? Tell me how the Oswalds were generally attired? Did anything impress you?

Mr. GLOVER. Not well attired for clothing and shoes, those sort of things. I got the impression that they certainly were not perfectly well attired. As I remember, Oswald just wore an open shirt and a pair of pants. He wasn't dressed up at all. Some of the other people were dressed up.

Mr. JENNER. Even though this was in February 1963?

Mr. GLOVER. Well, I don't know. I got the impression that he was informally attired as opposed to formally attired, and his wife was also. That is the impression I got. Maybe she was dressed up more. Again, only impression I have is the informality of it as opposed to some of the other people who would be wearing suits. I can't remember what I was wearing at that time myself. I have the impression that they were different people than a lot of other people.

Mr. JENNER. You did?

Mr. GLOVER. Yes.

Mr. JENNER. That would be true of each of them?

Mr. GLOVER. About her, I don't know. It is hard to say. I don't remember much of an impression of her, except she was a quiet little girl with a baby over on the bed sofa.

Mr. JENNER. She brought the child with her?

Mr. GLOVER. I am pretty sure; yes. Now again, I believe so, but again, I am not a hundred percent sure.

Mr. JENNER. On this previous occasion had she brought her child with her?

Mr. GLOVER. I believe she always had her child with her.

Mr. JENNER. To the best of your recollection, on that occasion, she had the child with her?

Mr. GLOVER. Yes.

Mr. JENNER. What occurred that evening in the way of discussion?

Mr. GLOVER. This evening several people talked to Oswald. I talked very little.

Mr. JENNER. English or Russian?

Mr. GLOVER. No, I don't remember whether there was any conversation in Russian or not. I really didn't talk hardly any to the Oswalds, any myself that evening. I know I remember that Volkmar Schmidt talked with him considerably, but he did not talk in Russian. Volkmar talked English.

Mr. JENNER. Does Volkmar Schmidt have command of the Russian language?

Mr. GLOVER. He has no command of Russian, although Norman Fredricksen and Pierce and Volkmar all had started to study Russian. There was a course at the school. I believe there was a course at the laboratory, a private teacher was giving classes. They all three started to take, but Volkmar and Pierce stopped, and Fredricksen was the only one who continued.

Mr. JENNER. Is the name Voshinin familiar to you?

Mr. GLOVER. Yes.

Mr. JENNER. Was he the instructor or the tutor for Fredricksen and Pierce?

Mr. GLOVER. I do not believe so. I don't think that is the—I am quite sure that is not the same person at all. The facts I have about the teacher, it was a man who worked for some oil company here in Dallas who taught classes on the side. Maybe he was an interpreter, or maybe he was in the laboratory in geology for an oil company, but he was teaching on the side.

Mr. JENNER. Voshinin worked for Sun, did he not?

Mr. GLOVER. Not the Voshinin that I know. I know one Voshinin, and he is teaching in the Chemical Engineering School of SMU. And his wife does translating. Now I don't know of any other Voshinin. I don't recall the name very well of this man who was teaching, but Fredricksen ended up by taking Russian lessons from an older woman who, I think, was related to a woman who—I beg your pardon, Fredricksen took lessons later from a woman who was related to the man who worked for some oil company, who had originally given classes, and that woman's name I do not remember.

Mr. JENNER. His mother-in-law? Voshinin's mother-in-law, Mrs. Gravitis?

Mr. GLOVER. She had some kind of a name she was known by. I am quite sure—I can't remember whether it was Voshinin—it is not the Voshinin that teaches at SMU.

Mr. JENNER. It is a different one?

Mr. GLOVER. The only Voshinin I know is the man that teaches at SMU.

Mr. JENNER. Does anything stand out in your mind on this initial meeting which you met Lee Oswald? And if so, would you please state it.

Mr. GLOVER. Well, the story from the beginning that the De Mohrenschildts told, and the meeting on this first occasion, I didn't talk very much to him—was a perplexing business to me.

In the first place, when he [De Mohrenschildt] told the story, I didn't believe it was possible for any one to go to Russia and work as he did and come back to this country. I doubted it was quite possible. And I mentioned this fact to some of the people I worked with. One fellow was particularly anti-Russian in every way, and he thought this easily possible for a person to do this, that this made sense.

In other words, that I was dubious of the story from the beginning. The thing that I kept thinking all the time, and this is apparently where I made a mistake, was that, if someone in his position had done what he said and brought a Russian wife here, that certainly would be known by the authorities, the FBI particularly, and that if a person like he were running around the way he was and doing what he was doing, then he would be someone who is known very well by the FBI people. I told the FBI about this, and I also told them what De Mohrenschildt had written to me quite recently.

Mr. JENNER. Tell me about that.

Mr. GLOVER. De Mohrenschildt told me in a letter that Oswald had been checked by the FBI—

Mr. JENNER. Do you have it?

Mr. GLOVER. I gave it to the FBI. They have the letter. He stated in the letter that he had asked the FBI about this man, and I don't remember the words he used in the letter, but they are in that letter, but words to the effect

that they passed on him, or he was harmless, or he was something, suggesting that he was all right, he said, from their point of view.

Mr. JENNER. That is, De Mohrenschildt says in this letter that he made an inquiry of the FBI and the FBI reassured him?

Mr. GLOVER. Yes.

Mr. JENNER. That is, Oswald was all right?

Mr. GLOVER. Yes.

Mr. JENNER. I don't want to put words in your mouth. I want you to, by your recollection of what was stated, repeat it again so that it is not in my words.

Mr. GLOVER. Yes. Well, I did get the impression from what I recall of his letter, that he had checked with the FBI, and I remember he stated specifically in the letter, either in Fort Worth or Dallas, about Oswald, and they told him that he was apparently all right, he was acceptable. They passed on him in some way. I don't remember the exact way he put it. It is in the letter.

Mr. JENNER. Had you had any discussion with De Mohrenschildt on that subject on or about the time of your meeting the Oswalds?

Mr. GLOVER. When I got this letter, it reminded me that at one time when they were first talking about putting Marina somewhere, getting her to go somewhere, that he had made some remark to the same effect, that he had some people who were very dubious of the situation, they didn't want to have anything to do with the people, and he told them he checked with the FBI and they were all right, or words to that effect.

Mr. JENNER. You used an expression a few minutes ago that apparently you made a mistake. Do you recall that?

Mr. GLOVER. Yes.

Mr. JENNER. In this connection, what do you mean by that?

Mr. GLOVER. I referred directly to one thing, I made the mistake of assuming that a man in his situation—of assuming that, because this man had the history of having been in Russia, apparently, and had brought his Russian wife with him, and so forth, that the FBI would know all about it, and although I was very much perplexed by him, I felt that he must be not a dangerous person. I don't think the FBI thought he was as dangerous as he was, and I think I made a mistake when I assumed that they could know that he was harmless. I assumed that the FBI would know about such a person, and in having this conversation with them, they said, of course they are not able to do that.

Mr. JENNER. Did you have any contact with the FBI prior to November 22, 1963, concerning the Oswalds, or either of them?

Mr. GLOVER. I did not.

Mr. JENNER. Did they—they didn't interview you, and you made no calls or had any contact with them?

Mr. GLOVER. That's right.

Mr. JENNER. What was your impression of Oswald on this first occasion that you met him?

Mr. GLOVER. Well, I didn't get too much of an impression. I didn't really talk to him very much.

Mr. JENNER. Did you get an impression of him being a man of education, or lack of it?

Mr. GLOVER. I certainly got the impression that he was someone who had a fairly lowly background and didn't have very much in his life.

Mr. JENNER. Very much in his life in the way of material things?

Mr. GLOVER. Yes; I would say so.

Mr. JENNER. Or very much in the way of an education?

Mr. GLOVER. Material, educational, and spiritual.

Mr. JENNER. Spiritual or education or material?

Mr. GLOVER. That is the impression I got, but it's hard to put that down as an impression of this first meeting exactly. My impression does not come very much from the first meeting where I did not talk to him very much. Subsequently talking with Schmidt and the subsequent meeting at my house and talking with the other people, my impression comes from that total rather than any detailed thing he said.

Mr. JENNER. Then I will ask you what, as near as you can fix it, what your im-

pression of Oswald was? Let's say, as of November 21, 1963? I am not thinking in terms that you thought about him on that day, but I am trying to fix a cutoff period.

Mr. GLOVER. Well, I came to the conclusion that he was, in the first place, obviously a fellow who was not satisfied with anything. He was not satisfied with what was in this country originally. He was not satisfied with the life in Russia. And he was not adjusting at all when he came back, so he was very maladjusted.

Mr. JENNER. Had you had the impression that, or did you have the impression that he was generally a maladjusted person?

Mr. GLOVER. Well, certainly from his whole situation I would conclude that he was maladjusted. In the course of fitting into a social and political group at all, he didn't adjust, didn't fit in.

Mr. JENNER. Had you had the impression then that he was not a person of sufficient education with background or capacity, for example, for travel or to become a part of the group strata of society in which you moved?

Mr. GLOVER. Oh, yes; I had the impression that he did not have a capacity to do that. My best word to describe him, my own personal word is that he was a ne'er-do-well. He did not adjust anywhere. He obviously didn't get along with his wife. He was very—

Mr. JENNER. Was that obvious to you in her presence when you saw him in her presence?

Mr. GLOVER. No; it was not obvious. This was only obvious from the description the De Mohrenschildts gave, but I still think this is a very important thing. I don't judge another person by the detailed things he says. I judge a person by the whole style of his life. This includes his relationship to other people, like his wife.

Mr. JENNER. I agree. The reason I pressed you again there was to bring out whether you were relying entirely on what the De Mohrenschildts said to you, or whether you were also relying on your contacts with the Oswalds and the general reputation in that community in which you lived in regard to that. They had views towards the Oswalds, and when I say community, I mean a circle of people.

Mr. GLOVER. Yes. Well, I have to admit that I have no direct evidence of the two Oswalds having trouble, but it was mentioned by the De Mohrenschildts, and I don't know whether by anyone else, that they didn't get along. And that fact also, along with this, would fit into the picture, as I learned later, he lost his job here in Dallas. And he had apparently lost his job in Fort Worth, and this added to the picture of someone who wasn't able to adjust. And such people who cannot adjust in their own work are very likely to be people who are not happy in their homelife and take it out on people in the homelife.

This is the inference I gave, and the only evidence I have is what De Mohrenschildt told me about that. I cannot say that I observed the Oswalds being antagonistic to each other.

Mr. JENNER. Now this first occasion then was an evening at the De Mohrenschildts, that he called you up without you having any prior notice, that the Oswalds were going to be there, and you went over and met them?

Mr. GLOVER. No.

Mr. JENNER. You knew in advance?

Mr. GLOVER. I believe they said when they called that these people were going to be there. I don't know how much notice they gave.

Mr. JENNER. Is there anything about which you haven't testified that struck you about the Oswalds on that occasion?

Mr. GLOVER. No; I don't believe so.

Mr. JENNER. Did he speak Russian during the course of the evening?

Mr. GLOVER. I'm not sure.

Mr. JENNER. All right. Or at least a language that was not English?

Mr. GLOVER. I really couldn't be sure on that point.

Mr. JENNER. Did she take part in the conversation to any extent?

Mr. GLOVER. Well, she never did take part in the conversation very much.

Mr. JENNER. When was the last occasion you saw the Oswalds?

Mr. GLOVER. This, as I said before, was a few days to a week, I believe, after the time I saw them at the De Mohrenschildts'.

Mr. JENNER. Was that at your home?

Mr. GLOVER. That was at my home.

Mr. JENNER. Was this a visit or an assembly that you organized?

Mr. GLOVER. Yes; I was the prime mover in organizing it.

Mr. JENNER. Tell us what motivated you and what you went about doing, and who was there.

Mr. GLOVER. Well, I didn't get a very good impression of Oswald this first time, because I didn't talk with him. But I talked with Volkmar Schmidt, and we talked with Dick Pierce, who was living with us, and we talked about it. I asked Dick if he would like to meet this fellow, like to see what he was like, because the whole thing seemed rather an unbelievable story that this could happen. It was unknown as far as my experience is concerned. And Mrs. De Mohrenschildt had been pushing the fact that Marina did not have anyone to converse with, and she also said that Lee would not make any effort to help his wife learn English.

Mr. JENNER. All right. Now, I would like a little more development of that. Who made the statement to you?

Mr. GLOVER. One of the De Mohrenschildts.

Mr. JENNER. One of the De Mohrenschildts? This was not merely an idle remark, a chance remark made one time, but had they mentioned it several times?

Mr. GLOVER. I believe so; yes.

Mr. JENNER. In talking to you about the Oswalds?

Mr. GLOVER. I would say so.

Mr. JENNER. They did say collectively—I mean—they did say affirmatively that one of the problems was that Lee Oswald was adverse to his wife Marina, learning the English language, or to use the English language?

Mr. GLOVER. Certainly that he didn't make any effort to help her.

Mr. JENNER. All right, okay, go ahead about your party now.

Mr. GLOVER. It so happened at this time that Ruth Paine, who is an acquaintance of mine—

Mr. JENNER. How did you become acquainted with Ruth Paine?

Mr. GLOVER. I became acquainted with Ruth Paine either through the Unitarian Church here in Dallas, or through a singing group which had members in it, from the Unitarian Church, I am not sure which. As I remember, it may not be entirely correct, but sometime after '56, I think, '56 to '58 in there, I was more active. I had joined the Unitarian Church sometime after coming to Dallas, and I used to sing some time in the church choir, and my former wife did sing much more than I did. Sometime during that period Michael Paine came to sing with the Unitarian Church. It seems he had been trying out various choirs around the town.

Mr. JENNER. Had you known him prior to this time?

Mr. GLOVER. I had not and I don't think his wife came there much to the church. I am not sure whether she ever came to the church. I believe she is a Quaker, and I think she came very little to the church. Maybe she did come and sing in the choir. Subsequently it was, as I remember, it was through him that I met her, and probably at a singing group which was organized, in which the majority of the members of the singing group were people who sing in the Unitarian choir.

Mr. JENNER. Was this kind of a madrigal group?

Mr. GLOVER. Yes. This was what it was called, depending on the membership at any time. They sing all kinds of things.

Mr. JENNER. Go ahead about your party.

Mr. GLOVER. Okay, so I knew at this time I had seen Ruth Paine on a few occasions in the past 6 months or a year, and I must have been talking with her or seen her somewhere previous to this time of the party, at which time she mentioned that she was going, she thought she was going to teach a course in Russian at St. Mark School; and that she was trying to brush up on the Russian, on—or maybe I am just thinking she said this latter. But she was interested, and I didn't really know—I think at that time I was aware of the

fact she had majored in Russian in school, or knew Russian very well, and De Mohrenschildt's wife Jeanne, was trying to find someone who could converse with her, and I thought I would tell Ruth Paine about her, maybe she would be interested in talking with this woman. So I invited her, and she said she would be interested. That is the explanation of how she came.

Mr. JENNER. Did you tell Ruth Paine about the Oswalds, to the extent that you knew about them at that time?

Mr. GLOVER. I am sure I did.

Mr. JENNER. Did she indicate whether she had any acquaintance or knowledge of the Oswalds?

Mr. GLOVER. Well, it never occurred to me to question this until it was brought up by the FBI. As far as I know, this was completely new to her.

Mr. JENNER. Your reaction at that time, in any event, was, as far as Mrs. Paine is concerned, your knowledge of her, she knew nothing about the Oswalds?

Mr. GLOVER. That's right, completely new to her. Dick Pierce came. At the time, Dick kept company with a girl who works at the laboratory, Betty MacDonald, and she came along. I believe he invited her to come.

Mr. JENNER. Did she speak Russian?

Mr. GLOVER. No; she did not.

Mr. JENNER. All right, then you had Pierce accompanied by Betty MacDonald?

Mr. GLOVER. Right.

Mr. JENNER. And you had Ruth Paine. Was she accompanied by her husband?

Mr. GLOVER. Yes.

Mr. JENNER. She was accompanied by her husband on that occasion?

Mr. GLOVER. I am pretty sure that he was there. Again I am not a hundred percent sure. I think we talked about this, the three of us, that were living together. I am sure he was there.

Mr. JENNER. Were you aware that Mrs. Paine and her husband were separated?

Mr. GLOVER. I was.

Mr. JENNER. As of that time?

Mr. GLOVER. I knew about that situation; yes. I don't think I invited him particularly, although I may have mentioned him, but I invited her because of the Russian.

Norm Fredricksen was in the office next to me, and I told him about the situation and asked him if he would be interested in coming, and he said he would come and he came.

Mr. JENNER. Is he a married man?

Mr. GLOVER. Yes.

Mr. JENNER. Did he bring Mrs. Fredricksen?

Mr. GLOVER. He brought Mrs. Fredricksen; yes, sir. I had the impression at that time that Norm had been the most studious of the three that had taken Russian and he was continuing. He was going to graduate school and he wanted to make it a major language. At least that was the motive he presented to me. I was interested in someone who could speak Russian and could hear both these people talk, so I invited him.

I think that is all the people that were there. I know that when I talked to the FBI, I omitted Betty MacDonald's name in my statement.

Mr. JENNER. At least for the moment this exhausts your recollection as to who attended your party?

Mr. GLOVER. I believe so. I don't call it a party.

Mr. JENNER. I think you mentioned the De Mohrenschildts. Did they drop in?

Mr. GLOVER. Yes; for a few minutes, and went somewhere else. They were going somewhere.

Mr. JENNER. Did the discussion take place—were there any discussions during the course of that evening with Lee Oswald which dealt with his political views?

Mr. GLOVER. Yes; there were discussions.

Mr. JENNER. Tell us about them.

Mr. GLOVER. Again I have to give an over-all impression I got. This may be partly as a result of questioning from some of the people present, but among the things that came out was that, and again I mentioned this before in connection with the other meeting, it is an over-all impression—he was apparently a Marxist.

Now I am not sure that I can say that he said exactly these words himself, or whether this was repeated to me after by Schmidt or Pierce or Mrs. Paine or someone, but as I say, I pay less attention to what a person says in detail than to the overall impression of what their style is; but I do remember specifically that he or someone else present said he was a Marxist——

Mr. JENNER. What impression did you have of the distinction, if any, between Marxism and Communism?

Mr. GLOVER. Well, with reference specifically to the so-called Communist regime, the impression I got was that he was a Marxist theoretically, but he did not like what he saw in Russia. He didn't like it and came back, but apparently this did not satisfy him.

Mr. JENNER. He had theories, but what he saw in Russia didn't measure up to those theories?

Mr. GLOVER. Apparently so.

Mr. JENNER. His so-called ideals?

Mr. GLOVER. Yes.

Mr. JENNER. In any event, he had——what he had come back to here in America didn't measure up to what he——

Mr. GLOVER. Apparently. He said so.

Mr. JENNER. Would you put that in your own words. What did he say on this occasion?

Mr. GLOVER. Again I have to qualify this. Maybe it is one of the impressions I got from other people talking afterwards, but I feel he said that he did not think that the Russian system measured up at all to his idea of what the society should be like, and obviously he didn't think the American system measured up or he wouldn't have gone there in the first place, and I am sure he said he did not think the American system measured up to his ideals.

Mr. JENNER. Was there any discussion about his life or their life in Russia?

Mr. GLOVER. Yes; there was considerable.

Mr. JENNER. Tell us about that.

Mr. GLOVER. Well, the thing I remember was that he was working in some kind of a trade. I don't remember what trade he was working at. And I don't remember really too many strong impressions.

The strong impression I got of things that he talked about were the——was the fact that his wife was not treated very well in Russia after she married him. She was apparently looked down on. This was the impression I had from listening to Oswald, either Oswald or conversation with his wife.

Mr. JENNER. That occurred at this meeting at your house?

Mr. GLOVER. I believe so, yes.

Mr. JENNER. By the way, how did you get the Oswalds there? Did you call them directly, or did you have somebody intervene for you? How was that arranged?

Mr. GLOVER. I talked with the De Mohrenschildts as to where they lived. By this time he was living in Dallas. He had gotten a job in Dallas and they were living in Dallas.

Mr. JENNER. Jaggars-Chiles-Stovall?

Mr. GLOVER. I don't know the name of the company, but I asked them (De Mohrenschildts) about where he lived, and they gave me his telephone number at the place where he worked. I still have his telephone number and I called him and asked him if he would come over to the house to meet some people, some such words as that, and he said, he would. I believe he gave me the address. It might have been the De Mohrenschildts who gave me the address originally. I have that address and had it on a slip of paper in my purse, and when I was about to throw away the slip of paper on which I accumulated a lot of addresses, I copied it down in my address book. I just in——I just had a feeling I ought to record this.

Mr. JENNER. He lived on Elsbeth Street?

Mr. GLOVER. He lived on Elsbeth, that's right. The only thing I remember about the place at work was that I think he worked in the photographic department of some, apparently something to do with a printing plant. Then I called him and I asked him if he would come over, and he didn't have any transportation, and I offered to come over and pick him up. My wife remembers that I

was down at the ice rink skating. I went down there early and picked him up on the way back home.

Mr. JENNER. Was anything said during the time that you knew Oswald or had any contact with him as to whether he was able to drive an automobile and operate an automobile?

Mr. GLOVER. I do not recall anything said about that.

Mr. JENNER. I ask you to state the discussions that occurred at this party in your home, or gathering, let's put it that way. Would that be a better description? It was a gathering rather than a party?

Mr. GLOVER. Well, of course, one's immediate reaction to being associated with any dastardly act or event is of course so painful that I shrink away from him. It wasn't a party. It was a gathering for a fairly specific reason, to look at this fellow and let some other people look at him and see what they made of him, so I call it a gathering.

Mr. JENNER. I think that that is a fair statement of it, in any event. Tell us what he said his life in Russia was like, his views, if he expressed any views, and then I am going to ask you after that your impression of the man.

Mr. GLOVER. Well, I don't really recall anything that he said specifically. Seems like his conversation was of the type where he did not initiate very much himself. He answered questions, and maybe it is partly hindsight, now, I don't know, and it is hard to say, one has the impression that he wasn't very candid at all. He was not the open type of person who one might have hoped for. Maybe it was too much to hope, but I believe it has happened of people who have done, say, something like he did in the direction of Russia, and have realized how wrong it was and have come back to the fold, and have been candid about their experiences, and of people who have gone in a Communist direction certainly, and who have retraced their steps and come back to realize the truth of the matter and have been very candid about it.

And he was certainly not a candid person. I do not remember specifically anything he said. It is hard really to get a very good impression of things. It seems like he was trying to go along with things. He was enjoying being asked questions by people, and he was going along with the questioning. That was the impression I got. I remember this discussion of what he was doing (for work), but I don't remember what it was. I remember his discussion of the—it might have been his wife, I am not sure of which one it was, the uneven man to woman ratio in Russia. And I don't know that that occurred that night or sometime previous on another occasion. It might have occurred on another occasion with his wife only present, but that fact was brought out about the uneven ratio, and I got the impression that might have been one of the reasons that she jumped at a chance to marry someone.

An FBI man pointed out to me that this was not very logical because of the differences in the age. She is very young, and the people were—who were killed off in World War II would be in my generation of 40 or 50 years old and there might not be much competition there. But that was the impression I got. Then there was also something mentioned about the treatment of the Cubans. It seems they lived near a place where there were Cubans.

Mr. JENNER. It seems what?

Mr. GLOVER. It seems they were living at or near a place where Cubans who had been brought from Cuba by the Communist regime were being indoctrinated.

Mr. JENNER. This is while they were in Russia?

Mr. GLOVER. This is while they were in Russia, yes.

Mr. JENNER. Then it must have been in the town, at least they knew of some Cubans being in Russia?

Mr. GLOVER. I used the words "being indoctrinated," because I assume this is what was going on. I don't think he used that word.

Mr. JENNER. Did he indicate that he had any contact with them?

Mr. GLOVER. Nothing specifically that I remember was said about having actual contact with individuals, but quite a bit was said about the treatment. Actual contact, I don't know whether he said that, but it didn't stick in my mind that he had any actual contact, but they did talk about the way they were treated, and he gave the impression they were really treated well.

Mr. JENNER. The Cubans were?

Mr. GLOVER. The Cubans were really treated well and given everything they wanted, and lots of girls for them, and the girls all fell for the Cubans, as it were, you know.

Mr. JENNER. Did Oswald express views with respect to Castro and the Cubans?

Mr. GLOVER. I could not remember any specific view about them, but I got the impression from his description of the Cubans who were there, that he might have been trying to create the impression that the Cubans were very much accepted by the Russians. Apparently, in all this conversation, I believe he was being very cagey about making statements, but he would give the impression that these people must have been pretty nice. They were being treated so by the Russians. Actually, he gave it as a matter of fact that they were being treated very well. I don't remember him having said anything specifically about his liking or not liking the Cubans or Castro.

Mr. JENNER. Anything else that occurred that evening with respect to conversation and his political views and life in Russia that you now recall?

Mr. GLOVER. No; I don't think there is anything that I recall right at the moment.

Mr. JENNER. Did Mrs. Paine take part in these discussions?

Mr. GLOVER. Yes; she talked to both Oswald and she talked to his wife very much.

Mr. JENNER. When she talked to Marina, in what language did she speak?

Mr. GLOVER. Well, I believe what she said, she said in Russian. I don't believe Marina was able to converse in English.

Mr. JENNER. Did she translate for Marina?

Mr. GLOVER. Yes; I believe she did.

Mr. JENNER. Did Oswald translate for her?

Mr. GLOVER. Marina, I cannot be sure about that. I don't remember that he did.

Mr. JENNER. This was in a house or in an apartment?

Mr. GLOVER. It was in a house.

Mr. JENNER. Did the women kind of move around and the men gather together, or would, as sometimes happens at meetings of this nature, were you all gathered generally in the same room or the same general vicinity and everybody take part in the social intercourse and interplay?

Mr. GLOVER. Well, I don't remember any particular pattern. The only person who would talk very much to Marina was Ruth Paine, because she was the only woman.

Mr. JENNER. What about the De Mohrenschildts? Did they just drop in and leave right away?

Mr. GLOVER. They stayed a very brief time.

Mr. JENNER. Did the De Mohrenschildts take part? There wasn't anybody other than Mrs. Paine, or possibly Lee Oswald, to translate for Marina, is that a fair statement?

Mr. GLOVER. That's right. The De Mohrenschildts did not come in at the beginning of the evening. They came sometime, if I remember, around 9 o'clock and stayed a short while and left.

Mr. JENNER. Did your guests press Oswald as to his political views?

Mr. GLOVER. Yes; he had been in Russia. He didn't think very much of that. He didn't think much of the United States' system, but what it was about the system, he didn't know.

Mr. JENNER. In other words, they pressed him so they backed him in a corner, to use the vernacular, and he had no real answers?

Mr. GLOVER. That's right. I think they ascertained that pretty well.

Mr. JENNER. He just reiterated, "I am a Marxist," or "I believe in communism," or I have these ideals, but I haven't found the ideal site anywhere? So far, that is a fairly general statement?

Mr. GLOVER. I think so.

Mr. JENNER. Since I said so much about it, is there anything you want to elaborate on in that connection?

Mr. GLOVER. No; I think what you said I agree to, that he was essentially more on the defensive. They asked him, as I just stated, what is the answer, and he essentially stated he didn't know the answer.

Mr. JENNER. Do you have any impression as to why, if you had an impression at all, why this man did not want his wife to learn English? And if so, what was that impression?

Mr. GLOVER. Well, the impression I had was simply one of maybe wanting to control her, but I did not think of anything beyond the usual situation which can happen with a man and his wife, where one person of the two is much, is very much the dominating person.

Mr. JENNER. Did you feel he was the dominating person in the couple?

Mr. GLOVER. I certainly did, because in the first place, the story I heard was they were trying to find a place for Marina where she could get away from him, but this later time they appeared to get along, so I assumed she was staying with him.

Mr. JENNER. What impression did you have of him then and subsequently, as to whether he was a stable person?

Mr. GLOVER. I did not think of stability at all, because he was fairly well behaved at the times I saw him. It is true, I did not think he was very candid, but I felt—

Mr. JENNER. You did not think he was very candid?

Mr. GLOVER. I did not think he was very candid, no; but I felt that whatever he was doing, he was able to get along in some way. But I had the impression of his being a ne'er-do-well sort of fellow, who would go from one place to another, never making adjustments very well. I did not get the impression, as I stated before, I did not get the impression of him being violent, which later came out, and—

Mr. JENNER. Did you have any impression as to whether he was a man who was well-adjusted, poorly adjusted, or otherwise?

Mr. GLOVER. Well, in the sense that if a person's whole philosophy of life, what he lives by, is very much in doubt, I would say from that point of view, he was poorly adjusted. From the point of view, possibly of his ability to get along in some fashion, he had one job and he had another job—I mean he apparently worked in Fort Worth and then he got a job in Dallas, and after he left here he went to New Orleans and got a job, and he was able to get along in some fashion, but obviously he was poorly adjusted as far as his whole living was concerned.

Mr. JENNER. Do you have an opinion of how much maturity, a person lacking in maturity, or what view, if any, do you have in that connection, or did you acquire?

Mr. GLOVER. Well, in the sense that a person is not mature until he discovers what he is living by, he certainly was very immature. He apparently never did develop any set rules by which he lived by, in spite of his purported Marxism. Apparently the dominating thing in this—in his life was that he had grown up in a poor environment, and I am getting this from what I have read in the newspapers. It is sort of hindsight.

Mr. JENNER. Try to keep that out as much as possible. I am trying to get your impression gleaned from the times you met the man.

Mr. GLOVER. Well, I would say that I didn't really have any impression of great instability. But I had the impression that he didn't know what he wanted at all.

Mr. JENNER. Did you have any impression that he was not capable of knowing what he wanted? I don't mean mental operation. I mean a man whose background was so shallow, and education so limited, that he really had no capacity for determining in any reasonable capacity since, what his regions of reaching and desires were?

Mr. GLOVER. Well, I would guess, I thought at the time that a person in his situation who had done the things he did, it looked like if he had never discovered what he wanted to live by by that time, that he probably never would discover what he was going to live by—of course I didn't keep contact with him after this meeting—and, consequently, had no further chance to observe him.

Mr. JENNER. I am going to talk about that in a moment.

Mr. GLOVER. Okay.

Mr. JENNER. Did you get any impression of him as to whether he felt the world had treated him poorly and he had any grudge as to the world, his lot

in life, if not directed toward any person, that he decided he would rationalize to avoid self-analysis?

Mr. GLOVER. I didn't get a very strong impression of that at all at the time. I think he was particularly well behaved when we met him, because I think he was pretty much flattered that someone else would take an interest in him, and I think he ate this up to be questioned about something by somebody who might have some status in society where he didn't have any. But I didn't get the impression that he was terribly bitter about this. I got the impression he was very unsatisfied and unadjusted, maladjusted. He didn't make any adjustment.

Mr. JENNER. During the conversation, did he make any remarks, that you recall, concerning the United States?

Mr. GLOVER. No; he did not make any remarks, except the remarks about the system not being a satisfactory one.

Mr. JENNER. Was President Kennedy mentioned?

Mr. GLOVER. I do not believe so.

Mr. JENNER. Did he say anything as to whether he was involved in or supporting any particular political causes?

Mr. GLOVER. No; he did not say anything about that at all.

Mr. JENNER. You got no impression that evening as to whether he might or could be or was—might be or could be or was a person given to violence?

Mr. GLOVER. No; I did not get the impression that he was given to violence, except for the fact that he had mistreated his wife, apparently, according to the De Mohrenschildts. They led me to think that he might take out his aggression, as a psychologist might say, but certainly not the violence of the type of the assassination or something like this.

Mr. JENNER. That is the last occasion that you saw the Oswalds?

Mr. GLOVER. Essentially that is the last. I hedge a little bit on this because I faintly recollect that De Mohrenschildt came by the house where I was living once, and he may have had Oswald with him, but it was nothing but a passing meeting. If it existed, I am not quite sure. It was nothing of significance that existed.

Mr. JENNER. Did you see or meet, or were you present at any time subsequent to this meeting when Marina was present?

Mr. GLOVER. Yes; I was present at one time. Let's see now, the sequence of events after that were, De Mohrenschildt left for Haiti sometime in early May. I am not really sure whether it is before they left. I guess it might have been before they left, or right after they left. I had a record player which they had loaned me.

Mr. JENNER. From the De Mohrenschildts?

Mr. GLOVER. The De Mohrenschildts had loaned me, and when Pierce and Schmidt moved in, they had record players, and they (De Mohrenschildts) wanted to give the record player to Marina.

Mr. JENNER. The De Mohrenschildts?

Mr. GLOVER. Yes; I had the record player, so one night when Pierce and I were going to visit a friend for dinner, a fellow by the name of Bob Tabbert, who I used to work with, we brought the record player with us and left it off at Marina's place.

Now at that time I knew where they lived, because I picked them up before at Elsbeth, and this time it was in the evening and we drove up by the apartment where they lived, and just as we drove up, Marina was wheeling her baby on the side of the road, and it was obvious she was going somewhere else, and it was difficult to communicate with her, but apparently she knew about the record player, and she pointed up to a house, and we drove and waited in the street until she went to a door in the house, and we understood she lived there, and it was somewhat of a ramshackled house, and it was around the corner, I don't know the name of the street, I could find it, I'm sure, it was the first—

Mr. JENNER. Neely Street?

Mr. GLOVER. I don't remember the name. I could find the street, because it was the first street on the left going north on Elsbeth.

Mr. JENNER. In any event, this was an apartment building or home different from the one in which you picked them up in February of 1963?

Mr. GLOVER. That's right. So I gave her the record player.

Mr. JENNER. Gave it to her?

Mr. GLOVER. That's right. That is what De Mohrenschildt asked me to do.

Mr. JENNER. Lee Oswald did not appear on the scene at that time?

Mr. GLOVER. No; he was not there.

Mr. JENNER. Did you know he was not there?

Mr. GLOVER. No; I didn't know he was not there; no. Well, I am not sure about that. Seems to me, yes, that I asked if her husband was there, because the record player had been standing waiting to be taken over there for sometime when we were going, and it had fallen off and had the arm damaged, and I could not converse with her, and I tried to explain, and I asked if her husband was there, and I had the impression he wasn't there, and I am not sure about that.

Mr. JENNER. Then what we have referred to was the last contact you had with Marina?

Mr. GLOVER. That was the last time I saw her.

Mr. JENNER. Did Mrs. Paine ever talk to you about Marina at any time thereafter?

Mr. GLOVER. The Paines, either one or the other, talked to me after that time. On one occasion I got a call on the telephone, I am not sure whether it was Mr. or Mrs. Paine, in which they said the record player—I believe it was the same one I had given or taken over to her that belonged to the De Mohrenschildts, was there at their house, and that she—first of all, the events after that went like this.

The De Mohrenschildts left and they told me Oswald lost his job and had gone to New Orleans. Then I believe it was only later through the Paines that I learned, I believe it was a telephone conversation, that Marina was staying there with them, or had been staying with them, and also left to go to New Orleans.

Mr. JENNER. This was in the spring of 1963?

Mr. GLOVER. This was sometime after the first of May. And I think at this time I learned through them that Marina had gone to join him in New Orleans.

Mr. JENNER. Was anything said about Mrs. Paine having taken Marina to New Orleans?

Mr. GLOVER. Nothing was said about her taking her to New Orleans, but I do believe I knew at that time that Marina had stayed with her. I think I learned it through conversation with them. I don't remember having heard from or seen the Paines since the time they were at my house until the time that I have learned Marina had gone to New Orleans and had previously stayed with Ruth. And until the time that Mike came over and delivered the record player. I think Mike was the one who brought the record player, and I don't remember the circumstances on that, but I believe it was he. I am not sure I was home. I am not sure about that.

Mr. JENNER. By the way, that letter that De Mohrenschildt wrote you from Haiti, does this refresh your recollection more exactly as to his remarks about what you have testified:

"It is interesting, but before we began to help Marina and the child, we asked the FBI man in Dallas or in Fort Worth about Lee, and he told us he was completely harmless?"

Mr. GLOVER. Yes; he used the word harmless, but I wasn't sure I was quoting what he said.

Mr. JENNER. Are you recounting a sequence of events with respect to Marina?

Mr. GLOVER. Yes; so I learned, at the time they brought the record player, that she had gone to New Orleans.

* Then the only other connection I had with them was that later than that, and now again I am not quite sure about the date, but it seems it must have been after I was married and I was still living on Southwestern, but I got a call from one of the Paines saying they had records that the De Mohrenschildts had given Marina. These were for Russian speaking people learning English, I believe, that they had, and what to do with them?

And I said, bring them over here and I will store them. And I remember talking, and I remember Michael Paine brought the records over to me and came in the house, and I talked with him a little bit. At this time Michael Paine told me the last information I had about them. He told me that, I am

not sure whether he said they were back, Marina was coming back, or Marina had already come back to Dallas, that Lee had lost his job and that Lee was coming back, and that was in the time I believe—

Mr. JENNER. Was coming back to live or was visiting?

Mr. GLOVER. Well, was coming back. Presumably he lost his job and was coming back here.

Mr. JENNER. Lost his job in New Orleans?

Mr. GLOVER. Right; and he was coming back here to live. That is the last I heard of them until the event of November 22d.

Mr. JENNER. All right. Now, is there anything Mr. Glover, that has occurred to you that you would like to add to the record that you think might be helpful to the Commission in its investigation of the assassination of President Kennedy and any of the people about which I have questioned you, and—or anything else that you think might help the Commission in the task of ascertaining the basic facts and truths with respect to that tragic event?

Mr. GLOVER. I don't believe there is anything else I have of any value to add.

Mr. JENNER. Now you understand the Rules of the Commission. You may, if you wish, read over your testimony, and it will be available to you next week if you wish to do so. If not, you have the privilege of waiving that right should you so desire. You also have the privilege of signing the deposition, if you prefer to do that. That is, read and sign it. And you also have the privilege of waving that right. Do you have any reaction on either of those subjects at the moment?

Mr. GLOVER. I don't have any reaction. I consider this as, because I don't know very much about the legal aspects, I consider this to be a technicality. Maybe I shou'd ask someone.

Mr. JENNER. Frankly, it is not anything of great moment, but if you wish to, if you prefer—that you read your deposition over it will be available to you next week, should you so desire.

Mr. GLOVER. I believe so. I think I would like to read it.

Mr. JENNER. I would think that it would be about Tuesday. If you will call here and ask for me or ask for Mr. Liebeler, your transcript will be available. And if you have any changes or corrections call them to our attention and we will make them either on the face of the deposition or ask you to be resworn and then you state the corrections or additions.

Mr. GLOVER. Yes.

Mr. JENNER. With this I have no further questions. I have only this to say, that I appreciate your appearing here voluntarily and inconveniencing yourself, and to the extent I had to inquire into your personal life, I hope you realize that it is part of my job and nothing personal on my part.

Mr. GLOVER. I have something to say also. I think that it is not a question of my doing anyone a favor. I consider it a duty to tell what I know about such a situation.

Mr. JENNER. All right, that is where we are at the moment.

TESTIMONY OF CARLOS BRINGUIER

The testimony of Carlos Bringuiер was taken on April 7-8, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Carlos Bringuiер, having been first duly sworn, was examined and testified as follows:

Mr. LIEBELER. My name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy.

Staff members have been authorized to take testimony of witnesses, including you, by the Commission, pursuant to authority granted to the Commission by

Executive Order No. 11130 dated November 29, 1963, and joint resolution of Congress No. 137.

I understand that Mr. Rankin wrote to you last week, stating that I would contact you in connection with the taking of your testimony. I understand that he sent with his letter a copy of the Executive order and resolution to which I have just referred as well as a copy of the rules of procedure of the Commission relating to the taking of testimony of witnesses.

Did you receive Mr. Rankin's letter?

Mr. BRINGUIER. Yes, sir; I received it.

Mr. LIEBELER. And you received copies of the documents that I have referred to?

Mr. BRINGUIER. That is right. I received.

Mr. LIEBELER. The Commission is interested in learning from you, Mr. Bringuiuer, about the contact that you had with Lee Harvey Oswald while he was present in New Orleans in the summer and early fall of 1963. Before we get into the details of that testimony, however, will you state your full name for the record.

Mr. BRINGUIER. Carlos Bringuiuer.

Mr. LIEBELER. What is your address, Mr. Bringuiuer?

Mr. BRINGUIER. Excuse me one moment. May I explain to you? In Cuba we use a long name with a lot of middle names. Do you want the whole middle name too?

Mr. LIEBELER. No; I think that is enough.

Mr. BRINGUIER. It is enough? O.K.

Mr. LIEBELER. Where do you live?

Mr. BRINGUIER. I live in 501 Adele Street, Apartment F.

Mr. LIEBELER. Here in New Orleans?

Mr. BRINGUIER. Here in New Orleans.

Mr. LIEBELER. Where were you born?

Mr. BRINGUIER. I was born in Havana, June 22, 1934.

Mr. LIEBELER. How long did you live in Havana?

Mr. BRINGUIER. Well, I was living in Havana until May 4, 1960. I left Havana to Guatemala and Argentina, and I came to the States in February 8, 1961.

Mr. LIEBELER. You came then to New Orleans, is that correct?

Mr. BRINGUIER. That day I arrived to Miami, Florida, and I was in Miami for 10 days, and I came to New Orleans in February 18, 1961.

Mr. LIEBELER. Have you been here in New Orleans ever since?

Mr. BRINGUIER. That is right.

Mr. LIEBELER. You are a Cuban national, is that correct?

Mr. BRINGUIER. That is correct.

Mr. LIEBELER. Are you presently employed?

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. What do you do?

Mr. BRINGUIER. Well, I am a salesman, retail clothing store with the name of Casa Roca, 107 Decatur Street. I am a salesman and manager of the store.

Mr. LIEBELER. How long have you been so employed?

Mr. BRINGUIER. I started to work in that store in October 1, 1962.

Mr. LIEBELER. Had you been employed here in New Orleans prior to that time?

Mr. BRINGUIER. Yes, sir; I was working for 1 year in Ward's Discount House, 708 Canal Street.

Mr. LIEBELER. You worked there as a salesman also?

Mr. BRINGUIER. As a salesman also.

Mr. LIEBELER. What is your educational background?

Mr. BRINGUIER. Well, I was attorney in Cuba and assistant secretary for the criminal court in Havana. I got my degree in 1957.

Mr. LIEBELER. Your degree in what field?

Mr. BRINGUIER. Law.

Mr. LIEBELER. In law?

Mr. BRINGUIER. That is right.

Mr. LIEBELER. So you then were trained as a lawyer in Cuba—

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. Prior to the time that Castro came to power? Is that correct?
Mr. BRINGUIER. That is correct.
Mr. LIEBELER. And did you actually practice law in Cuba?
Mr. BRINGUIER. Not actually, no. I didn't practice law, because I was working, as I told you, in the criminal court, and in Havana, in Cuba, when you was employee of the criminal court, you could not practice law.

Mr. LIEBELER. Did you become a member of the bar in Cuba or do some act that is similar of becoming a member of the bar here in the United States?

Mr. BRINGUIER. No; I didn't do any act to become here in United States member of bar.

Mr. LIEBELER. But in Cuba?

Mr. BRINGUIER. In Cuba, yes.

Mr. LIEBELER. You actually were a member of the bar in Cuba?

Mr. BRINGUIER. That is right.

Mr. LIEBELER. It is my understanding that you have been active in the Anti-Castro Movement here in New Orleans. Is that correct?

Mr. BRINGUIER. That is correct.

Mr. LIEBELER. Am I correct in understanding that you left Cuba because of your feeling against the Castro regime and your opposition to that regime?

Mr. BRINGUIER. That is correct. I did not believe in it, I did not agree with the Communist regime in Cuba.

Mr. LIEBELER. As a result, you left Cuba and came to the United States? Is that correct?

Mr. BRINGUIER. That is correct.

Mr. LIEBELER. Has your family joined you here in the United States?

Mr. BRINGUIER. Well, when I went to Argentina, I went with my wife and the three kids at that moment, and after I came to the United States alone, and 2 months later they met me here in the States. I want to explain that I am not in the States as a Cuban refugee but as an immigrant, as a resident.

Mr. LIEBELER. And as an immigrant from Cuba, or from some other—

Mr. BRINGUIER. From Cuba [producing document].

Mr. LIEBELER. You have shown me an identification card from the Department of Immigration and Naturalization, indicating that you were admitted to the United States as an immigrant on February 8, 1961. Is that correct?

Mr. BRINGUIER. That is correct.

(Document returned to witness.)

Mr. LIEBELER. I am correct in understanding, am I not, that you have been involved to one degree or another in Anti-Castro activities here in New Orleans since your arrival?

Mr. BRINGUIER. Yes, sir; soon after I arrived here to New Orleans, I founded a Newsletter for the Cubans with the name of Crusada. That was my first work here in New Orleans. After that I joined, at the beginning of 1962, the New Orleans Delegation of the Cuban Revolutionary Council, and I was working as Secretary of Publicity and Propaganda here in New Orleans for the Cuban Anti-Castro. That was, I believe, June or July—June 1962. After that, I resigned, and in July 1962 I was designated New Orleans delegate of the Cuban Student Directorate, and I am in that position from that time to now.

Mr. LIEBELER. Did there come a time when you met Lee Harvey Oswald?

Mr. BRINGUIER. I beg your pardon?

Mr. LIEBELER. Did there come a time when you met Lee Harvey Oswald?

Mr. BRINGUIER. Yes.

Mr. LIEBELER. Tell us when that was and the circumstances of the event.

Mr. BRINGUIER. Well, the first day that I saw Lee Harvey Oswald was on August 5, 1963, but before we go deeper in this matter about Oswald, I think that I would like to explain to you two things that I think will facilitate the Commission to understand my feeling at that moment.

Mr. LIEBELER. That is perfectly all right. Go ahead.

Mr. BRINGUIER. And you see, in August 24, 1962, my organization, the Cuban Student Directorate, carry on a shelling of Havana, and a few days later when person from the FBI contacted me here in New Orleans—his name was Warren C. de Brueys. Mr. de Brueys was talking to me in the Thompson Cafeteria.

At that moment I was the only one from the Cuban Student Directorate here in the city, and he was asking to me about my activities here in the city, and when I told him that I was the only one, he didn't believe that, and he advised me—and I quote, "We could infiltrate your organization and find out what you are doing here." My answer to him was, "Well, you will have to infiltrate myself, because I am the only one." And I want to put this out, because after the assassination of Mr. Kennedy, when I was interviewed, I told something that some part of the press or some persons now are trying to use to tell that maybe Oswald was a man from the FBI or the CIA. I will go into that later on.

After that, after my conversation with de Brueys, I always was waiting that maybe someone will come to infiltrate my organization from the FBI, because I already was told by one of the FBI agent that they will try to infiltrate my organization.

Next thing is this: On August 2, 1963, I receive in my store—I have over there the office of the delegation too, the visit of two Cubans, who told me that they had already desert from one Anti-Castro training camp that was across Lake Pontchartrain here in New Orleans. Until that moment I did not know nothing about that Anti-Castro training camp here in the city, and they told me that that Anti-Castro training camp was a branch of the Christian Democratic Movement—that is another Anti-Castro organization—and they told me that they had the fear inside the training camp that there was a Castro agent inside that training camp.

A few days before, too, the police found here in New Orleans about 1 mile from that training camp a big lot of ammunition and weapons and all those things, and when Oswald came to me on August 5 I had inside myself the feeling, well, maybe this is from the FBI, or maybe this is a Communist, because the FBI already had told me that maybe they will infiltrate my organization, but that feeling—I only had that feeling on August 5, because 4 days later I was convinced that Oswald was not an FBI agent and that he was a Pro-Castro agent.

When I told that to the press after the assassination, I saw in some magazines that I was not sure if he was an FBI or not, and that is not the truth, because on August 9, 3 months before the assassination, I was sure that he was a Pro-Castro and not an FBI. I want to have that clear.

Mr. LIEBELER. To summarize your statement, when Oswald came to see you on August 5—

Mr. BRINGUIER. That is right.

Mr. LIEBELER. You were suspicious of him on two different counts?

Mr. BRINGUIER. That is right.

Mr. LIEBELER. One, that he might possibly have been an infiltrator working for the FBI?

Mr. BRINGUIER. That is right.

Mr. LIEBELER. And you were worried about this because of what Agent de Brueys had said to you—

Mr. BRINGUIER. A year ago.

Mr. LIEBELER. Almost a year prior to that time?

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. You were also concerned about the possibility that Oswald might have been a Communist or a Castro agent of some sort, who was trying to infiltrate your organization on behalf of that group?

Mr. BRINGUIER. That is right. Now that day, on August 5, I was talking in the store with one young American—the name of him is Philip Geraci—and 5 minutes later Mr. Oswald came inside the store. He start to look around, several articles, and he show interest in my conversation with Geraci. I was explaining to Geraci that our fight is a fight of Cubans and that he was too young, that if he want to distribute literature against Castro, I would give him the literature but not admit him to the fight.

At that moment also he start to agree with I, Oswald start to agree with my point of view and he show real interest in the fight against Castro. He told me that he was against Castro and that he was against communism. He told

me—he asked me first for some English literature against Castro, and I gave him some copies of the Cuban report printed by the Cuban Student Directorate. After that, Oswald told me that he had been in the Marine Corps and that he had training in guerrilla warfare and that he was willing to train Cubans to fight against Castro. Even more, he told me that he was willing to go himself to fight against Castro. That was on August 5.

I turned down his offer. I told him that I don't have nothing to do with military activities, that my only duties here in New Orleans are propaganda and information and not military activities. That was my answer to him.

He insisted, and he told me that he will bring to me next day one book as a present, as a gift to me, to train Cubans to fight against Castro.

Before he left—

Mr. LIEBELER. Was Geraci present throughout this entire conversation?

Mr. BRINGUIER. Pardon?

Mr. LIEBELER. Was Mr. Geraci present throughout this entire conversation that you had with Oswald?

Mr. BRINGUIER. I think so, yes, sir; yes, sir.

Mr. LIEBELER. Was there a Mr. Blalock there?

Mr. BRINGUIER. Who?

Mr. LIEBELER. Blalock, B-l-a-l-o-c-k. Do you remember him?

Mr. BRINGUIER. Well, there was another young boy. What was his name did you say?

Mr. LIEBELER. Blalock, B-l-a-l-o-c-k.

Mr. BRINGUIER. I could not tell you, because I don't remember the name of the other boy who was there, but I think that I saw him just one time in my life. Geraci was with another person over there, another young boy, and—

Mr. LIEBELER. Did Oswald mention during this conversation that he could easily derail a train, for example, by securing and fastening a chain around the railroad track? Do you remember him mentioning something like that?

Mr. BRINGUIER. Well, you see; I do not exactly remember all the details, because we were talking for about—I believe about 1 hour, something like that, and at that moment I didn't know what was going to happen and I didn't pay too much attention to all the things that was being telling over there, but the result of the conversation were this that I am telling to you. Maybe he mentioned that. I could not tell to you that he mentioned that, because I am not—I don't remember. He could have mentioned that, because he was talking about the experience that he had in guerrilla warfare in the Marine Corps.

Before he left the store, he put his hand in the pocket and he offered me money.

Mr. LIEBELER. Oswald did?

Mr. BRINGUIER. Yes.

Mr. LIEBELER. How much did he offer you?

Mr. BRINGUIER. Well, I don't know. As soon as he put the hand in the pocket and he told me, "Well, at least let me contribute to your group with some money," at that moment I didn't have the permit from the city hall here in New Orleans to collect money in the city, and I told him that I could not accept his money, and I told him that if he want to contribute to our group, he could send the money directly to the headquarters in Miami, because they had the authorization over there in Miami, and I gave him the number of the post office box of the organization in Miami.

And after that, I left the store, because I had to go to the bank to make the deposit, and Oswald was in the store talking to my brother-in-law—that is my partner in the store—Rolando Pelaez.

Mr. LIEBELER. Is that P-e-l-a-e-z?

Mr. BRINGUIER. That is right. Oswald was talking to him for about half an hour, and later on when I came back from the bank I asked to my brother-in-law, "Well, what do you think about this guy who was here?"

Mr. LIEBELER. Did he tell you his name was Lee Oswald?

Mr. BRINGUIER. Yes; he told me that his name was Lee Oswald, and he told me one address in Magazine Street, but I didn't remember at that moment the number, and when I asked to my brother-in-law that, he told me that Oswald

looked like really a smart person and really interested in the fight against communism, and he gave to my brother a good impression, and I told my brother that I could not trust him, because—I didn't know what was inside of me, but I had some feeling that I could not trust him. I told that to my brother that day. Next day, on August 6, Oswald came back to the store, but I was not in the store at that moment, and he left with my brother-in-law a Guidebook for Marines for me with the name "L. H. Oswald" in the top of the first page. When I came back to the store, my brother-in-law gave to me the Guidebook for Marines. I was looking in the Guidebook for Marines. I found interest in it and I keep it, and later—I forgot about that just for 3 days more—on August 9 I was coming back to the store at 2 o'clock in the afternoon, and one friend of mine with the name of Celso Hernandez came to me and told me that in Canal Street there was a young man carrying a sign telling "Viva Fidel" in Spanish, and some other thing about Cuba, but my friend don't speak nothing in English, and the only thing that he understood was the "Viva Fidel" in Spanish. He told me that he was blaming the person in Spanish, but that the person maybe didn't understand what he was telling to him and he came to me to let me know what was going on over there.

At that moment was in the store another Cuban with the name of Miguel Cruz, and we went all three with a big sign that I have in the store in color. The sign is the Statue of Liberty with a knife in the back, and the hand, knifing her in the back, has the initials of the Soviet Union, and it said, "Danger. Only 90 Miles from the United States Cuba Lies in Chains." We pick up the sign and we went to Canal Street to find the guy.

We were walking all Canal Street to Rampart Street, but we could not find him. We were asking to different people in the street, but nobody saw him, nobody told us, Yes, I saw him, or, He went to this side. I decided to get a Canal streetcar to search for him, and we went in the Canal streetcar until about the 2700 block of Canal Street, and we came back in the Canal streetcar, but we could not find him at that moment.

I went back to the store, but just 3 or 4 minutes later one of my two friends, Miguel Cruz, came back running and told me that the guy was another time in Canal Street and that Celso was watching him over there.

I went over there with the sign another time, and I was surprised when I recognized that the guy with the sign hanging on the chest, said, "Viva Fidel" and "Hands off Cuba," was Lee Harvey Oswald. Until that moment I only knew Oswald as a guy who was offering his service to train Cubans, and when I saw that he was with a sign defending Fidel Castro and praising Fidel Castro, I became angry. That was in the 700 block of Canal Street just in front of the store where I was working my first year here in New Orleans.

Mr. LIEBELER. Was that the International Trade Mart?

Mr. BRINGUIER. No; Ward Discount House. He make another appearance in the International Trade Mart later, and I will go into that, too.

When I saw that was Oswald and he recognized me, he was also surprised, but just for a few seconds. Immediately he smiled to me and he offered the hand to shake hands with me. I became more angry and I start to tell him that he don't have any face to do that, with what face he was doing that, because he had just came to me 4 days ago offering me his service and that he was a Castro agent, and I start to blame him in the street.

That was a Friday around 3 o'clock at this moment, and many people start to gather around us to see what was going on over there. I start to explain to the people what Oswald did to me, because I wanted to move the American people against him, not to take the fight for myself as a Cuban but to move the American people to fight him, and I told them that that was a Castro agent, that he was a pro-Communist, and that he was trying to do to them exactly what he did to us in Cuba, kill them and send their children to the execution wall. Those were my phrases at the moment.

The people in the street became angry and they started to shout to him, "Traitor! Communist! Go to Cuba! Kill him!" and some other phrases that I do not know if I could tell in the record.

Mr. LIEBELER. You mean they cursed at him, they swore at him?

Mr. BRINGUIER. That is right, some bad phrases, bad words.

Mr. LIEBELER. Yes.

Mr. BRINGUIER. And at that moment, one of the Americans push him by one arm. One policeman came. When policeman came to me and asked me to keep walking and to let Oswald distribute his literature that he was handing out—he was handing out yellow leaflets of the Fair Play for Cuba Committee, New Orleans Chapter—and I told to the policeman that I was Cuban, I explained to him what Oswald did to me, and I told him that I don't know if was against the law, but that I will not leave that place until Oswald left and that I will make some trouble.

The policeman left, I believe going to some place to call the headquarters, and at one moment my friend Celso took the literature from Oswald, the yellow sheets, and broke it and threw it on the air. There were a lot of yellow sheets flying. And I was more angry, and I went near Oswald to hit him. I took my glasses off and I went near to him to hit him, but when he sensed my intention, he put his arm down as an X, like this here (demonstrating).

Mr. LIEBELER. He crossed his arms in front of him?

Mr. BRINGUIER. That is right, put his face and told me, "O.K. Carlos, if you want to hit me, hit me."

At that moment, that made me to reaction that he was trying to appear as a martyr if I will hit him, and I decide not to hit him, and just a few seconds later arrive two police cars, and one of the policeman over there was Lieutenant Gaillot, G-a-i-l-l-o-t. They put Oswald and my two friends in one of the police cars, and I went with Lieutenant Gaillot in the other police car to the First District of Police here in New Orleans.

When we were in the First District of Police, we were in the same room, one small room over there, and some of the policemen start to question Oswald if he was a Communist, what he was doing that, and all those things, and Oswald at that moment—that was in front of myself—was really cold blood. He was answering the questions that he would like to answer, and he was not nervous, he was not out of control, he was confident in himself at that moment over there.

One of the questions that they asked to him was about his organization, the Fair Play for Cuba, and I saw him showing some papers that—I believe they were the credentials of the Fair Play for Cuba Committee, that the Fair Play for Cuba Committee is a national organization, and when he told that, he was so kind of proud that it was not a small group but a national group all over the United States, and they asked of him the name of the members. No. Excuse me. Before they asked him if he has any office. He told them no, that there were—they were holding the meetings in different house, different homes, different members of the organization one night in one house, another night in another house, but in front of me he didn't told nothing about any office. When they asked him about the name of the members, he answered that he could not tell the name of the members in front of myself, because he will not like to let me know who were the ones who were helping him here in the city, and at that moment the police came out of the room and that was the last time that I saw him that day.

Mr. LIEBELER. Did the police keep you in jail too?

Mr. BRINGUIER. Well, yes. I had to put—they took my fingerprints and my picture, and I have to put \$25 bond that night with my two friends too, and I don't know, but after the assassination I heard that Oswald didn't put the \$25 bond, that somebody went to the First District and make—I believe you call that an affidavit or something like that, and he will appear in court and he will not have to put the \$25. He didn't put the \$25 bond. That is what I heard. I didn't saw that. I am not sure of that. Next time that I saw him——

Mr. LIEBELER. Did you appear in court later?

Mr. BRINGUIER. Yes, sir; later. That was August 12.

Mr. LIEBELER. Yes, on Monday.

Mr. BRINGUIER. Monday.

Mr. LIEBELER. And you pleaded not guilty to the offense that you were charged with?

Mr. BRINGUIER. That is right; that is right. And he plead guilty.

Mr. LIEBELER. Oswald was there in court?

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. And you saw him in court?

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. And that is what you were just about to tell me?

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. Go ahead.

Mr. BRINGUIER. In August 12, we appear in the second municipal court in New Orleans. I came first with my friends, and there were some other Cubans over there, and I saw when Oswald came inside the court. I saw him. He went directly to sit down in the middle of the seat of the colored people. See, here in the court you have two sides, one for the white people and one for the colored people, and he walked directly inside of the colored people and he sat directly among them in the middle, and that made me to be angry too, because I saw that he was trying to win the colored people for his side. When he will appear in the court, he will defend Fidel Castro, he will defend the Fair Play for Cuba, and the colored people will feel good for him, and that is a tremendous work of propaganda for his cause. That is one of the things that made me to think that he was a really smart guy and not a nut.

When the judge call us, he plead guilty, I plead not guilty, and my friends plead not guilty. I brought the Marines guidebook, the guidebook for Marines, and I explain to the judge that the incident was originated when Oswald tried to infiltrate the organization and that if he will not do that, I will not have any fight with him in the street, and I showed to him the guidebook for Marines with the name of Oswald on the top of the first page, and the judge dismisses the charges against us and fined him \$10.

Mr. LIEBELER. Fined Oswald \$10?

Mr. BRINGUIER. Ten dollars, that is right. In the court was at that moment one cameraman from WDSU, and he make—he did an interview to Oswald after the trial and he took some movies of ourselves, and later I receive one phone call from Bill Stuckey. I had talk to Stuckey the day of the trial in the morning. I met him in the bank and I explained to him what was going on in the second municipal court, and he was the one who send the reporter over there to the trial. I am not sure if was the same day or next day of the trial Stuckey called me asking for Oswald's address. I get the affidavit from the court dissertation, and I give to him the address in dissertation, and I asked him why he was looking for that. He told me that he was going to make an interview to Oswald. I disagreed with him at that moment, I told him that I was thinking that it was not good to let a Communist go to radio station and tell all his lies, because there are many people who understand what was happening in Cuba, but there are many people who do not know exactly what is happening in Cuba. Stuckey offered me to make another interview to me next Saturday in his program, but I didn't agree with that neither, and I asked him to arrange a radio debate, because in that way we could tell our point of view at the same moment in the same place.

On August 16 another friend of mine left to me a message in the store that Oswald was another time handing out pro-Castro propaganda for the Fair Play for Cuba Committee, this time in front of the International Trade Mart here in New Orleans.

I wasn't in the store at that moment, and when I came back and I received the message, I went to the International Trade Mart, but I could not find Oswald, he had already left, and I was talking later on with my friend, and the information that I received was that he was over there with two other persons. Later I saw the picture of those two persons, and they have a Latin aspect. I do not know if they are Latin Americans or not, but at least there is one who is.

Mr. LIEBELER. Did somebody show you pictures of these individuals?

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. Who did?

Mr. BRINGUIER. The Secret Service tried to see if I know them, if I could identify them.

Mr. LIEBELER. [Exhibiting photograph to witness.] I show you a picture, which has previously been marked as "Pizzo Exhibit 453-A," and I ask you if

that is one of the pictures or a picture like the one the Secret Service showed to you.

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. [Exhibiting photograph to witness.] I show you another picture, which has previously been marked "Pizzo Exhibit 453-B."

Mr. BRINGUIER. [Indicating.] See this guy, see this Japanese? He is from the Kasuga Co. here in New Orleans. He had the office in International Trade Mart.

Mr. LIEBELER. And you pointed to the person standing immediately behind and to Oswald's right with his hands up behind his head?

Mr. BRINGUIER. [Demonstrating.] That is right.

Mr. LIEBELER. And that is on Exhibit 453-A. Now do you recognize the person with the "X" over his head?

Mr. BRINGUIER. Yes, sir; that was Lee Harvey Oswald.

Mr. LIEBELER. Now there is a person standing to Oswald's left wearing a white shirt and facing the same direction that Oswald was facing, and I will indicate that person with a pen mark on the picture. [Marking photograph.] I have drawn an arrow pointing to the person to which I refer, and I ask you if you recognize that person.

Mr. BRINGUIER. No; I don't recognize him. I believe that this is one of the pictures that I saw before, but I don't recognize him. For me, he looked like a Latin American.

Mr. LIEBELER. Now in the far foreground of this picture, there is a man who has been marked with a green mark, just one mark, and we are referring at this point to Exhibit 453-A. Do you recognize that person?

Mr. BRINGUIER. No, sir.

Mr. LIEBELER. Is that another one of the individuals to which you referred as having a Latin-type complexion, or is it not?

Mr. BRINGUIER. No, sir. I believe—no; this is not the one that I said.

Mr. LIEBELER. I have one other picture here of this scene which has not previously been marked, and I will show that picture to you and ask you if you can identify anybody in that picture with the exception of Oswald, of course. [Exhibiting photograph to witness.]

Mr. BRINGUIER. The only one that I could recognize here is Oswald.

Mr. LIEBELER. And he is the person with the "Hands Off Cuba"?

Mr. BRINGUIER. "Hands Off Cuba" leaflets in his hand, the first one in front, just in the middle of the picture.

Mr. LIEBELER. [Marking photograph.] I have marked the picture I just referred to as "Exhibit No. 1" to your deposition.

Mr. BRINGUIER. Do you want that I sign the picture?

Mr. LIEBELER. Yes. Would you initial the picture for identification purposes? (The witness complied.)

Mr. LIEBELER. Thank you.

Mr. BRINGUIER. You want that I sign these too?

Mr. LIEBELER. No. We have identified those as Pizzo Exhibits 453-A and 453-B, and you have noted that they are—

Mr. BRINGUIER. Yes.

Mr. LIEBELER. I thought you mentioned that there were two different people that appeared to you to be Latin people.

Mr. BRINGUIER. Sure. This one that I see here [indicating], this is the one looked like to me a Latin, but, if I am not wrong, somebody showed me another picture where is another guy distributing the leaflets. I believe so.

Mr. LIEBELER. Do you think that was a Secret Service man or an FBI agent? Do you know?

Mr. BRINGUIER. I think that was a Secret Service man. Maybe I am wrong. I saw those days a lot of pictures; but—let me tell you something else: If my opinion is not wrong, if I am not mistaken this moment, I think that the other man was maybe in some kind of Bermuda shorts or something like that.

Mr. LIEBELER. I don't have any pictures in my possession showing that. The Commission has requested the actual film, the TV film itself, to be delivered to it, and they will examine it, and if such a person does appear in the films, I will send you a picture of it.

Mr. BRINGUIER. Okay.

Mr. LIEBELER. And I will also speak to the Secret Service about it and see if we can find such a picture. According to the Secret Service, one of these gentlemen has been identified as Mr. Charles Hall Steele, Jr.

Mr. BRINGUIER. He was working in the Pap's Super Market here in New Orleans. I believe so, that he was working over there. There was one Cuban who, when saw his face in the television, called me to tell me that, and I called the Secret Service and let them know.

Mr. LIEBELER. Mr. Steele will be in the office here this afternoon, so we will have an opportunity to determine if it is the same man that was marked with the arrow in Pizzo Exhibit 453-A or not.

So you went over to the International Trade Mart on this day in an attempt to find Oswald, but you were not successful? Is that correct?

Mr. BRINGUIER. That is correct. After that my friend showed to me one of the leaflets that Oswald was handing out in front of the International Trade Mart, the yellow leaflets, and I found something interesting at this point. There was a difference among the leaflets that he was handing out on August 16 in the International Trade Mart and the leaflets that he was handing out on Canal Street on August 9.

Mr. LIEBELER. What was the difference?

Mr. BRINGUIER. The leaflet he was handing out on Canal Street August 9 didn't have his name of Oswald, at least the ones that I saw. They have the name A. J. Hidell, and one post office box here in New Orleans and the address, and the leaflets that he was handing out on August 16 have the name L. H. Oswald, 4907 Magazine Street. In the yellow leaflets he was offering free literature and lectures, and he was asking to the people to join the New Orleans Chapter of the Fair Play for Cuba Committee, and at the end he said, "Everyone welcome." My friend asked to me if I think that it would be good that he will go to Oswald's house posing as a pro-Castro and try to get as much information as possible from Oswald. I told him yes; and that night he went to Oswald's house with the leaflets.

Mr. LIEBELER. What day was this now? Do you remember?

Mr. BRINGUIER. August 16. I believe so. I think that. I am sure.

Mr. LIEBELER. That was the same day that—

Mr. BRINGUIER. That he was distributing the leaflets.

Mr. LIEBELER. The second time?

Mr. BRINGUIER. The second time. The first time was a Friday, August 9, and the second time—I think that was another Friday, August 16.

My friend went to Oswald's house and he was talking to Oswald for about 1 hour inside his house, in the porch of the house, and there was when we found that Oswald had some connection with Russia, or something like that, because the daughter came to the porch and Oswald spoke to her in Russian, and my friend heard that language and he asked Oswald if that was Russian, and Oswald told him yes, that he was attending Tulane University and that he was studying language, that that was the reason why he speak Russian. He give to my friend an application to become a member of the New Orleans Chapter of the Fair Play for Cuba Committee.

After the assassination my friend turned [over] to the Secret Service one copy of the application. I have here one, one copy [producing document]. This is a photocopy. My friend keep the original.

Mr. LIEBELER. Do you have another copy of this?

Mr. BRINGUIER. No; that is the only one that I have. He has the original. If you want to keep that, for me it is no trouble, because always I could take more copies.

Mr. LIEBELER. I see. Your friend still has the original?

Mr. BRINGUIER. The original; that is right.

Mr. LIEBELER. Well, let's mark this one as "Exhibit 2" to your deposition. Off the record.

(Discussion off the record.)

Mr. LIEBELER. Let the record show that we asked Mr. Bringuiere to initial a picture which we discussed before on the record, and that picture, which is a picture of a street scene in front of the International Trade Mart has been

marked "Exhibit 1" to Mr. Bringuier's deposition taken here in New Orleans on April 7, 1964. We shall now mark as "Exhibit 2" to that deposition a photocopy of an application to the Fair Play for Cuba Committee, New Orleans, La., which Mr. Bringuier says is a copy of an application which was given to a friend of his whose name we have agreed not to indicate on the record, given by Lee Oswald on or about August 16, 1963. Is that correct?

Mr. BRINGUIER. Yes.

Mr. LIEBELER. I have initialed Exhibit No. 2 and I ask you to do the same, if you would.

[The witness complied.]

Mr. LIEBELER. Please go ahead.

Mr. BRINGUIER. At that conversation Oswald was defending Fidel Castro, and he advised to my friend that the United States don't have the right to invade or to overthrow any other government, and that if the United States will do that to Cuba, he will fight defending Castro, because Castro was right.

I gave the copy of the transcription of the conversation with my friend to the Secret Service the days after the Kennedy assassination.

Mr. LIEBELER. That is the day that you and your friend discussed this after your friend returned from Oswald's and you made a recording of that conversation?

Mr. BRINGUIER. Not a recording, not a recording exactly; but when my friend came back from Oswald's house, he told me what happened over there and he was trying to contact some authority to let him go deeper inside the Fair Play for Cuba Committee here in New Orleans.

Mr. LIEBELER. Your friend was?

Mr. BRINGUIER. Yes; my friend was trying to contact some authorities, because he didn't want to be involved in that matter without the knowledge of the U.S. Government. We also discussed this conversation in front of Ed Butler.

Mr. LIEBELER. Who?

Mr. BRINGUIER. Ed Butler, Edward Butler, for the Information Council of the Americas, the day or 2 days previous to the debate when my friend and myself went to Butler's office, and my friend was explaining to Butler all the conversation and the point of view of Oswald, and the matter that Oswald spoke in Russian, and at that moment my friend had found that Oswald had been in Russia and that he was married to one Russian girl. We gave all that information to Butler and he was trying to contact some person, somebody in Washington, to get more the background of Oswald before the debate.

After that, the last day that I saw Oswald was August 21, the day of the debate. I went to WDSU radio about 5:30, 30 minutes before the time of the debate. When I went to the lobby, there were already there—Bill Stuckey and Lee Harvey Oswald. I shake hands with Stuckey. Stuckey indicate to me that Oswald was there. Oswald stand up and came to me and shake hands with me. I was talking to Stuckey for a few minutes, and after that Stuckey left the lobby and went inside the WDSU radio station to check—I believe that was to check in what room we will have the debate. I was talking to Oswald that day before the debate started. I was trying to be as friendly to him as I could. I really believe that the best thing that I could do is to get one Communist out of the Communist Party and put him to work against communism, because he know what communism mean, and I told to Oswald that I don't have nothing against him in the personal way, just in the ideologic way. I told him that for me it was impossible to see one American being a Communist, because communism is trying to destroy the United States, and that if any moment when he will be at bed he will start to think that he can do something good for his country, for his family, and for himself, he could come to me, because I would receive him, because I repeat to him I didn't have nothing against him in the personal way. He smiled to me. He told me—he answered me that he was in the right side, the correct side, and that I was in the wrong side, and that he was doing his best. That were his words at that moment.

Before we went inside the room of the debate, he saw my guidebook for Marines that I was carrying with me, because I did not know what will happen in the debate and I will have to have that weapon with me to destroy him per-

sonally as a traitor if he doing something wrong in the debate. When he saw the guidebook for Marines, he smiled to me, and he told me, "Well, listen, Carlos, don't try to do an invasion with that guidebook for Marines, because that is an old one and that will be a failure." That was his joke in that moment.

After that we went to the debate, and I think that you have the whole history of the debate, you have the transcription and everything, [so] that I don't have to go inside that, because that is subjective, not objective. You have the objective, and that is the debate.

Mr. LIEBELER. That is right. We do have a transcript and we listened to it on the tape last night over at the television station too.

Mr. BRINGUIER. And there is something that I want to show you too. I told to you about the training camp that were across the Lake Pontchartrain.

Mr. LIEBELER. Yes.

Mr. BRINGUIER. [Producing newspaper.] At the beginning of August in the Diario Las Americas from Miami for September 4—

Mr. LIEBELER. For September 4, 1963?

Mr. BRINGUIER. That is right. [Indicating photograph.] This is the spy who was inside the training camp. The Christian Democratic Movement turned him over to the FBI, and the FBI was questioning him in Miami. The Christian Democratic Movement found a letter, according to this information, from this guy directed to Carlos Lechuga, former Cuban Ambassador to Mexico and now Cuban Ambassador to the United Nations in New York. In that letter the spy, Fernando Fernandez, was warning Lechuga that they have to be alert from that date to August 8, and the day that Oswald came trying to infiltrate my organization was on August 5. This sounds for me strange in all this matter.

[Indicating.] Here is another interview from Fernandez here 3 days later.

Mr. LIEBELER. You are referring to a copy of the same newspaper but for the date of September 6, 1963, on the front page of which—

Mr. BRINGUIER. [Indicating.] Here. "Fernando Fernandez is in favor of coexistence with the Communist regime of Castro." That is the title in Spanish.

Mr. LIEBELER. Let me see if I can understand what you are saying. You say that Fernandez wrote a letter to Lechuga?

Mr. BRINGUIER. Fernandez wrote a letter to Lechuga in Mexico.

Mr. LIEBELER. Lechuga is a member of the Castro government?

Mr. BRINGUIER. Right.

Mr. LIEBELER. He is now Ambassador to the United Nations?

Mr. BRINGUIER. In New York; right.

Mr. LIEBELER. Fernandez is the person who was the Castro spy who had infiltrated the training camp in Louisiana?

Mr. BRINGUIER. For the Christian Democratic Movement here in Louisiana.

Mr. LIEBELER. Now the Christian Democratic Movement is—what? Pro-Castro?

Mr. BRINGUIER. Anti-Castro.

Mr. LIEBELER. It is an anti-Castro organization?

Mr. BRINGUIER. Yes; they were training Cubans over here to make a comando action against Castro, but they find out that there was a Castro spy inside the training camp, and they went back to Miami with the people and with him, and they turn him over to the FBI. I think that after that the leader for the Christian Democratic Movement—or that the FBI didn't find nothing, because was not against the law to spy inside an anti-Castro organization. It was against the law to spy inside the U.S. Government but not inside the anti-Castro organization. And my feeling—and this is the question that I am asking myself—in New Orleans we are about 900 miles from Miami. In Miami is where the headquarters of all the anti-Castro groups. I could not find any reason for Oswald to come to me and offer me his service to train Cubans in guerrilla warfare at the same moment when there was a secret anti-Castro training camp in New Orleans and a Castro spy was inside that training camp. That for me is—because, if he was willing to infiltrate one active organization, he will go directly to Miami and he will offer his service over there in Miami, but not in New Orleans where it is not publicly known that there was something going on at that moment. I believe that that was the only time here in New Orleans that

there was something like that, and it was a coincidence. And there is another coincidence too for me, and that is that when Oswald left the city he went to Mexico, and the letter from Fernandez that was intercepted here was to Mexico too, and Oswald visit the Cuban consulate in Mexico, and the Fernandez letter was to the Cuban Ambassador to Mexico. For me, that is a big doubt.

Mr. LIEBELER. Go ahead.

Mr. BRINGUIER. You see, after the debate, the same night of the debate, I went to the radio station here in New Orleans and the local papers and the United Press International office, and I gave a press release. If you want a copy, I could give you a copy. I gave a copy to the Secret Service.

The most interesting thing is the four things that I asked to the Secret Service of New Orleans. I think that this is the second one where I said, "Write to your Congressman asking for a full investigation of Mr. Lee H. Oswald, a confessed Marxist" [producing document]. And that was 3 months before the assassination.

Mr. LIEBELER. Do you have another copy of this?

Mr. BRINGUIER. I have the original of that. You can have that.

Mr. LIEBELER. I have marked a copy of the press release distributed to the various communications media here in New Orleans, on August 16, 1963—

Mr. BRINGUIER. No, August 21.

Mr. LIEBELER. August 21, 1963?

Mr. BRINGUIER. August 21, the night of the debate.

Mr. LIEBELER. I mark it as "Exhibit No. 3" to your deposition, and I have initialed it. Would you initial it?

[The witness complied.]

Mr. LIEBELER. Let me go over some of this testimony that you have just given to see if I understand. Mr. Fernandez wrote to Mr. Lechuga a letter in which Fernandez said that we—meaning the Castro people?

Mr. BRINGUIER. Yes.

Mr. LIEBELER. Must be on guard up until August 8?

Mr. BRINGUIER. August 8, that is right.

Mr. LIEBELER. Of 1963?

Mr. BRINGUIER. That is right.

Mr. LIEBELER. You indicated that Oswald had come to your store or offices on August 5, 1963?

Mr. BRINGUIER. That is right.

Mr. LIEBELER. Oswald came to you offering to assist in the military training of Cubans?

Mr. BRINGUIER. That is right.

Mr. LIEBELER. At that time, there was, in fact, a training camp near New Orleans—

Mr. BRINGUIER. That is right.

Mr. LIEBELER. For the training of people for military action against Castro?

Mr. BRINGUIER. Right.

Mr. LIEBELER. And that was not public knowledge at that time?

Mr. BRINGUIER. That is right.

Mr. LIEBELER. So you are tying this up in your mind by considering the possibility that Oswald was, in fact, a Castro agent?

Mr. BRINGUIER. That is right.

Mr. LIEBELER. And did know about the existence of this training camp, because Mr. Fernandez had already infiltrated that training camp?

Mr. BRINGUIER. That is right.

Mr. LIEBELER. And that Fernandez had told Oswald about the existence of this camp and had asked Oswald himself to try to infiltrate that camp for your organization?

Mr. BRINGUIER. Excuse me.

Mr. LIEBELER. Is that correct?

Mr. BRINGUIER. Well, the only thing that I don't believe is that Fernandez had told directly to Oswald. What I believe is that Fernandez had informed some people outside the United States, and these people had informed Oswald and had gave to Oswald the order to try to infiltrate the Cuban group here in New Orleans.

Mr. LIEBELER. And Mr. Fernandez was, on this theory, aware of that and was aware of approximately the time Oswald would make this attempt, and, therefore, indicated to Lechuga that there would be some danger of Oswald being discovered as an attempted infiltrator?

Mr. BRINGUIER. I beg pardon? I don't understand the words.

Mr. LIEBELER. As I understand, part of the hypothesis here, the theory, relates to the fact that Fernandez said to Lechuga, "We must be careful, or we will be in danger,"—up until about August 8. Now does that statement have anything to do with Oswald?

Mr. BRINGUIER. Well, what I think is this: He send that letter to Lechuga, and on August 5 Oswald came to me offering his service to train Cubans, all in the same period of time. Something that never was happening here in New Orleans, that there was a secret anti-Castro training camp, and the chairman of the Fair Play for Cuba Committee trying to join the Cuban group here in New Orleans. Those are the facts. I don't want to tell something that I am not sure about. I just want to show you that tremendous coincidence or that connection.

Mr. LIEBELER. Now it doesn't seem likely, does it, that Oswald would go around handing out literature in the streets like he did if he was actually attempting to infiltrate the anti-Castro movement?

Mr. BRINGUIER. Remember that that was after I turned down his offer and after I told him that I don't have nothing to do with military activities and that here there is nothing, and that I turned down completely him. He didn't went openly to do that before the attempt to infiltrate the training camp; he went openly to do that after he was turned down.

Mr. LIEBELER. Do you know of any conceivable association between anybody in the pro-Castro movement and Oswald that could have acted as a source of information to Oswald—conducted the orders to him?

Mr. BRINGUIER. No.

Mr. LIEBELER. Would you have any way of obtaining information of that sort as a result of your anti-Castro activities and contacts? If there were such a person as this, do you think you would be likely to know about it?

Mr. BRINGUIER. Beg your pardon?

Mr. LIEBELER. If there were such a person, that is to say, some agent of the Castro movement who had been working with Oswald, do you think that you would have had access to that information or you would have been likely to find out about it?

Mr. BRINGUIER. You see, that is a hard question, because here in the city you have a lot of persons. There are some who are pro-Castro, there are many who are anti-Castro. Even among the Cubans you could have some Castro agents here in the city and you could not have control of everybody.

But there is something else: The owner of the Havana Bar—the Havana Bar is located in 117 Decatur Street, just two door or three door from my store—the owner of the Havana Bar is a Cuban, and he and one of the employees over there, gave the information to me after Kennedy's assassination—not before—that Oswald went to the Havana Bar one time. He asked for some lemonade. He was with one Mexican at that moment, and when Oswald was drinking the lemonade, he start to say that, sure, the owner of that place had to be a Cuban capitalistic, and that he argue about the price of the lemonade. He was telling that that was too much for a lemonade, and he feel bad at that moment, Oswald feel bad at that moment—he had some vomits and he went out to the sidewalk to vomit outside on the sidewalk. These persons here from the Havana Bar told me that the guy, the Mexican, who was with Oswald, was the same one that one time the FBI told them that if they will see him, call them immediately because that was a pro-Communist. I remember that was between August 15 and August 30 was that period of time. I could not locate that because I start to find out all these things after the Kennedy assassination, not before, because before I did not found any connection. They did not told nothing of this before to me. Between the 15th and the 30th the brother of the owner of the Havana Bar came to my store asking me to call the FBI, because he already saw one automobile passing by the street with two Mexicans, one of them the one who had been with Oswald in the bar, and he told me

that the FBI, one agent from the FBI, had been in the bar and told them that if they will see those two guy to call them. This person, the brother of the owner of the bar, he gave to me at that moment the number of the plate of the automobile, but he didn't get from what State. I called the FBI, because this person don't know to speak English. That was the reason why he came to me. I talked to the person in the FBI. I explained what was going on, but looked like this person on the telephone didn't know nothing about that matter and he took the—I believe that he took the notes of what I was telling to him, and that was all.

Mr. LIEBELER. When did this happen, before the assassination or after?

Mr. BRINGUIER. I called before the assassination, but I didn't know that that was any connection with Oswald, because they didn't told me at the Havana Bar that one of them was the one that was with Oswald in the Havana Bar, and even more they didn't told me Oswald had been in the Havana Bar. After I learn that Oswald was one day over there with one Mexican, the brother of the owner told me, "Yes. You remember those two Mexicans? One of them was the one who was with Oswald in the bar."

Mr. LIEBELER. Now, tell me approximately when you called the FBI about this.

Mr. BRINGUIER. Well, that was between the 15th of August and the 30th of August, because that was when the owner of the Havana Bar was on vacation. The brother was the one who was at the front of the business at that moment, and we figure that the owner of the Havana Bar went on vacation from August 15 to August 30 and that had to happen in that period of time.

Mr. LIEBELER. As I understand it, some time between August 15 and August 30 the brother of the owner of the Havana Bar told you that he had seen a man that had been formerly identified to him by the FBI, and the FBI had asked this man, the brother of the owner of the bar, to notify them if he saw this man?

Mr. BRINGUIER. Yes.

Mr. LIEBELER. And he had seen this man together with another man driving in an automobile somewhere here in New Orleans? Is that correct?

Mr. BRINGUIER. But the question is this: The FBI was according to the information that the brother of the owner of the Havana Bar told me, the FBI was looking for both men, not for one.

Mr. LIEBELER. For both of them?

Mr. BRINGUIER. For both of them, but just one of them was in the Havana Bar with Oswald, not both.

Mr. LIEBELER. What is the name of the brother of the owner of the Havana Bar?

Mr. BRINGUIER. Ruperto Peña, and the one who saw Oswald in the bar—that was the one who served the lemonade to him—Evaristo Rodriguez.

Mr. LIEBELER. Did you report this to the FBI when you talked to them after the assassination?

Mr. BRINGUIER. After the assassination?

Mr. LIEBELER. Yes.

Mr. BRINGUIER. I report this to the Secret Service. I believe so. [Producing document.] I have here a copy of the letter that I send to the headquarters on November 27, 1963, informing here to the headquarters the information that I gave to the Secret Service about the man who was working in the Pap's Supermarket, that he was going to Delgado Trades School, I believe with the name of Charles, and I have here that I gave to the Secret Service this information during that day.

Mr. LIEBELER. May I see that?

[Document exhibited to counsel.]

Mr. LIEBELER. It is in Spanish?

Mr. BRINGUIER. Yes.

Mr. LIEBELER. Off the record.

(Discussion off the record.)

Mr. LIEBELER. You have given me a draft of a document entitled "Open Letter to People of New Orleans," which I have marked "Exhibit No. 4" to your deposition taken here in New Orleans on April 7, 1964, and I have initialed it in the lower right hand corner. Would you initial it, please?

Mr. BRINGUIER. [Complying.] And you agree to send me back the original?

Mr. LIEBELER. Yes. I will take this and have a copy made, and I will send the original back to you. I have your address on my copy here of Mr. Rankin's letter, which is 107 Decatur Street, New Orleans, La. Is that correct?

Mr. BRINGUIER. That is correct. That is my store. You can send the mail to there.

Mr. LIEBELER. Correct. Now "Exhibit No. 4," as I understand it, is a draft of a letter that you proposed to distribute here in New Orleans some time after the debate that you had with Oswald on August 21, 1963. Is that correct?

Mr. BRINGUIER. That is correct.

Mr. LIEBELER. It, in fact, was never distributed because you—

Mr. BRINGUIER. I went to the city hall, and they informed me—I think the person that informed me—maybe I am wrong—is Mr. Diboll—I had that name here wrote on the back—and he gave to me the information that it had to be 3½ by 5½ and this was not possible to distribute in that size, and I decided not to distribute.

Mr. LIEBELER. But you prepared this some time during August in 1963?

Mr. BRINGUIER. That is right, that is right.

Mr. LIEBELER. That was done prior to the assassination?

Mr. BRINGUIER. That is right. Do you have any information from Oswald going to Cuba?

Mr. LIEBELER. You mean—has it ever appeared that Oswald actually went to Cuba? Not as far as I know.

Mr. BRINGUIER. Well [producing magazine], there is here in this magazine—this is Bohemia International—this is printed in Venezuela—February 2, 1964—there is an article by Dr. Herminio Portell-Vila. He is a professor of history of Cuba, Dr. Herminio Portell-Vila, and an old diplomat from Cuba. I think he is living in Washington, D.C. And he said here [exhibiting page] that in one speech from Castro on November 27, 1963, in the University of Havana, Castro said—and I quote: "The first time that Oswald was in Cuba"—and that immediately he cut the speech, he changed and he talked of something else. Maybe you have a record of that speech delivered from Castro in the University of Havana and you could check if Castro said that 5 days after the assassination or not.

Mr. LIEBELER. And what kind of magazine is this Bohemia International?

Mr. BRINGUIER. Bohemia was the biggest weekly magazine in Cuba.

Mr. LIEBELER. Prior to the Castro regime?

Mr. BRINGUIER. That is right. And during the Castro regime they were defying Castro a lot of time, but in 1960 the director, the editor, went into exile, and—

Mr. LIEBELER. And he now publishes this magazine from Venezuela?

Mr. BRINGUIER. That is right. He was publishing that from New York about one year, I believe, sir, and then at a later date moved to Venezuela, but that is circulating here inside the United States.

Mr. LIEBELER. You have referred to an issue of that magazine of February 2, 1964, and to an article that begins on page 16. What is the title of the article?

Mr. BRINGUIER. Disfraz. That is mask, costume. That says "change of—

Mr. LIEBELER. Change of costume?

Mr. BRINGUIER. Yes.

Mr. LIEBELER. And this is an article about Lee Oswald and the Fair Play for Cuba Committee. Is that correct?

Mr. BRINGUIER. That is correct.

Mr. LIEBELER. And the caption under the picture of Lee Oswald, as it appears on page 17, reads what in English? Would you translate that for us?

Mr. BRINGUIER. "When Castro in his speech of November 27, 1963, at the University of Havana said literally that 'the first time that Oswald was in Cuba,' he went out of his tongue, that is literally, under the influence of cognac—Peralta, that is a brand of cognac—'he told something that is really important.'"

Mr. LIEBELER. That is what it says?

Mr. BRINGUIER. That is what it says here, and if you want to take the name of the person who wrote it—

Mr. LIEBELER. Yes. The article was written by—

Mr. BRINGUIER. I don't know if you have a copy of—

Mr. LIEBELER. Off the record.

(Discussion off the record.)

Mr. LIEBELER. Do you want to put that on the record, that story you told me just a minute ago?

Mr. BRINGUIER. Last January I went to Miami, Fla., where I was talking to Dr. Emilio Nunez-Portuondo, former Cuban Ambassador to the United Nations, and he told me that just after the assassination of President Kennedy he received a request from one of the biggest Mexican newspapers asking him for some public declarations of opinion about the assassination. He sent that day a letter with his press release inside, addressed to one friend of him who is living in Mexico City and his friend deliver that press release to the Mexico City newspaper in Mexico. In that release, Mr. Nunez-Portuondo blamed Fidel Castro as the "intellectual murderer of President Kennedy."

Dr. Portuondo told me that the same day that that information appear in the paper, his friend suffer an attempt to be kidnaped. There went about eight men to this man house, and when they were trying to put him inside one automobile, at the same moment pass a reporter—I believe that was from the AP—and when the reporter saw what was going on, he start to ask for help. At that moment the police came and started to question the eight men, and, according to Nunez-Portuondo, they identified themselves as members of the Secret Service of the Mexican Government, and Mr. Portuondo's friend was beaten so hard that he had to go to a hospital for 4 days with a broken leg, just because he was the one who deliver Nunez-Portuondo's statement to the Mexican newspaper blaming Fidel Castro for the murder of President Kennedy.

Mr. LIEBELER. I want to go back briefly to the letter from Fernandez to Lechuga which you indicated had been intercepted.

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. What letter is this and who intercepted it?

Mr. BRINGUIER. Well, I believe that that letter was intercepted here in New Orleans when Fernandez was sending the letter to Mexico. I didn't have too much contact with that deal, because that was for another organization, not my organization, and I didn't want to be involved, in that that maybe was against the law. I always try to be out of—

Mr. LIEBELER. You mean this letter was intercepted by some other Cuban organization?

Mr. BRINGUIER. Yes; for the same organization who had the training camp.

Mr. LIEBELER. That was intercepted while it was in the U.S. mails?

Mr. BRINGUIER. I think so. I think that he gave that letter to somebody to drop in the mail, and that somebody that was suspicious about him, they opened the letter and they found what the letter was telling. I don't know what they do with the letter. I don't know nothing else. I know about what is said in the paper. I know that they dismantle all the training camp here in New Orleans. They went back to Miami. I paid the trip for two of them to go back to Miami. Excuse me. I did not pay the trip, I collect some monies among some Cubans, and we paid the trip. I don't want to set something on the record that is not—

Mr. LIEBELER. Does it say something about the letter in these newspaper stories that you have referred me to?

Mr. BRINGUIER. Pardon?

Mr. LIEBELER. Does it refer to the letter in these newspaper stories?

Mr. BRINGUIER. That is right, is covering the whole history about it [producing newspaper].

Mr. LIEBELER. These newspaper stories are, as we have indicated, in the Diario Las Americas, issues of September 4, 1963, and September 6, 1963. Do you have copies of these or do you want to keep these?

Mr. BRINGUIER. I think they are the only ones we have.

Mr. LIEBELER. Yes.

Mr. BRINGUIER. I will tell something else to you: This information—they are taking this information from the Miami Herald.

Mr. LIEBELER. You are referring now—

Mr. BRINGUIER. That was the one who interview Fernando Fernandez, the

Miami Herald made an interview to Fernando Fernandez. I already asked to some person in Miami to send me the Miami Herald, from September 3 to September 10 to try to get all the information directly from the Miami Herald but at this moment I only have the Spanish publication over there.

Mr. LIEBELER. Do you know where Fernandez is now?

Mr. BRINGUIER. No; I don't know where he is. He was telling in that interview that he was willing to go to Cuba, to go back to Cuba. I don't know whether he is in Cuba now or not. Excuse me. Did you check any other trip from Oswald to Mexico previously to the trip 3 weeks before the assassination? Because I think that you have to know sure that Mr. Stuckey, Bill Stuckey, made another interview to Oswald, and he had the tape of that interview. I have one tape of that interview. I think that that interview was made on August 17, 1963, and at that interview Oswald said, answering to one question, that he had been in Mexico, and in all the magazines that I am reading they are talking about Oswald was born in New Orleans, he went to New York, he came back to New Orleans, he went to the Marines, he went to Russia, he came back, he he went to Dallas, he came to New Orleans back, he went to Mexico 3 weeks before the assassination, but I don't read in any newspaper or any magazine talking about some other trip from Oswald to Mexico, and if you have that tape, in Oswald's own voice, he admitted that he had been to Mexico before August 17.

Mr. LIEBELER. Well, Mr. Stuckey will be here this afternoon. We will ask him about that.

Mr. BRINGUIER. Thank you.

Mr. LIEBELER. Going back briefly to this story of Mr. Peña telling you that he had seen Oswald in the Havana Bar with this other Mexican, did the FBI ever talk to Mr. Peña about this? Do you know?

Mr. BRINGUIER. I don't know. I know that the owner of the Havana Bar, in my opinion, is a good person, but he says that always when he talk to the FBI in the bar or something like that, that he lose customers, because, you see, to those bars sometime there are people, customers, who don't like to see FBI around there, and he says that always he lose customers when the FBI start to go over there, and sometime he become angry and sometime he don't want to talk about. I am sure that the brother, Ruperto—I am sure that he will tell everything that he knows.

Mr. LIEBELER. Did you form any opinion as to whether the report that Ruperto made about Oswald being in the bar was an accurate report?

Mr. BRINGUIER. Well, the question is this: Was not only Ruperto told me that Oswald went to Havana Bar. The one who told me that was Evaristo Rodriguez, and I never saw Evaristo Rodriguez telling lies or never—Evaristo is quiet person, he is young, married, but he is quiet. He is not an extrovert, that is, not a—

Mr. LIEBELER. He wouldn't be likely to make this story up?

Mr. BRINGUIER. No; I don't believe so.

(At this point, Mr. Jenner entered the room to obtain photographs, and there ensued an off the record discussion about the photographs.)

Mr. BRINGUIER. I remember that when somebody—I believe that was the Secret Service—showed to me the other picture that I tell you, that they were—they had already identified one and they were trying to identify the other one. I am sure that there were two, and no doubt about that.

Mr. LIEBELER. In any event, you didn't recognize any of the—

Mr. BRINGUIER. No.

Mr. LIEBELER. Individuals in the pictures that we showed you previously, Pizzo Exhibits 453-A and 453-B, and Exhibit No. 1 to your own deposition?

Mr. BRINGUIER. Pardon?

Mr. LIEBELER. The only person you recognized in those pictures was Lee Oswald?

Mr. BRINGUIER. That is right, that is right, and the guy I showed you, the one from Kasuga, the Japanese.

Mr. LIEBELER. [Exhibiting photograph to witness.] Now I show you Exhibit No. 1 to the affidavit of Jesse Garner, and I ask you if you recognize the individual in that picture.

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. And who is that?

Mr. BRINGUIER. Well, the picture look like that is Lee Harvey Oswald.

Mr. LIEBELER. And it shows him handing out a leaflet?

Mr. BRINGUIER. "Hands Off Cuba."

Mr. LIEBELER. Reading off "Hands Off Cuba," does it not? Does that leaflet look similar to the leaflet you saw Oswald handing out?

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. And you recognize that man obviously as Oswald, don't you?

Mr. BRINGUIER. Yes, sir.

Mr. LIEBELER. I don't think I have any more questions at this point, but if you have anything else that you want to add, why, you can go right ahead and do it. You have done most of the testifying without my help and you have done very well.

Mr. BRINGUIER. Thank you. I don't know if you had already the information that the Cuban Student Directorate Headquarters in Miami gave to the press on January 31 about Jack Ruby's second trip to Cuba in 1962.

Mr. LIEBELER. I am not familiar with it offhand. What is it?

Mr. BRINGUIER. Well, you could check the name and the date of the newspaper. It is the same "Diario Las Americas" from Miami, February 1, 1964, information from the Cuban Student Directorate Headquarters in Miami telling that Jack Ruby went to Cuba at the end of 1962 through Mexico, and he was in Cuba until the beginning of 1963. After that I talked to them by long-distance telephone, long-distance call, and they informed me that they already have turned over to the FBI all the proof about this trip from Ruby going to Cuba.

Mr. LIEBELER. What is the name of the person that you spoke to in Miami?

Mr. BRINGUIER. The person to whom I spoke in Miami, his name is Joaquin Martinez de Pinillos.

Mr. LIEBELER. And he indicated that the information concerning Ruby's trip had already been given to the FBI?

Mr. BRINGUIER. To the FBI. That is right.

Mr. LIEBELER. Can you think of anything else that you think we should know about at this moment?

Mr. LIEBELER. Off the record.

(Discussion off the record.)

Mr. LIEBELER. Back on the record. Going back briefly to the time at which you and Oswald and your other friends were arrested and taken to the police station here in New Orleans on August 9, 1963, were you interviewed at the police station by any agent of the FBI?

Mr. BRINGUIER. Well, there were two plain-clothing agents that identified (themselves) as a member of the FBI, I believe, and they were questioning us on the generalities of Oswald and all, and when I was explaining to them and all, they had some kind of confusion sometime because they didn't know if we were Communists, and I had to explain to them three or four times that we were not the Communists and that Oswald was the one that was doing that in favor of Castro.

Mr. LIEBELER. Do you know whether they interviewed Oswald?

Mr. BRINGUIER. I think. I thought that they interviewed Oswald, but not in front of me. They were talking to him in front of me, but when they were ready to interview Oswald, they moved to other place to interview him.

Mr. LIEBELER. You had to point out to them several times that it was Oswald who was the Castro provocateur, so to say, and not you? Is that correct?

Mr. BRINGUIER. Yes, sir; because they were asking to us in one way as if we were Communists or pro-Castro, and I had to explain to them in three or four different times that we were Cubans but we were not pro-Castro and that we were the ones in the fight against Oswald.

Mr. LIEBELER. I have no more questions at this time, Mr. Bringuier. If you can't think of anything else that you want to add now—can you think of anything else?

Mr. BRINGUIER. No, sir; I don't.

Mr. LIEBELER. I want to thank you very much for spending the time that you have with us and for cooperating with us the way you have. You have been very helpful. On behalf of the Commission, I want to thank you very much.

TESTIMONY OF FRANCIS L. MARTELLO

The testimony of Francis L. Martello was taken on April 7-8, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Francis L. Martello, having been first duly sworn, was examined and testified as follows:

Mr. LIEBELER. My name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy. Staff members have been authorized to take the testimony of witnesses by the Commission pursuant to authority granted to the Commission by Executive Order No. 11130, dated November 29, 1963 and joint resolution of Congress No. 137.

I understand that Mr. Rankin wrote to you last week advising you that we would be in touch with you concerning the taking of your testimony, and that enclosed with the letter were copies of Executive Order No. 11130, and joint resolution of Congress No. 137, as well as a copy of the rules of procedure adopted by the Commission governing the taking of testimony of witnesses. Is that correct?

Mr. MARTELLO. That is correct.

Mr. LIEBELER. The general area of our inquiry of you, Lieutenant Martello, relates to the information received by the Commission that you interviewed Lee Harvey Oswald some time in August of 1963 after he had been arrested by the New Orleans Police Department as a result of his activities in connection with the Fair Play for Cuba Committee. Before I get into the details of that testimony, however, would you please state your full name for the record?

Mr. MARTELLO. Francis L. Martello, lieutenant, New Orleans Police Department.

Mr. LIEBELER. What is your residence, sir?

Mr. MARTELLO. 7921 Maple Street, New Orleans, La.

Mr. LIEBELER. How long have you been with the New Orleans Police Department?

Mr. MARTELLO. Fifteen years and nine months.

Mr. LIEBELER. Where were you born?

Mr. MARTELLO. In New Orleans.

Mr. LIEBELER. And you have resided in New Orleans basically all of your life? Is that right?

Mr. MARTELLO. Yes.

Mr. LIEBELER. What assignments have you had with the New Orleans Police Department generally over the period that you have been—

Mr. MARTELLO. For 6 years I was assigned to patrol, precincts, and districts. For the next 6 years I was assigned as an instructor at the New Orleans Police Academy. For the following 2 years I was the deputy commander of the Intelligence Division of the New Orleans Police Department, and since that time I have been a platoon commander in the First District Police Station.

Mr. LIEBELER. Did there come a time in August of 1963 when you heard or heard of or became acquainted with Lee Harvey Oswald?

Mr. MARTELLO. That is correct, sir. He was arrested on Canal Street on a Friday, the Friday prior to my interview, and upon coming to work on Saturday morning, as a routine matter I checked the arrest records, noted the charge, observed some placards marked as evidence, saw that they were signed by the Fair Play for Cuba [Committee], and decided to interview the person who I later found out was Lee Harvey Oswald, the subject who was arrested.

Mr. LIEBELER. Did you subsequently interview Oswald?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Was this a part of an official investigation conducted by the New Orleans Police Department?

Mr. MARTELLO. Yes, sir; it was. It was to ascertain primarily that all parties, all of us law enforcement agencies, that would be interested would be notified; also to ascertain if the various agencies within our department were notified, and also to obtain any information that would be of value to the Department concerning any future demonstrations that this person or persons affiliated with him may perform in the city, so that we would be prepared for such eventualities.

Mr. LIEBELER. At the time you interviewed Oswald, were you acting as platoon commander of the first district?

Mr. MARTELLO. At that time I was the deputy commander of the first district, which was a position whereby I was to assist the captain in all phases of police work involving the first district area.

Mr. LIEBELER. And the first district of the New Orleans Police Department was the district in which this difficulty in which Oswald was involved occurred? Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Do you have various headquarters of the New Orleans Police Department broken down by district?

Mr. MARTELLO. Yes.

Mr. LIEBELER. And you have a station house for the first district and for other districts?

Mr. MARTELLO. Yes.

Mr. LIEBELER. Was Oswald confined in the stationhouse for the first district at that time?

Mr. MARTELLO. That is correct, sir. He was confined in the first district, which is located at 501 North Rampart Street.

Mr. LIEBELER. Did you make any notes of your interview with Oswald at the time you interviewed him?

Mr. MARTELLO. Yes, sir; I did. I made a personal history background investigation, which is a common practice and when dealing with any person affiliated with any organization that demonstrates in the city, and also to attempt to ascertain their ideologies and find out in what area they would most likely demonstrate, on what side of the fence, so to speak, as we call it, and see whether or not they were potential agitators or troublemakers. This would assist the department in planning for future demonstrations by these persons if they so demonstrated.

Mr. LIEBELER. Now after you interviewed Oswald and made these notes, it is my understanding that while you did not prepare a memorandum on your interview at that time, you subsequently, that is, after the assassination, on the basis of the notes you did make at the time you interviewed Oswald, you prepared a memorandum setting forth the results of your interview with Oswald. Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Can you tell us approximately when you did interview him?

Mr. MARTELLO. [referring to notes]. I interviewed Oswald at 10 a.m. on Saturday, August 10, 1963.

Mr. LIEBELER. That would have been the day following his arrest? Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. August 9 would have been a Friday? Is that correct?

Mr. MARTELLO. Yes; that is correct. The day of his arrest was on Friday, August 9, 1963.

Mr. LIEBELER. I also understand that you provided a copy of the memorandum that you did prepare to the FBI? Is that correct?

Mr. MARTELLO. Originally—wait—originally I was contacted by the U.S. Secret Service on the morning after the assassination of the President at approximately 3 o'clock in the morning, and I was interviewed concerning what information I had developed at the time of the interview.

Mr. LIEBELER. Do you remember which agent of the Secret Service did talk to you?

Mr. MARTELLO. Yes; I remember something like Querie. No; I believe it was Mr. Vial, V-i-a-l, who originally spoke to me, and since that time there were numerous phone calls to my home and at work with various members of the U.S. Secret Service who spoke to me concerning the interview that I had with Harvey Oswald.

Mr. LIEBELER. Did you also turn over to the Secret Service or to the FBI the pamphlets and other materials that had been found in Oswald's possession at the time of his arrest?

Mr. MARTELLO. That is correct, sir. I turned that information over to the Secret Service.

Mr. LIEBELER. Then you subsequently prepared the memorandum to which we have already referred, and you provided a copy of that memorandum to the Secret Service or to the FBI? Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. [Exhibiting document to witness.] I want to show you a copy of your memorandum, and I will ask you if you yourself have a copy of your memorandum with you.

Mr. MARTELLO. No, sir.

Mr. LIEBELER. I show you a copy of your memorandum and ask you to examine it and tell me whether or not that is a copy of your memorandum. I show you a copy in the form of a report of the Federal Bureau of Investigation, and I call your attention to the fact that it is the report of Special Agent John L. Quigley, which indicates that on November 29, 1963, Agent Quigley did interview you, and he set forth in the memorandum, starting at the bottom of page 1, what purports to be the text of the memorandum which you prepared concerning your interview of Oswald. Would you examine that portion of your report and tell me whether or not that is or appears to you to be a correct copy of the memorandum that you prepared?

Mr. MARTELLO. Yes; it is.

Mr. LIEBELER. At this point we will physically incorporate into the record the memorandum of Lieutenant Martello, the report to which Lieutenant Martello and I have been referring. I provide the reporter with a copy for that purpose.

(The report referred to by counsel is here made part of the record:)

"About 10 a.m. on Saturday, August 10, 1963, I observed a placard and handbills which had been placed into evidence against an accused person. This placard contained information concerning the Fair Play for Cuba Committee. I determined that a subject by the name of LEE HARVEY OSWALD was arrested on Friday, August 9, 1963 when he was passing out handbills on Canal Street and was carrying this placard about his person.

"Prior to being assigned to the First District, I had worked with the Intelligence Unit for two years and since I was generally familiar with various groups and organizations that demonstrate or picket in the city, I decided I would question this individual to see if I could develop any information which would be of value and to ascertain if all interested parties had been notified.

"I requested the doorman to bring LEE HARVEY OSWALD into the interview room. I then took the material which was to be used as evidence into this room. At the same time I reviewed the arrest record on OSWALD and determined that while he was distributing Fair Play for Cuba literature on the street he became involved in a disturbance with CELSO MACARIO HERMANDEZ, CARLOS JOSE BRINGUIER and MIGUEL MARIANO CRUZ.

"When OSWALD was brought into the office, I introduced myself to him as Lieutenant FRANCIS L. MARTELLO and I was in uniform at the time.

"I asked OSWALD if he had any identification papers. At this time OSWALD produced his wallet. Upon my request, he removed the papers and I examined them. He had in his wallet a number of miscellaneous papers, cards and identification items. The only ones that I felt were of any significance were the following, which I made note of:

"1. Social Security Card bearing #433-54-3937 in the name of LEE HARVEY OSWALD.

"2. Selective Service draft card in the name of LEE HARVEY OSWALD bearing #41-114-395-32, classification—4A. (I do not know what draft board was registered with.)

"3. Card bearing name LEE HARVEY OSWALD reflecting he was a member of the Fair Play for Cuba Committee; address listed as 799 Broadway, New York 3, New York; telephone #OREgon 4-8295, headquarters for Fair Play for Cuba Committee. Card was signed by V. T. LEE, Executive Secretary; card issued 5/28/63.

"4. Card for the New Orleans Chapter of the Fair Play for Cuba Committee in name of LEE HARVEY OSWALD signed by A. J. HIDEELL, Chapter President, issued June 6, 1963.

"The notes of my interview reflect that OSWALD gave his date of birth as October 18, 1938 at New Orleans, Louisiana: that he served three years in the U.S. Marine Corps and stated he was honorably discharged on July 17, 1959 from Santa Ana, California. His wife's name was MARINO PROSSA, a white female, age 21. OSWALD stated he had one daughter, JUNE LEE OSWALD, white female, 17 months of age, and he had been residing at 4907 Magazine Street with his wife and daughter for the past four months. OSWALD said that since 1959 he resided at 4709 Mercedes Street in Fort Worth, Texas and had also lived in Arlington, Texas. OSWALD said his mother's name was MARGARET OSWALD, his father, ROBERT LEE OSWALD, being deceased. He told me he had two brothers, ROBERT OSWALD, living in Fort Worth, Texas, and JOHN OSWALD, Arlington, Texas. He also stated he lived somewhere on Exchange Place in New Orleans but could not remember the address, and that he had attended Beauregard Junior High School and Warren Easton High School, both in New Orleans, and that he attended Riegeala West Elementary School in Fort Worth, Texas. OSWALD told me he had moved to New Orleans from Fort Worth about four months ago.

"When questioned about the Fair Play for Cuba Committee, OSWALD stated that he had been a member for three months. I asked how he had become affiliated with the Fair Play for Cuba Committee and he stated he became interested in that Committee in Los Angeles, California in 1958 while in the U.S. Marine Corps. The facts as to just how he first became interested in the Fair Play for Cuba Committee while in the Marine Corps are vague, however I recall that he said he had obtained some Fair Play for Cuba Committee literature and had gotten into some difficulty in the Marine Corps for having this literature.

"OSWALD was asked how many members of the Fair Play for Cuba Committee were in the New Orleans Chapter and he stated there were 35. I asked him to identify the members of the Fair Play for Cuba Committee in New Orleans and he refused to give names of the members or any identifying data regarding them. OSWALD was asked why he refused and he said that this was a minority group holding unpopular views at this time and it would not be beneficial to them if he gave their names. OSWALD was asked approximately how many people attended meetings of the New Orleans Chapter of the Fair Play for Cuba Committee and he said approximately five attended the meetings, which were held once a month. He was asked where and he said at various places in the city. He was asked specifically at what addresses or locations were the meetings held and stated that the meetings were held on Pine Street. He was asked at whose residence the meetings were held and he refused to give any further information. It should be noted at this time during prior investigation conducted, while I was a member of the Intelligence Unit, information was developed that Fair Play for Cuba Committee literature was found in the 1000 block of Pine Street, New Orleans, which was near the residence of Dr. LEONARD REISSMAN, a professor at Tulane University. This investigation was conducted by me.

"As I remember, Dr. REISSMAN was reported to be a member of the New Orleans Council of Peaceful Alternatives which is a 'ban the bomb' group recently established in the city and had conducted meetings and two or three demonstrations in the city. Knowing that Dr. REISSMAN was reportedly a member of the New Orleans Council of Peaceful Alternatives I thought there might be a tie between this organization and the Fair Play for Cuba Committee.

"When OSWALD stated that meetings of the Fair Play for Cuba Committee had been held on Pine Street, the name of Dr. REISSMAN came to mind. I asked OSWALD if he knew Dr. REISSMAN or if he held meetings at Dr. REISSMAN's house. OSWALD did not give me a direct answer to this question, however I gathered from the expression on his face and what appeared to be an immediate nervous reaction that there was possibly a connection between Dr. REISSMAN and OSWALD; this, however, is purely an assumption on my own part and I have nothing on which to base this. I also asked OSWALD if he knew a Dr. FORREST E. LA VIOLETTE, a professor at Tulane University. I asked him this question because I remembered that LA VIOLETTE allegedly had possession of Fair Play for Cuba literature during the year 1962. I cannot remember any further details about this nor do I have any information that he is or was connected with the Fair Play for Cuba Committee in New Orleans. OSWALD became very evasive in his answers and would not divulge any information concerning the Fair Play for Cuba Committee, where the group met, or the identities of the members.

"OSWALD was then asked what religion he practiced and he stated he was a Lutheran and also that he was presently unemployed but had worked at William B. Reily Coffee Company, New Orleans, about three months, working on heavy machinery and earned \$60 per week. He worked from May to July 17, 1963 at that company. He further stated that he had worked for Jax Brewery approximately 1½ months ago.

"I asked him again about the members of the Fair Play for Cuba Committee in New Orleans and why the information was such a big secret; that if had nothing to hide, he would give me the information. OSWALD said one of the members of the Fair Play for Cuba Committee in New Orleans was named 'John' and that this individual went to Tulane University. He refused to give any more information concerning the Fair Play for Cuba Committee in New Orleans.

"Since he did not appear to be particularly receptive at this time, the interview was concluded and he was returned to the cell block. Prior to entering the cell block, OSWALD was again allowed to use the telephone.

"Several hours later after OSWALD was interviewed by a Special Agent of the Federal Bureau of Investigation, a white female came to the station and identified herself as Mrs. MURAT, who stated she was a relative of OSWALD and lived on France Street. She stated she wanted to know the charge against OSWALD and I told her, explaining to her the procedure whereby OSWALD could be released. She became very reluctant to become involved in the release of OSWALD as she stated since he was involved with the Fair Play for Cuba Committee, she did not want to get mixed up with it in any way. I spoke to her concerning OSWALD's background and she stated OSWALD had a hard time coming up insofar as his family life was concerned and she felt that this had a direct bearing on his actions and that he had gone to Russia and stayed over there for a few years; he married while in Russia and came back to the United States with his wife. She stated OSWALD did not allow anything but Russian to be spoken in his home. She was asked why he did not allow English to be spoken and she related she had spoken to OSWALD's wife about this and she said this was his desire. She further stated she had asked OSWALD's wife if she liked America and the wife answered 'Yes I do' but said her husband (OSWALD) did not like America. I did not question her any further.

"After Mrs. MURAT left, I decided to further question OSWALD and had him again brought out of the cell to me. I then asked if he had given me all of the needed information about his background and he said he had. I asked him if he lived in Russia and he stated that somebody had told me this. He then admitted he had lived in Russia for 2½ years, going there by 'slow boat to Europe.' I asked him how he got over there and he related he left Fort Worth, Texas, stayed in New Orleans a few days and then took the 'slow boat to Europe.' He took a tour of Europe and wound up in Russia. He lived in Moscow and Minsk, Russia and told me he lived there from October, 1959 to July, 1962. I asked him if his wife was Russian and he said yes. He said her true name was MARINO PROSSA and that it was an abbreviation of her name, MARINO PROSSAKAYA; he said she was an alien M-1. I then asked him if he was a communist and he

said he was not. I asked him if he was a socialist and he said 'guilty.'⁴ We then spoke at length concerning the philosophies of communism, socialism and America. He said he was in full accord with the book, Das Kapital, which book was written by KARL MARX. I know that this book condemns the American way of government in entirety. I asked him if he thought that the communist way of life was better than the American way of life and he replied there was not true communism in Russia. He said that Marx was a socialist and although communism is attributed to MARX, that MARX was not a communist but a socialist. He stated this was the reason he did not consider himself to be a communist. I asked him what his opinion was of the form of communism in Russia since he had lived there for two years and he replied 'It stunk.' He said they have 'fat stinking politicians over there just like we have over here' and that they do not follow the great concepts of KARL MARX, that the leaders have everything and the people are still poor and depressed. I asked OSWALD why he would not allow members of his family to learn English as this would be required to educate his children and communicate with people. He stated the reason why he did this was because he hated America and he did not want them to become 'Americanized' and that his plans were to go back to Russia. He stated he had already applied to the State Department for a visa to go back by using the excuse that his wife was a Russian. I asked him what he thought about President JOHN F. KENNEDY and NIKITA KHRUSHCHEV. He said he thought they got along very well together. I then asked him if he had to place allegiance or make a decision between Russia or America, which he would choose and he said 'I would place my allegiance at the foot of democracy.' I then asked him if he would consider himself a 'student of the world,' explaining that I meant by this a person who attempts to find a Utopia on earth and that he said he could be classified as such an individual. I asked him if he had any religious convictions and whether he believed in God since KARL MARX did not believe in God. I was trying to find out if he was an atheist. His answer to me was that he was christened as a Lutheran but that he has not followed any religion since youth. I asked him if he was an agnostic and he said he could be classified 'as a Marxist in his beliefs.' I then spoke to him about the Fair Play for Cuba Committee again and asked him if he knew that CASTRO had admitted that he was a Marxist-Leninist and he said he did. He was then asked if he truly believed CASTRO was really interested in the welfare of the Cuban people and he replied that he was not going to discuss the merits and demerits of CASTRO but was primarily concerned with the poor people of Cuba and that if this country would have good relations with the poor people of Cuba and quit worrying about CASTRO, that was his main concern; he stated this was the reason he was interested in the Fair Play for Cuba Committee.

"OSWALD was then returned to the cell block.

"I then took my notes, along with several copies of the literature of OSWALD, and placed them in a file folder, in the file cabinet.

"The day after the assassination of President JOHN F. KENNEDY, Mr. ADRIAN G. VIAL, U.S. Secret Service, who had spoken to me earlier at about 3 a.m. Saturday morning, November 23, 1963, wherein he had obtained information regarding my interview with OSWALD, came to the First District Station on Saturday, November 23, 1963 at about 3 p.m. and told me the Secret Service was conducting an official investigation regarding the assassination of the President of the United States. At the outset of the interview I got out the original file folder on LEE HARVEY OSWALD, opened it and gave Mr. VIAL all of the literature I had obtained from OSWALD, which consisted of some pamphlets, leaflets and booklets put out by the Fair Play for Cuba Committee headquarters. Upon going through these pamphlets I discovered a photograph of LEE HARVEY OSWALD which appeared to be a passport photograph, and a small piece of white paper containing handwritten notes on same. This photograph and paper had inadvertently become misplaced with the literature during the interview I had with OSWALD. This piece of paper, which was folded over twice and was about 2" by 3" in size, contained some English writing and some writing which appeared to me to be in a foreign language which I could not identify. Before I gave this paper to Mr. VIAL, I made a copy of the information, which is as follows: [See Commission Exhibit No. S27.]

Mr. LIEBELER. Did you form an opinion during the time that you interviewed Oswald as to whether or not he was telling you the truth about the matters that you questioned him about and reported in your memorandum?

Mr. MARTELLO. He did give me the impression that—in the majority of the interview—that it was the truth.

Mr. LIEBELER. Now specifically—off the record.

(Discussion off the record.)

Mr. LIEBELER. In your report you indicated that Oswald told you that he had become interested in the Fair Play for Cuba Committee in Los Angeles, Calif., in 1958 while in the U.S. Marine Corps. Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Did you have the feeling that he was telling you the truth about that particular aspect of the interview, or do you have any recollection as to that specific aspect of it?

Mr. MARTELLO. I wouldn't know exactly, to my recollection, whether or not he was being truthful in that particular area.

Mr. LIEBELER. In the next paragraph—go ahead—are you through?

Mr. MARTELLO. Yes, sir.

Mr. LIEBELER. In the next paragraph of your report, you indicate that Oswald told you that there were about 35 members of the Fair Play for Cuba Committee here in New Orleans. Did you have any reason to question that statement?

Mr. MARTELLO. I didn't believe it was a true statement because of the fact that there was very little activity, to my knowledge, of the Fair Play for Cuba Committee in the city of New Orleans, and since it was such a new organization, or which appeared to me to be a new organization in the city, it didn't seem likely there would be 35 members in the community.

Mr. LIEBELER. Did you ever become aware of the existence of any other member of the group in New Orleans—

Mr. MARTELLO. No, sir.

Mr. LIEBELER. Other than Oswald?

Mr. MARTELLO. No; other than information that had been developed that there were some possible connections. However, there was no basis in fact that any other person, to my knowledge, was a member of the Fair Play for Cuba Committee. This particular man, Oswald, was the first person that I have come in contact with that I knew for a fact stated he was a member of the Fair Play for Cuba Committee.

Mr. LIEBELER. He is not only the first person you came in contact with who indicated he was a member of the Fair Play for Cuba Committee, but he is the only one that you ever saw or heard of in the city of New Orleans? Is that correct?

Mr. MARTELLO. That is correct.

Mr. LIEBELER. After this affair with Oswald, as far as you know, there was no other activity by the Fair Play for Cuba Committee in New Orleans? Is that correct?

Mr. MARTELLO. The only other activity that I could recall was a passing out of leaflets. Again this was by Oswald, and that was the only other time I have known of any activities by this group.

Mr. LIEBELER. You know that Oswald appeared on a radio program broadcast over WDSU and appeared briefly on a television broadcast over the same station in connection with his activities?

Mr. MARTELLO. I have read an account in the local newspaper to that effect. However, I did not hear the radio broadcast or see the TV program.

Mr. LIEBELER. Was that account in the paper before or after the assassination? Do you remember?

Mr. MARTELLO. That was before the assassination.

Mr. LIEBELER. Your report refers to a professor at Tulane University by the name of Dr. Leonard Reissman. Did the department, to your knowledge, conduct any investigation of Dr. Reissman in an attempt to associate him with the Fair Play for Cuba Committee or to determine whether or not he was associated with the Fair Play for Cuba Committee here in New Orleans?

Mr. MARTELLO. Not to my knowledge, sir.

Mr. LIEBELER. Do you have any personal knowledge of the background of Dr. Reissman, other than as set forth in your memorandum?

Mr. MARTELLO. No, sir.

Mr. LIEBELER. Do you know what he teaches at Tulane University?

Mr. MARTELLO. No, sir; I do not.

Mr. LIEBELER. Further on in your report there is a reference to another professor at Tulane by the name of La Violette, and you indicate on that you had some recollection that this professor allegedly had possession of Fair Play for Cuba literature in 1962. Do you remember any of the details of that?

Mr. MARTELLO. No, sir; I do not.

Mr. LIEBELER. Was there any investigation conducted of this particular professor in an attempt to determine whether he was associated with Oswald in any way?

Mr. MARTELLO. No, sir; there was not.

Mr. LIEBELER. Did Oswald indicate to you in any way that he himself knew either of these two professors or any other professor at Tulane University, or had ever had anything to do with them or with other professors?

Mr. MARTELLO. He did not indicate by name, but there was a meeting place on Pine Street, the 1000 block of Pine Street in New Orleans, where there were meetings held.

Mr. LIEBELER. This is meetings of the Fair Play for Cuba Committee?

Mr. MARTELLO. No, sir.

Mr. LIEBELER. What kind of meetings?

Mr. MARTELLO. Just meetings by other groups. There was no indication of any names, but I had asked him if he held his meetings on Pine Street, and he reflected—only in gesture—that there was some, or appeared to be some, connection between the two, but it is mere speculation upon my part.

Mr. LIEBELER. He didn't indicate one way or the other, directly or indirectly, that this was the case?

Mr. MARTELLO. No, sir.

Mr. LIEBELER. From your memorandum it appears that Oswald told you that he had worked for the Jax Brewery about 1½ months prior to the time of the interview. Did you make any check with the Jax Brewing Co. to determine whether or not this was a true statement?

Mr. MARTELLO. No, sir; I did not.

Mr. LIEBELER. You are unable to state at this time whether it is true or false that Oswald worked at the Jax Brewery?

Mr. MARTELLO. That is correct, sir. I am unable to state that as a fact.

Mr. LIEBELER. You also indicate that you terminated your interview with Oswald, and he was permitted to use the telephone, apparently as a result of which a Mrs. Murat—spelled M-u-r-a-t in the memorandum, but I believe it is correctly spelled M-u-r-r-e-t—

Mr. MARTELLO. That is right.

Mr. LIEBELER. Appeared at the station. Did you personally talk to this woman who came to the station?

Mr. MARTELLO. That is correct, sir; I did.

Mr. LIEBELER. And you set forth in your memorandum the statements made by Mrs. Murret and the position that she took with regard to this whole thing, and that is a correct summary of the events that occurred with regard to Mrs. Murret, is it not?

Mr. MARTELLO. That is correct.

Mr. LIEBELER. Did you form any impression of this woman's feelings about Oswald or her attitude toward this whole event?

Mr. MARTELLO. Yes, sir; I did. She gave me the impression that she wanted to help him and she didn't want to become involved, due to the affiliation, as he stated he was a member of the Fair Play for Cuba, and she was leery on becoming involved in obtaining his release. I explained to her the release procedure whereby, if she desired to assist him in being released from jail by parole or bond and she didn't want to become involved in the release procedure—but she did give me the impression that she was interested in him, as a relative, I imagine.

Mr. LIEBELER. Do you know whether or not she subsequently did involve herself in Oswald's release?

Mr. MARTELLO. No, sir; I did not know if she did become involved in his release. I don't think she did, because during the second interview with Lee Harvey Oswald I allowed him to use the telephone in the captain's office where he called someone, some male, white male, or some male. I don't know who he spoke to, but obviously his attempt to get any assistance from Mrs. Murret was unsuccessful.

Mr. LIEBELER. Mrs. Murret also told you that Oswald had at one time been in the Soviet Union, did she not?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. And then you subsequently questioned Oswald concerning this matter, did you?

Mr. MARTELLO. Yes, sir.

Mr. LIEBELER. And in your memorandum you indicate that you had asked Oswald what his opinion was of the form of communism in Russia, and he replied that it stunk? Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. That did in fact occur? Is that right?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Did Oswald indicate to you any other attitudes that he had toward the Soviet Union, or did he particularize or go into more detail as to why he was dissatisfied with his stay in the Soviet Union?

Mr. MARTELLO. Other than what I have in the memorandum where he stated that the people were still poor and depressed and that the present form of communism was not what it should be, the ideals, as he stated, were not in fact the true conditions in Russia.

Mr. LIEBELER. Now your memorandum also indicates that you asked Oswald why he would not permit members of his family to learn the English language, and the memorandum indicates that Oswald said the reason why he did not so permit them was because he hated America and he did not want his family to become Americanized since he planned to go back to Russia. Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. And Oswald did tell you that, did he not?

Mr. MARTELLO. Yes, sir.

Mr. LIEBELER. We have down here a statement, on the one hand, that as far as Oswald is concerned the system in Russia, to use his word, "stunk," and, on the other hand, he said that he hated America and had indicated a desire to return to Russia. Do you remember how he presented these ideas, and did he seem to be equally convinced as to both these propositions, or did he display any emotion concerning either one of these propositions, or just what was his general attitude?

Mr. MARTELLO. His general attitude was, he stated that he believed in a socialistic form of government and that in choosing between America and Russia, he gave me the impression that he would choose the lesser of the two evils, in his opinion.

Mr. LIEBELER. Did he indicate which, in his opinion, was the lesser of the two evils?

Mr. MARTELLO. From the way he spoke, the impression I received, it appeared to me that he felt that Russia was the lesser of the two evils.

Mr. LIEBELER. Did he express this idea with great forcefulness, or just sort of a "pox on both your houses" fashion, that really it was just too ridiculous, and that sort of thing?

Mr. MARTELLO. With a nonchalant attitude. He was a very cool speaker. I don't know too much of his formal education. I read an account in the newspaper about it, but from the way he spoke, it was quite obvious that he had done a heck of a lot of reading in his lifetime, and his approach was academic, more or less theories but with no aggressiveness or emotional outbursts in any way, shape, or form. It was just a very calm conversation we had, and there was no emotion involved whatsoever.

Mr. LIEBELER. Did he show any hesitancy about expressing these ideas to you as a member of the police department?

Mr. MARTELLO. None whatsoever, sir.

Mr. LIEBELER. He didn't seem to be bothered by you or afraid of you, or anything like that?

Mr. MARTELLO. No, sir; none whatsoever. I generally try to establish a rapport with any group that would demonstrate in the city, which was one of the objectives I had with Oswald. If in the future he would demonstrate, why, I could speak to him. It is a lot easier when you know somebody than when you don't, and they may comply with a request rather than the ultimates of the law.

Mr. LIEBELER. Now, your memorandum also indicates that you asked Oswald what he thought about President Kennedy and Premier Khrushchev, and the memorandum also indicates that Oswald said that he thought they got along very well together. What was his attitude when he made that remark? Tell us as much as you can remember of the background of that aspect of your conversation.

Mr. MARTELLO. The reason I asked that question was again to get his feelings on where his loyalty would rest between America and Russia, and it was just another way of asking the same question. He gave me the impression that he seemed to favor President Kennedy more than he did Khrushchev in his statement. This is unusual, and I couldn't quite understand his reason for this reaction, as all of his thoughts seemed to go into the direction of the Socialist or Russian way of life; but he showed in his manner of speaking that he liked the President, the impression I got, or, if he didn't like him, of the two he disliked, he disliked the President the least. He is a very peculiar type of an individual, which is typical of quite a few of the many demonstrators that I have handled during the period of 2 years while in the Intelligence Division. They seemed to be trying to find themselves or something. I am not expert in the field or anything, not trying to go out of my bounds, but quite a few of them, after lengthy interviews you find that they have some peculiarities about their thinking that does not follow logically with their movements or their action.

Mr. LIEBELER. And this attitude that Oswald demonstrated toward the President is an example of that sort of thing? Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. It didn't seem to fit in with the rest of his statements?

Mr. MARTELLO. Didn't seem to fit in.

Mr. LIEBELER. Do you remember any more specifically or in any more detail just what the conversation concerning Kennedy was?

Mr. MARTELLO. It would only be vaguely at this time, but it was in the general areas of leadership of the President in comparison to the leadership of Khrushchev, how each was leading the various countries, and again an analogy or comparison of the two forms of government, which one he thought was running it the best, but we didn't go into this at any great length.

Mr. LIEBELER. Well, your recollection is quite clear that, in spite of the fact that Oswald demonstrated a general inclination to favor the Soviet Union and its institutions, he did in spite of that indicate a preference for President Kennedy as opposed to Premier Khrushchev?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. And that he in no way demonstrated any animosity or ill feelings toward President Kennedy?

Mr. MARTELLO. No, sir; he did not. At no time during the interview with Oswald did he demonstrate any type of aggressiveness in any way, shape, or form, other than his demonstration on Canal Street with the picket sign.

Mr. LIEBELER. Did you consider whether Oswald was prone to violence or was a violent kind of person?

Mr. MARTELLO. No, sir; I did not, for the simple reason that when he had made the friendship of the people with the anti-Castro groups in the city and offered them assistance, and when they saw him on Canal Street with pro-Castro signs they became insulting and abusive to the point of becoming violent toward him, and he never reacted to the action that was being directed toward him.

Mr. LIEBELER. These anti-Castro characters attempted to provoke Oswald into some kind of physical conflict, did they not, as a matter of fact?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. And he didn't respond?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Did you eventually learn what became of this case, how it was disposed of in court?

Mr. MARTELLO. Yes, sir; the next day, the following Monday. The following Monday I went to court, Municipal Court, and I heard the evidence in the case. He was charged—all of them were charged with creating a scene, which is a typical municipal charge used in minor disturbances. It expedites everything much nicer, and there was no—there wasn't any detailed information given other than what he was charged with. The judge found him guilty and gave him, I believe, \$10 or 10 days, or something like that.

Mr. LIEBELER. Do you remember whether Oswald pleaded guilty or not guilty?

Mr. MARTELLO. I do not remember, sir.

Mr. LIEBELER. The Cubans who were involved in it were released without any fine or any punishment, were they not?

Mr. MARTELLO. I do not remember, sir.

Mr. LIEBELER. You didn't have any occasion to discuss this thing with Oswald after the case had been disposed of?

Mr. MARTELLO. No, sir. That was all there was to it.

Mr. LIEBELER. Is there any other reason that you didn't regard Oswald as a violent kind of person, other than the one that you mentioned concerning his failure to respond to the provocation of the Cubans?

Mr. MARTELLO. He did not impress me at the time I interviewed him as a violent person by any of the responses to questions, by observing his physical make-up. Not in any way, shape, or form did he appear to me as being violent in any way. He displayed very little emotion and was completely unconcerned and aloof. Off the record?

Mr. LIEBELER. Off the record.

(Discussion off the record.)

Mr. LIEBELER. When you subsequently heard that Oswald had been arrested in connection with the assassination, were you surprised?

Mr. MARTELLO. Yes, sir; I was, I was very much surprised.

Mr. LIEBELER. Would you tell us—

Mr. MARTELLO. Because he did not give me the impression of being a violent individual. He was a very passive type of an individual.

Mr. LIEBELER. You have had experience with other pickets here in New Orleans on several questions, and have you run into people who demonstrated a passivity in the face of provocation before?

Mr. MARTELLO. Yes, sir.

Mr. LIEBELER. Did Oswald appear to be this kind of person?

Mr. MARTELLO. Yes, sir; he did with one extension of the incident with the Cubans. Although he was passive in his demonstration, he seemed to have set them up, so to speak, to create an incident, but when the incident occurred he remained absolutely peaceful and gentle.

Mr. LIEBELER. You just didn't think at the time you heard that Oswald had been arrested in connection with the assassination that he would have been capable of performing that act? Or did you have an opinion on that question?

Mr. MARTELLO. Well, as far as being capable of an act, I guess everybody is capable of an act, but as far as ever dreaming or thinking that Oswald would do what it is alleged that he has done, I would bet my head on a chopping block that he wouldn't do it.

Mr. LIEBELER. You just wouldn't have been able to predict that this guy would have done something like that?

Mr. MARTELLO. That is right.

Mr. LIEBELER. And such an act would appear to you to be entirely inconsistent with the attitude demonstrated to you while you knew him here in New Orleans? Is that correct?

Mr. MARTELLO. Absolutely correct, sir.

Mr. LIEBELER. You indicate in your memorandum that you went through your notes and the other materials that were collected at the time Oswald was arrested, and you found a photograph of Oswald and a small piece of white paper containing certain handwritten notes, which is attached to the report

that we have. There is a photostatic copy of a sheet of paper with handwritten notes, and I ask you whether or not that is a photostatic copy of the paper that you found in the material you have just described?

Mr. MARTELLO. Yes; it is.

Mr. LIEBELER. And the original of this was taken from Oswald at the time of his arrest? Is that correct?

Mr. MARTELLO. It wasn't actually taken from him. Due to the amount of material he had in his possession, and upon Oswald taking various credentials and identification cards out, it was left—it was inadvertently picked up with the literature, and I put it in a file folder and it remained there. I thought no more of it. He had already been interviewed by the intelligence division of our department. It was just by coincidence that I kept the notes. Normally I would have discarded them.

Mr. LIEBELER. You turned the original of the paper that was kept over to the Federal Bureau of Investigation, did you not?

Mr. MARTELLO. No, sir; I turned the original paper over to the United States Secret Service along with the pamphlets, all of the pamphlets.

Mr. LIEBELER. As far as you know, the Secret Service still has that material?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Now did you become involved in any other questioning of Oswald or investigation of Oswald, or did you become involved in anything else having anything to do with Oswald back in August of 1963 other than what we have already talked about?

Mr. MARTELLO. No, sir; I did not see him but one more time, and that was when he went to court, and that was the last time I saw him. The only times I spoke to him was the times that we had mentioned during the interview.

Mr. LIEBELER. Were you present at any time when Oswald may have been interviewed by other officers or personnel of the police department?

Mr. MARTELLO. No, sir; I was not. I understand that he was interviewed at the time of his arrest by members of the intelligence division of the New Orleans Police Department.

Mr. LIEBELER. Did you interview any of the Cubans that were arrested at the same time Oswald was arrested?

Mr. MARTELLO. No, sir; I did not. I believe the Cubans were paroled. That is it, they were paroled.

Mr. LIEBELER. After the assassination, did the New Orleans Police Department, to your knowledge, engage in any investigation concerning Oswald or his prior activities in New Orleans?

Mr. MARTELLO. Not to my knowledge, sir. They may have, but at that time I was in the First District, assigned to the First District, and I wouldn't know if they had conducted any further investigations.

Mr. LIEBELER. Can you think of anything that you think the Commission ought to know about that is within your knowledge, that I haven't asked you about or we haven't covered so far? If you can I would like to have you indicate it so that we could have the benefit of it.

Mr. MARTELLO. I think you did a very good job on me. I don't think there are any questions that haven't been answered.

Mr. LIEBELER. In view of that, I have no other questions at this point. I do want to thank you, Lieutenant Martello, for the cooperation you have shown to us, and on behalf of the Commission I want to thank you very sincerely for your coming here and giving the testimony that you have given. Thank you very much.

Mr. MARTELLO. Thank you, sir.

TESTIMONY OF CHARLES HALL STEELE, JR.

The testimony of Charles Hall Steele, Jr., was taken on April 7, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission.

Charles Hall Steele, Jr., 1488 Madrid Street, New Orleans, La., after first being duly sworn, testified as follows:

Mr. JENNER. You are Charles Hall Steele, Jr., is that right?

Mr. STEELE. Yes, sir.

Mr. JENNER. And your address is 1488 Madrid Street here in New Orleans?

Mr. STEELE. That's right.

Mr. JENNER. And is that spelled S-T-E-E-L-E?

Mr. STEELE. Yes.

Mr. JENNER. I am Albert E. Jenner, Jr., attorney on the legal staff on the President's Commission, investigating the facts and circumstances surrounding the assassination last November of President John Fitzgerald Kennedy. Did you receive a letter from Mr. Rankin, general counsel for the Commission?

Mr. STEELE. Yes, sir.

Mr. JENNER. And enclosed with that letter were Senate Joint Resolution 137, which authorized the creation of the Commission to investigate the assassination of the late President; is that right?

Mr. STEELE. Yes, sir.

Mr. JENNER. And the Executive Order No. 11130 of President Lyndon B. Johnson, appointing that Commission and fixing its powers and duties. That was enclosed also in the letter?

Mr. STEELE. Yes, sir.

Mr. JENNER. And a copy of the rules and regulations under which we take testimony, both before the Commission and also by way of deposition, such as in this instance. You received that also?

Mr. STEELE. Yes.

Mr. JENNER. Now, you have appeared here voluntarily today, is that right?

Mr. STEELE. Yes, sir.

Mr. JENNER. From those papers that you received, did you become aware of the purpose for the existence of the President's Commission, that it is enjoined by legislation to investigate the circumstances and all the facts relating to the assassination of President John Fitzgerald Kennedy on the 22d of November 1963, and the subsequent death and murder of Lee Harvey Oswald on the 24th of November 1963?

Mr. STEELE. Yes, sir.

Mr. JENNER. We of the legal staff are questioning various people, sometimes before the Commission and sometimes in private depositions, such as this one, who in the ordinary course of their lifetime touched the life of Lee Harvey Oswald, or someone in his family, the facts of which might help the Commission in its ultimate determination of this tragedy, and we understand that you are one of those who came into contact with Lee Harvey Oswald during the time he lived in New Orleans; is that right?

Mr. STEELE. Yes, sir.

Mr. JENNER. First, are you a native born American?

Mr. STEELE. Yes, sir.

Mr. JENNER. Here in New Orleans?

Mr. STEELE. In New Orleans; yes.

Mr. JENNER. And your father likewise is a native born American, is that right?

Mr. STEELE. Yes, sir.

Mr. JENNER. In Louisiana?

Mr. STEELE. Yes, sir.

Mr. JENNER. And your mother?

Mr. STEELE. From New Orleans, La.

Mr. JENNER. How old are you?

Mr. STEELE. Twenty.

Mr. JENNER. Are you a student?

Mr. STEELE. Well, that's hard to say. I haven't graduated or got my diploma yet from Delgado. However, I finished a course up there, and they let me out.

Mr. JENNER. Delgado—is that a trade school?

Mr. STEELE. Yes, sir.

Mr. JENNER. Are you working part time or what?

Mr. STEELE. I was working part time and going to school. I was working after

school, and then after they let me out I started to work full time. However, right now, I am waiting to go into the service.

Mr. JENNER. Do you know a young lady by the name of Charlene Stouff?

Mr. STEELE. Yes.

Mr. JENNER. Is she a friend of yours?

Mr. STEELE. Yes.

Mr. JENNER. Do you recall an occasion when you accompanied her to the employment service office?

Mr. STEELE. Yes, sir.

Mr. JENNER. When was that?

Mr. STEELE. As to the date I couldn't say, but that's the date they took films of me passing out leaflets.

Mr. JENNER. On Canal Street?

Mr. STEELE. Well, not on Canal Street; it was in front of the Trade Mart Building.

Mr. JENNER. What street is the Trade Mart Building on?

Mr. STEELE. Well, I don't know the street offhand. I know where it is. I have been there many times for different things; it's down the street from Canal Street, just one block.

Mr. JENNER. You say you have been there many times?

Mr. STEELE. Yes; buying wholesale stuff for my father, and all.

Mr. JENNER. How did you become involved in that passing out literature business?

Mr. STEELE. Well, she had to take this test for the school board building.

Mr. JENNER. She did?

Mr. STEELE. Yes.

Mr. JENNER. You are talking about Charlene Stouff?

Mr. STEELE. That's right.

Mr. JENNER. For what purpose did she have to take this test?

Mr. STEELE. Applying for a job.

Mr. JENNER. What kind of a job?

Mr. STEELE. Secretary of some sort; I don't know exactly what job that was to be.

Mr. JENNER. And you accompanied her?

Mr. STEELE. Well, she asked me if I would drive her down there, and I drove her down.

Mr. JENNER. Was this the U.S. Employment Service?

Mr. STEELE. I couldn't say. It's the one on Canal Street, approximately in the 500 block, I think.

Mr. JENNER. All right, proceed; tell me all about it, what happened, and everything.

Mr. STEELE. To tell you the truth, I never thought any more about it until Mr. Rice came to see me, but I was just sitting around there and had about an hour to kill more or less. I was there a good while waiting for her.

Mr. JENNER. You were waiting for her to take the test?

Mr. STEELE. Yes, sir.

Mr. JENNER. All right, what happened?

Mr. STEELE. This gentleman came up and introduced himself to me.

Mr. JENNER. What did he look like?

Mr. STEELE. It was Oswald, he turned out to be. He introduced himself and asked me if I would like to make a couple of dollars.

Mr. JENNER. Did he introduce himself as Lee Harvey Oswald?

Mr. STEELE. Well, I couldn't tell you that. I presume he did, but that's only presumption on my part. I don't remember names too well; just faces, and that's about all, so then after he asked me if I would like to make some money, I asked him, "Doing what?" and he said, "Passing out these leaflets in front of the Trade Mart Building," and I said, "About how long will it take?" and he said, "About 15 or 20 minutes at the most." I figured \$2 for 20 minutes, and I am going on vacation next week, that could come in handy, and so I said, "All right," that I would go over there and do it, and so in the meantime Charlene had come back. She had finished her test, and she had to go back to the school board building to see some guy that she saw before about the job, so I brought

her over to that gentleman, and then I went back over to the Trade Mart Building, where he and another fellow came up, and he handed me these leaflets, so I just started passing them out.

Mr. JENNER. Did you look at them before you started passing them out?

Mr. STEELE. No; I didn't look at them. I have walked down Canal Street myself a lot of times, and somebody has handed me a leaflet like that, and I just take it, and most of the time I just throw it in the nearest trash can; I don't read them.

Mr. JENNER. Did you have a sign, or was anybody carrying a sign there?

Mr. STEELE. No; but these pictures that Mr. Rice showed me, the FBI agent, I saw myself on those, and there was a gentleman in the rear who was also passing out leaflets, and I never saw him at the time I was there, but he's in the pictures.

Mr. JENNER. What did he look like, this man who was there also passing out leaflets?

Mr. STEELE. Well, I shouldn't say this, I guess, but he was sort of Cuban looking, like that.

Mr. JENNER. Olive skinned, do you mean?

Mr. STEELE. Yes; olive skinned, but he was back in the rear, passing out leaflets, and I never did even see him.

Mr. JENNER. And this man, Oswald, who asked you to pass out the leaflets for 15 or 20 minutes, was he also passing out the leaflets at the same time?

Mr. STEELE. I never noticed.

Mr. JENNER. Did you notice whether he was there, or whether he remained there after he gave you these leaflets?

Mr. STEELE. Oh, he was there. In fact, he had leaflets in his hand.

Mr. JENNER. Do you think he was passing them out?

Mr. STEELE. I guess so, but, I mean, to say that he was just standing there passing them out, I didn't pay any attention to that. I was just trying to get mine passed out and get my \$2 and leave. I didn't even look at him after a few minutes.

Mr. JENNER. Did you more or less walk up and down in front of the building passing out these leaflets?

Mr. STEELE. More or less. I figured the sooner I got rid of them the sooner I could leave, so that's all I was interested in doing.

Mr. JENNER. Did anybody talk to you about it, or say what the purpose of this was?

Mr. STEELE. No.

Mr. JENNER. Did anybody protest that you were passing out leaflets of which they disapproved?

Mr. STEELE. Nobody. As a matter of fact, I didn't have any trouble getting rid of them. The people just sort of grabbed them as they passed by. It was just something free, you know, and I guess there's always a feeling that when you get something free you might as well take it.

Mr. JENNER. What time of day did you go into the unemployment office with your girl friend?

Mr. STEELE. Before 12, possibly 11 or 11:30; I don't remember that.

Mr. JENNER. Do you remember the conversation with your girl friend when you told her that you were going to pass out these leaflets in front of this building?

Mr. STEELE. No; she was just saying she had to go back to the school board building to see this guy.

Mr. JENNER. Did you have any discussion with her as to whether she would accompany you?

Mr. STEELE. Accompany me where?

Mr. JENNER. Accompany you to where you were going to pass out these leaflets?

Mr. STEELE. No.

Mr. JENNER. Did you drive her somewhere before you went back to pass out these leaflets?

Mr. STEELE. To the school board building.

Mr. JENNER. The Orleans parish school board?

Mr. STEELE. Yes, sir.

Mr. JENNER. Did you return there and pick her up?

Mr. STEELE. I returned there, but I didn't pick her up. I don't know what happened, but I missed her somehow.

Mr. JENNER. You say Lee Oswald told you it would take 15 or 20 minutes to pass out these leaflets. What time did you get back to pass them out after you had taken your girl friend to the school board building?

Mr. STEELE. I don't know what time it was, but I figure I was in front of the Trade Mart Building about 15 minutes—12 or 15 minutes; I think it was about 25 after 12, maybe 20 minutes after, when I got there. It only takes a few minutes to get from the school board building down to the Trade Mart. I had to be to work for 2 o'clock.

Mr. JENNER. You had to go to work that afternoon, that this happened?

Mr. STEELE. Yes; I had to be at work at 2 o'clock that afternoon. Later on that night she called me and told me that my picture was on television.

Mr. JENNER. Did you see her before she came to see you about your picture being on television?

Mr. STEELE. No; I saw her later.

Mr. JENNER. You saw her later that night?

Mr. STEELE. I don't think any more that night; I think it was the next day.

Mr. JENNER. Did you have a conversation with her about passing out these leaflets.

Mr. STEELE. Yes.

Mr. JENNER. What did you say to her and what did she say to you?

Mr. STEELE. She told me that I was in trouble, that there was some kind of a deal on television about passing out these leaflets or something, and from what she had read before, it sounded like communism, or something. Now, I had taken a course in high school on that, so I knew a little bit about that, so I thought I had better tell my boss about it, which I did.

Mr. JENNER. You told your boss about it?

Mr. STEELE. Yes; after I had that talk with her, when she told me I was in trouble.

Mr. JENNER. Do you remember what time it was she called you and told you about this being on television?

Mr. STEELE. Well, I know it was after 6 o'clock.

Mr. JENNER. That same day, when this occurred?

Mr. STEELE. Yes; it was that same night.

Mr. JENNER. And then you told your boss about it?

Mr. STEELE. Yes, sir.

Mr. JENNER. That same night?

Mr. STEELE. That same night.

Mr. JENNER. Who was your boss?

Mr. STEELE. Henry Muller.

Mr. JENNER. Henry Muller?

Mr. STEELE. Well, I think it was Alfred Muller.

Mr. JENNER. Alfred Muller?

Mr. STEELE. Yes, I think that's Henry's brother.

Mr. JENNER. What did your girl friend say when you had this discussion with her, to the effect that this literature might be communistic, or whatever it was she said? Was she alarmed?

Mr. STEELE. Yes, she was pretty excited, but we never really discussed it. I just told her I didn't know a thing about it, that I just made \$2 by passing these leaflets out, but I didn't know what it was all about.

Mr. JENNER. But she did think you were in trouble?

Mr. STEELE. Well, from what she saw on television, she thought I was.

Mr. JENNER. What was your reaction?

Mr. STEELE. I got a little scared and worried, and so I called the FBI and told them about it.

Mr. JENNER. You called the FBI right away?

Mr. STEELE. Yes.

Mr. JENNER. Do you recall some pictures being taken during that time you were passing out this literature?

Mr. STEELE. At the time, when I noticed the cameras, that's when I looked down at the leaflets to see what I was passing out.

Mr. JENNER. That's when you really took an interest in these leaflets?

Mr. STEELE. Yes. That's when I looked at one of them and saw what it was.

Mr. JENNER. Did you go and call the TV station?

Mr. STEELE. Yes; I called three of them. One of them didn't know anything about it.

Mr. JENNER. Why did you call the TV stations?

Mr. STEELE. To get my picture off of the television.

Mr. JENNER. Had you told your father in the meantime?

Mr. STEELE. No; I called him, but they were out to dinner. They had gone to Camp Leroy Johnson, I believe.

Mr. JENNER. Was there any trouble during the time you were passing out these leaflets?

Mr. STEELE. No.

Mr. JENNER. Nobody tried to interfere with your passing them out?

Mr. STEELE. No.

Mr. JENNER. Nobody was arrested?

Mr. STEELE. No.

Mr. JENNER. The police didn't come?

Mr. STEELE. No. I think you are talking about a different occasion now. I didn't know anything about that at the time, not until I was in the Federal Building, and they said something about it.

Mr. JENNER. You say somebody else was helping pass out these leaflets?

Mr. STEELE. That's right.

Mr. JENNER. Was it somebody that walked up with Oswald?

Mr. STEELE. Yes.

Mr. JENNER. But when you arrived on the scene, he was not there, is that right?

Mr. STEELE. Do you mean Oswald?

Mr. JENNER. Yes; and this man that walked up with him.

Mr. STEELE. No; I waited for him.

Mr. JENNER. For Oswald?

Mr. STEELE. Yes; I waited for him maybe a minute, or a few seconds—I don't know how long it was, but it wasn't long.

Mr. JENNER. And then he came?

Mr. STEELE. Yes.

Mr. JENNER. And somebody was accompanying him?

Mr. STEELE. Yes.

Mr. JENNER. Did you know that man?

Mr. STEELE. No.

Mr. JENNER. Was he introduced to you?

Mr. STEELE. He was introduced to me, but I don't remember him.

Mr. JENNER. Did you eventually look at these leaflets?

Mr. STEELE. Yes; after a few minutes. When I saw the cameras, I got suspicious then and looked at one of them.

Mr. JENNER. Did you have two supplies of these leaflets?

Mr. STEELE. Yes.

Mr. JENNER. Tell me the circumstances. About how many had you given out at the time you quit?

Mr. STEELE. I had given out one supply and had gone back, and he had handed me some more, and at that time I seen the cameras, and that's when I looked to see what I was passing out.

Mr. JENNER. Looked at these leaflets?

Mr. STEELE. Yes; at the leaflets.

Mr. JENNER. All right, and then what happened?

Mr. STEELE. Well, it didn't sound right to me. I don't remember exactly what it said, but it said something about keeping hands off of Cuba, or something like that, and it just didn't sound right, and I knew that we were on bad terms with Cuba.

Mr. JENNER. What did you do then?

Mr. STEELE. I told Oswald that I didn't want any more to do with it, and I wasn't going to pass out any more leaflets, and he said, "Well, all right," and he gave me the \$2, and I left.

Mr. JENNER. He didn't pursue it any further?

Mr. STEELE. No.

Mr. JENNER. But he went ahead and gave you the \$2; is that right?

Mr. STEELE. Yes; and then I walked off.

Mr. JENNER. Did you have any leaflets left when you left the scene?

Mr. STEELE. No. I got rid of the ones I had left.

Mr. JENNER. Do you remember telling the FBI that you threw the remainder of the leaflets in a trash can there at the scene?

Mr. STEELE. Yes; I threw what I had left in the trash can. I mean, when I left there, I didn't have any with me.

Mr. JENNER. You threw the remaining leaflets away that you had?

Mr. STEELE. Yes, sir; I threw them in the trash can around there some place, but after leaving that spot, you know. I mean, the can wasn't right there where I was passing them out.

Mr. JENNER. Did you have any conversation with Oswald about whether these leaflets were or were not communistic in nature?

Mr. STEELE. I did ask him if they were communistic, and he said they were not. He said they were from an organization affiliated with Tulane University, or something to that effect, of somehow being connected with Tulane. I believe I had asked him something about the leaflets before, and he told me about them being connected with Tulane—some connection there. I don't remember exactly what he said, but I do remember him telling me about that, you know, the other time I asked him, and so then I told him I didn't want any more to do with it, and he gave me the \$2.

Mr. JENNER. He did persist in your continuing to pass them out?

Mr. STEELE. No; he didn't.

Mr. JENNER. Did he deny they had any connection with communism, in so many words?

Mr. STEELE. He denied that; yes, sir. He didn't really say what it was for.

Mr. JENNER. He just said it was from an organization connected with Tulane University?

Mr. STEELE. Yes.

Mr. JENNER. But that didn't reassure you, did it?

Mr. STEELE. No; it didn't. It made me stop and wonder though if it was or wasn't, but then I didn't think any more about it.

Mr. JENNER. Anyhow, you didn't want any more to do with it once you saw the cameras, did you?

Mr. STEELE. No; I didn't.

Mr. JENNER. And you got your \$2, which was the price agreed on, and you left, is that right?

Mr. STEELE. That's right.

Mr. JENNER. This man that came along with Oswald, have you ever seen him since then?

Mr. STEELE. No.

Mr. JENNER. Had you ever seen him before that time?

Mr. STEELE. No; I never did.

Mr. JENNER. Was there any conversation between Oswald and the man he brought along with him that you might have overheard?

Mr. STEELE. No.

Mr. JENNER. What was your impression of the connection between them, if any?

Mr. STEELE. The same as mine. He was getting them out of this unemployment place, just like he did me.

Mr. JENNER. When you first went into this unemployment place, did you notice Oswald in there at that time?

Mr. STEELE. No.

Mr. JENNER. When did you first notice him?

Mr. STEELE. When he came up to me and asked me if I wanted to make a couple of dollars.

Mr. JENNER. Tell me about that, when you first noticed him—when he approached you, and what he said. First, how was he dressed, if you remember?

Mr. STEELE. He had on a white shirt and tie and black pants, and he had a little briefcase with him, I think.

Mr. JENNER. Probably containing a supply of these leaflets, do you think?

Mr. STEELE. Well, I don't know.

Mr. JENNER. But he had a little briefcase that you saw, is that right?

Mr. STEELE. Yes; he had a briefcase with him.

Mr. JENNER. Have you ever heard of the name Hidell—A. J. Hidell?

Mr. STEELE. No.

Mr. JENNER. You have never heard of him?

Mr. STEELE. No.

Mr. JENNER. What did the FBI say to you after you talked to them?

Mr. STEELE. That night?

Mr. JENNER. Yes.

Mr. STEELE. They told me they couldn't do anything about keeping my picture off of television, and that the best thing for me to do would be to call the stations and tell them about it, and ask them to keep my picture off.

Mr. JENNER. All right now; have you told me everything you know about this incident?

Mr. STEELE. As far as I remember.

Mr. JENNER. And everything as far as your participation in this is concerned?

Mr. STEELE. Yes.

Mr. JENNER. Did Oswald ever contact you again to pass out any more leaflets?

Mr. STEELE. No, sir.

Mr. JENNER. Did anyone ever contact you on his behalf and ask you to pass out leaflets at all?

Mr. STEELE. No.

Mr. JENNER. I'm going to show you some pictures that are marked Pizzo Exhibits Nos. 453-A and 453-B, and Exhibit No. 1, Deposition, Carlos Bringuier, April 7, 1964. Disregarding the various arrows and marks, because they will serve only to confuse you, do you see the man known as Lee Harvey Oswald on any of those pictures?

Mr. STEELE. Yes; in all three.

Mr. JENNER. All three?

Mr. STEELE. Yes.

Mr. JENNER. Point to the one on your left, which is 453-A, which is Oswald?

(The witness has pointed to the figure of a man over whose head there is a green cross.)

Mr. JENNER. Now, the second picture, which is 453-B, do you see him on that one?

(The witness points to a man over whose head there is a green vertical stripe.)

Mr. JENNER. And do you see him on the third picture, which is the one identified as Exhibit No. 1? Point to him.

(Let the record show that the witness has indicated by pointing the figure of the man identified as Lee Harvey Oswald.)

Mr. JENNER. Put an "X" on his body, if you will.

(Let the record show that the witness has put a red "X" mark on the body of the man known to be Lee Harvey Oswald, and that he is the same man shown in each picture, and so identified by the witness.)

Mr. JENNER. Now, taking a look at 453-A, you see there is an arrow over the head of a man to the left of the man over whose head you put the green cross?

Mr. STEELE. What's that?

Mr. JENNER. You see that arrow over the head of the man to the left of the man with the green cross over his head?

Mr. STEELE. Yes.

Mr. JENNER. Do you recognize this man over the head of whom there is an arrow?

Mr. STEELE. No.

Mr. JENNER. Was he there the day that you were passing out this literature?

Mr. STEELE. Not that I could see at the time, but from previous pictures that I have seen, he apparently was though.

Mr. JENNER. Previous pictures that you have seen from whom?

Mr. STEELE. The FBI and the Secret Service.

Mr. JENNER. Are you shown on any of these pictures now?

Mr. STEELE. Yes.

Mr. JENNER. You are?

Mr. STEELE. Oh, am I shown?

Mr. JENNER. Yes.

Mr. STEELE. No.

Mr. JENNER. Do you see yourself on any of these pictures?

Mr. STEELE. No, I don't; not on these.

Mr. JENNER. Do you see anybody else on those pictures that you now recognize as having been present on the first occasion, on the occasion when you were there, other than Lee Harvey Oswald?

Mr. STEELE. That I remember; no.

Mr. JENNER. No one else?

Mr. STEELE. No.

Mr. JENNER. There was no incident on the day that you passed out this literature?

Mr. STEELE. No.

Mr. JENNER. And the police didn't come?

Mr. STEELE. No.

Mr. JENNER. When was that, August 16?

Mr. STEELE. I can't give the date on that; I don't know.

Mr. JENNER. It was in August though, wasn't it?

Mrs. STEELE. It was in August all right, but I don't remember the exact date.

Mr. JENNER. Do you remember that some people were taking pictures?

Mr. STEELE. Yes; I do.

Mr. JENNER. And you remember your girl friend calling you that evening and saying you were on television?

Mr. STEELE. Yes; she came over.

Mr. JENNER. She came over to your place?

Mr. STEELE. Yes, sir. I remember now; she came over.

Mr. JENNER. Where were you then?

Mr. STEELE. I was at work.

Mr. JENNER. Did you call the FBI then?

Mr. STEELE. Yes, sir.

Mr. JENNER. And the FBI said what?

Mr. STEELE. I had asked them about getting my picture off of television, and they said they couldn't do anything about it, that there was nothing wrong with it—that it was news.

Mr. JENNER. They couldn't interfere with the news media?

Mr. STEELE. That's right.

Mr. JENNER. That's what they told you?

Mr. STEELE. Yes.

Mr. JENNER. Did you call the television stations?

Mr. STEELE. Yes, sir.

Mr. JENNER. What did you tell them?

Mr. STEELE. I asked them if they would take my picture off of the television screen. I told them who I was, and I told them about it, that I was the gentleman that had passed out the literature, and I told them that my father was with the sheriff's office, and it wouldn't be too good with him, and at the time didn't know what I was passing out, until I had seen the cameras, and then looked at them, and they said, "Well, all right then," and it never came on television anymore, until the President's death.

Mr. JENNER. Describe this man who came along with Oswald.

Mr. STEELE. Right now I haven't the slightest idea what he looked like. I think, as I recall, he was about Oswald's height.

Mr. JENNER. Oswald was 5 foot 9. You say he was the same height, or taller, or what?

Mr. STEELE. Well, he wasn't shorter. He was either the same height or slightly taller.

Mr. JENNER. Would it refresh your recollection if I told you that when you were interviewed by special agents of the Federal Bureau of Investigation on the 24th of November, 1963, that you told them that he was aged 19 or 20 years, that he was about 6 feet tall, slender built, dark hair, and olive complexion?

Mr. STEELE. Yes.

Mr. JENNER. Was that the way you recall him?

Mr. STEELE. Yes; he was slender built and about my complexion.

Mr. JENNER. You have dark skin?

Mr. STEELE. Caucasian, dark.

Mr. JENNER. What would you say he weighed?

Mr. STEELE. About 170, 175, I guess.

Mr. JENNER. How tall are you?

Mr. STEELE. Six feet.

Mr. JENNER. Would this man have been about your height?

Mr. STEELE. I guess so, but it didn't seem like he was quite as tall as I am.

Mr. JENNER. Do you think he was more slender than you?

Mr. STEELE. Yes.

Mr. JENNER. How was he dressed?

Mr. STEELE. Sport shirt, as far as I can remember.

Mr. JENNER. White or colored, or what?

Mr. STEELE. I don't even remember the man right now, to tell you the truth. I just have a very vague recollection of what he looked like.

Mr. JENNER. But you are sure he was slender built?

Mr. STEELE. Yes, sir.

Mr. JENNER. Now, you have the right, if you wish to exercise it, of reading over your deposition and signing it, or you may waive that right and let the court reporter transcribe your testimony, and it will be forwarded direct to Washington. What do you prefer to do?

Mr. STEELE. Well, I will do what you consider best.

Mr. JENNER. Well, you are willing to waive the necessity of reading your deposition and signing it then?

Mr. STEELE. Yes, sir.

Mr. JENNER. All right. Is there anything else that occurred that you haven't told me about, or that I haven't asked you about, that would be of assistance to the Commission?

Mr. STEELE. No; I can't think of anything else.

Mr. JENNER. All right. Thank you for coming in voluntarily and testifying.

TESTIMONY OF CHARLES HALL STEELE, SR.

The testimony of Charles Hall Steele, Sr., was taken on April 7, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission.

Charles Hall Steele, Sr., 1488 Madrid Street, New Orleans, La., after first being duly sworn, testified as follows:

Mr. JENNER. You are Mr. Charles Hall Steele, Sr., is that right?

Mr. STEELE. Right.

Mr. JENNER. And you have seen the letter received by your son from Mr. Rankin, general counsel of the President's Commission, have you not?

Mr. STEELE. Yes.

Mr. JENNER, You have read it?

Mr. STEELE. Yes.

Mr. JENNER. Did you also read the documents that were enclosed with that letter?

Mr. STEELE. No, sir.

Mr. JENNER. Well, those documents, Mr. Steele, consist of Senate Joint Resolution 137, authorizing the creation of the Commission to investigate the assassination of President John Fitzgerald Kennedy; the Executive Order No. 11130 of President Lyndon B. Johnson, appointing that Commission and fixing its powers and its duties, and a copy of the rules and regulations under which we take testimony before the Commission and also by deposition, as in this case.

The Commission is directed to investigate all the facts and circumstances surrounding or bearing upon the assassination of our late President Kennedy. I am Albert E. Jenner, Jr., one of the various members of the legal staff of the Commission, and we are here today taking depositions of witnesses who may have in some way touched the lives of the Oswald family during their residence here in New Orleans.

You have told us that you have some concern about your boy in this matter, and you have also told me of your position in this community both as a family man and a public official. I think it will be proper, due to the circumstances of your situation, to put a statement from you into the record of these proceedings before the Commission, and so, with your permission, I will ask you some questions at this time.

Mr. STEELE. All right.

Mr. JENNER. Now, you are a native-born American here, and your wife is a native-born American, and all your children were born here, is that right?

Mr. STEELE. Correct.

Mr. JENNER. In and around this area?

Mr. STEELE. Yes, sir.

Mr. JENNER. You are how old now, sir?

Mr. STEELE. I am 44, but I will be 45 the 15th of August, this year—1964.

Mr. JENNER. Do you have any children in addition to Charles Hall, Jr.?

Mr. STEELE. I have a daughter Jacqueline; she's a twin to Charles, and I have one boy Gerald, who is aged 13.

Mr. JENNER. Jacqueline, what is she doing?

Mr. STEELE. She is at Mercy Hospital, a student nurse. She will graduate in August.

Mr. JENNER. Now, tell me about yourself, Mr. Steele?

Mr. STEELE. I am a deputy sheriff, attached to the Civil District Court, and an officer of the court. I own a small business known as the Liberty Coffee and Household Co.

Mr. JENNER. You are a service man, are you?

Mr. STEELE. 23 years on active National Guard status, subject to 24 hours' notice.

Mr. JENNER. Were you in World War II?

Mr. STEELE. I was.

Mr. JENNER. What was the nature of that service?

Mr. STEELE. I was inducted right here in 1941, June or July; I don't remember exactly, and I went on duty with the AFRTC, at Fort Knox, Ky. That's the Air Force Replacement Training Center, at Fort Knox, and then I was transferred to the 5th Armored Division, and that division was sent to England, but I didn't go with them. I was in the cadre that was sent to the Tank Destroyer Battalion at Camp Forest, Tenn., and we pulled winter maneuvers, after which they found that our unit was not ready to go overseas, so we were disbanded and I was then sent to the 631st Tank Destroyer Battalion at Camp Shelby, where I was a sergeant, and then I was sent to the 773d Tank Destroyer Battalion, and I finally ended up after 2 years in Charleston, S.C., in charge of a G.U. ward, so I spent two lovely years living off of Uncle Sam, and I was discharged as a staff sergeant, and then I went to Fort Sill, Okla., in 1949, after being commissioned in the National Guard in 1948, and received my field commission in artillery.

and I have stepped my way up to where I am now a major, general staff, assistant G-4.

Mr. JENNER. All right; now tell me about your boy. Had he ever been in trouble before this thing occurred?

Mr. STEELE. He never had a police record, or anything like that.

Mr. JENNER. Are you Catholic?

Mr. STEELE. My family is; I am not. I am Presbyterian, but the children are Catholic.

Mr. JENNER. Then I take it your boy has never been in any serious trouble?

Mr. STEELE. He had better not be.

Mr. JENNER. You heard his story, didn't you, Mr. Steele, about what happened on this occasion?

Mr. STEELE. I started that story off with him from the minute he hit that front door, and I have been right with him on down through the FBI, the Secret Service, and everybody, right on through, and this is the only time that he has ever been questioned outside of my presence.

Mr. JENNER. Well, he is your son, and I know you have his welfare in mind all the time, and there is a possibility that fathers might become prejudiced in matters of this kind, but knowing him as you do and being his father, and knowing his weaknesses and so forth, do you think now that he is telling the truth about this?

Mr. STEELE. Well, let me put it this way. In my experience, being a battery commander and handling 60 to 70 men at one time, and I have been in court, and with my experience and all that, I have honestly tried to trick him, using the same tactics that you might say the best attorneys would use, and I feel that he is honestly telling the truth. I feel he has told that story over and over again in exactly the same way, so that's the only conclusion I can come to. In my own mind, I am positive he didn't know what he was doing at the time.

Mr. JENNER. You gave him a good cross examination, in other words, is that right?

Mr. STEELE. Believe me, because I was under a nervous tension over this, I'll tell you. I was just promoted in August, to my present position, and actually I am not a State officer; I am a Federal officer, and at the same time I had been in the middle of a campaign, running for the democratic nomination for committeeman, and I am a member of the pledged electors' group, and I advocate that I as a Democrat am pledged to the choice of the Democratic Party, and I just couldn't stand by and let something like this come up and take that all away from me, so I certainly did cross-examine him, and I got to the bottom of it, and I'm satisfied that he was not at fault. He had a weak moment in which he saw a chance to make a couple of bucks, but other than that, he didn't have the slightest idea of what he was doing. I'm satisfied of that.

Mr. JENNER. Is there anything else that you would like to add to what you have said, Mr. Steele?

Mr. STEELE. No; I think that's about it.

Mr. JENNER. Now, you have the privilege, if you wish, to read and sign your deposition, or you may waive that, and the reporter will transcribe the deposition, and it will be forwarded direct to Washington. What is your preference on that?

Mr. STEELE. I will waive it.

Mr. JENNER. All right, Mr. Steele; thank you for coming in and testifying voluntarily. I wanted your background in the record, in view of the fact that your boy did have personal contact with Oswald and particularly because of your position in the community, I wanted your background in the record. Thank you very much.

Mr. STEELE. I think I can promise you that he is not going to get into any more trouble. We had that out over and over, and I don't think he will be passing out any more leaflets.

Mr. JENNER. I think we all believe that, Mr. Steele; well, thank you again for giving your statement. It will be of help to the Commission in evaluating the testimony of your son, by showing his family background, and so forth. Thank you.

TESTIMONY OF PHILIP GERACI III

The testimony of Philip Geraci III, accompanied by his mother, was taken on April 7-8, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

(Reporter's Note: The witness, Philip Geraci, was accompanied into the hearing room by his mother.)

Philip Geraci, having been first duly sworn, was examined and testified as follows:

Mr. LIEBELER. My name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy. Staff members have been authorized to take the testimony of witnesses by the Commission pursuant to authority granted to the Commission by Executive Order No. 11130, dated November 29, 1963, and joint resolution of Congress No. 137.

I understand that Mr. Lee Rankin wrote you a letter last week in which he told you that I would contact you, did he not?

Mr. GERACI. A letter? No.

Mr. LIEBELER. You did not receive a letter from Mr. Rankin?

Mrs. GERACI. Would you please give us one. We would like to have it to keep.

Mr. GERACI. Somebody said they sent one.

Mr. LIEBELER. You didn't receive it?

Mr. GERACI. No.

Mrs. GERACI. We did not receive it.

Mr. LIEBELER. Now I think in point of fact that is right. I think that the decision to take your testimony was made subsequent to the time that the letters were sent out to other witnesses. Now you are—

Mrs. GERACI. May I make a statement before we go any further?

Mr. LIEBELER. Let the record indicate that Mrs. Geraci is in the hearing room at her request to assist her son and give moral support.

Mrs. GERACI. And we want no publicity at all, please.

Mr. LIEBELER. We have already given to the reporters the names of some of the witnesses who came in, but we have already been advised that you did not want any publicity at this point, and we did not give your name to the newspaper reporter or make any statement about Philip's appearance here.

Mr. GERACI. Does that mean I can't tell anyone about it?

Mr. LIEBELER. That is something you can settle among yourselves.

Mr. GERACI. I told everybody I went to a doctor's appointment this evening.

Mr. LIEBELER. [Handing documents to witness] Now I want to give you a copy of the Joint Resolution of Congress and of the Executive order that I have just referred to, and also of the Rules of Practice adopted by the Commission concerning the taking of testimony of witnesses. Those rules provide that technically you are entitled to 3 days' notice before you appear to have your testimony taken, but you are entitled to waive that notice, and I assume that, since you are here, you would be willing to waive it with regard to the testimony. Is that right, Philip?

Mr. GERACI. I don't know.

Mrs. GERACI. Yes. Well, they did not notify us 3 days ahead of time, but that is all right. We are here. They called yesterday.

Mr. LIEBELER. You have indicated that you are willing to go ahead with the testimony instead of waiting for the 3 days' notice?

(Mrs. Geraci nodded assent.)

Mr. LIEBELER. Philip, would you state your full name for the record, please?

Mr. GERACI. Philip Geraci, the Third.

Mr. LIEBELER. What is your address?

Mr. GERACI. 2201 Green Acres Road.

Mr. LIEBELER. New Orleans?

Mr. GERACI. Metairie.

Mr. LIEBELER. When were you born?

Mr. GERACI. February 21, 1948.

Mr. LIEBELER. So you are now about 16 years old or 17 years old?

Mr. GERACI. Yes. Well, I am 16.

Mr. LIEBELER. Do you go to school?

Mr. GERACI. Yes, sir.

Mr. LIEBELER. Where?

Mr. GERACI. East Jefferson High School.

Mr. LIEBELER. And you are—what?—a junior there now, or a senior?

Mr. GERACI. No, sophomore, 10th grade.

Mr. LIEBELER. 10th grade. Do you know a man by the name of Carlos Bringuier?

Mr. GERACI. Yes, sir.

Mr. LIEBELER. When did you first meet him?

Mr. GERACI. Well, this was summer, last summer, some place around the beginning of it, and—you want me to tell you everything about it?

Mr. LIEBELER. Yes.

Mr. GERACI. Well, I was down there with a friend. [Addressing mother.] Do you think I should give his name?

(Mrs. Geraci nodded assent.)

Mr. LIEBELER. Please do. You were down where?

Mr. GERACI. Down there in New Orleans, I mean on Canal Street. We had to go to some radio shop. It was Bill Dwyer. That is a friend. And we were down there and we wanted to go in radio shops and everything, so I saw—going down there I saw, looking to the side, that they had a sign saying "Casa Roca," and I took Spanish in school, so I was interested, and I went in there and—well, he was a little reluctant, but we went anyway.

Mr. LIEBELER. Your friend was a little reluctant?

Mr. GERACI. Yes, a little bit. He didn't get mixed up in this or anything. And then, well, when we were in there, we looked around a little at everything, then I asked the man there—I didn't know it was Carlos Bringuier then—I asked him was he a Cuban. He said yes, he was an exile, and everything, you know. I asked him a few things, I guess—I don't know exactly what—you know, just a little conversation like. Then I ask him was there anything that I as an American could do. He said, well, he didn't know, to come back later. You know, he acted as though maybe—like—just like he just didn't want me to help or something like that, I guess, so we left and went home, and that was it.

Mr. LIEBELER. And when did you see him again, if you did? You did see him again, didn't you?

Mr. GERACI. Yes.

Mr. LIEBELER. When?

Mr. GERACI. I don't remember when. I remember I saw him a few times, I couldn't exactly say how many, but I went back another time when I was in town, I stopped off and saw him, and I saw him another time. Then I think it was about the fourth time that I was there that I saw Lee Harvey Oswald.

Mr. LIEBELER. Now before we get to that, did you ever raise any money for Carlos' activities?

Mr. GERACI. Not until the third time.

Mr. LIEBELER. What happened?

Mr. GERACI. No; wait. Come to think of it, I think it was about the fifth time that I saw Oswald; something like that. I remember I went back—it was about the third time—after asking him—I asked him, "Do you think it is possible to raise donations?" And he said, "Well, yes; it is possible." And he showed me these little yellow slips, sort of like yellow, and they were like receipts if you paid, and he said I could get them—you know—if I wanted to, I could, you know, go, and he could give them to me, and go and get donations and give the people this receipt and bring the money back to him.

Mr. LIEBELER. So did you take some of the receipts?

Mr. GERACI. Yes.

Mr. LIEBELER. And did you get some money?

Mr. GERACI. Yes.

Mr. LIEBELER. And you gave it to Carlos?

Mr. GERACI. Yes; it was about \$10.

Mr. LIEBELER. And you turned that money over to him?

Mr. GERACI. Yes, sir.

Mr. LIEBELER. Now, is it correct that on the day that you came into the Casa Roca to give this money to Carlos that you met Lee Oswald?

Mr. GERACI. I don't know if I turned in the money or not. No; I don't think I turned in money, but I couldn't be sure. I remember I went there, and that is the time the last guy, Vance Blalock, came along with me. It was his first time and everything. And we went in there—I might have turned it in, I am not too sure. Maybe I did; maybe I didn't. I can't remember too much, but I was in there anyway talking to him and that is when I met him.

Mr. LIEBELER. That is when you met Oswald?

Mr. GERACI. Yes; you want me to tell all that?

Mr. LIEBELER. Yes; tell me all the circumstances of how Oswald—

Mr. GERACI. Everything I know?

Mr. LIEBELER. Met you and everything you know about it, what the conversation was, who was there.

Mr. GERACI. Well, we were—Vance and me went in there, Vance and I, we went into there, I introduced Vance to Carlos, and Carlos started talking to him about, you know, freedom and all that, democracy and everything. Then later on while we were talking, Lee Oswald came in, you know, while we were talking, and he came in a little while later. He was by himself and he seemed a little nervous. I remember he was dressed just like in that picture there shows. [Indicating photograph.]

Mr. LIEBELER. You are referring to a picture here on the table?

Mr. GERACI. Yes, sir; well he was dressed something like that.

Mr. LIEBELER. Which has previously been marked as Exhibit 1 to the affidavit of Jesse J. Garner. I show you that picture. [Exhibiting photograph to witness.] You say Lee was dressed something like that when you met him?

Mr. GERACI. Yes; you know, he had on a tie and a shirt, short sleeved shirt, and sort of like dress pants. I don't know the color of them, but they were sort of like dress pants, just about as much as this. [Indicating photograph.]

Mr. LIEBELER. Do you recognize that individual in the picture as being the man that you saw in the store that day?

Mr. GERACI. Well, tell you the truth, when I first heard about it in the papers and on the TV, I didn't recognize him. See, I forgot that I met this guy over there, you know, I forgot about it, and I thought I didn't meet him. It wasn't until the FBI man came to my house and he showed me a picture of him when he was first under arrest, and he got arrested in August, the 4th I think.

Mr. LIEBELER. He showed you a picture that had been taken of Lee when he had been under arrest here in New Orleans?

Mr. GERACI. Yes; it was one of those things with three things, showing him from the front, the side, and his face.

Mr. LIEBELER. Did you then recognize the man in the picture that they showed you as being the man that you met in the store that day?

Mr. GERACI. Well, you see, I didn't exactly recognize him maybe, but anyway I was pretty sure it was him though. He said—he showed me that and said, "Do you ever remember an ex-marine—and then I remembered there was a guy who was dressed something like that who was an ex-marine who came in, and he did have a funny name, you know, like Lee. It's a little unusual, it's kind of rare, and I remembered the last name was a little hard, so it just fits that that was him.

Mr. LIEBELER. Now what kind of conversations did you have with this fellow or what did you talk about?

Mr. GERACI. Well, first—

Mr. LIEBELER. As I understand it now, there were this marine, Lee Oswald, and Carlos, and Vance Blalock and yourself. Is that right?

Mr. GERACI. Yes, sir.

Mr. LIEBELER. Was there anybody else there?

Mr. GERACI. Well, while we were talking, this man came up. He was in a big truck, some big truck. I never looked at it closely. He came up and stopped, and the man rushed in, and he was wearing—well, he was wearing one of these—like a cap like you see them wearing over in England. I don't know what kind it is, but anyway it is the kind that truckdrivers wear, I guess, and

he looked kind of Spanish. Maybe he was a Cuban exile. He was kind of fat, and he came in and showed Carlos this broken radio that he had, so Carlos left and he started fixing the radio and left us to talk to ourselves, Lee and me and my friend. Well, he is the only other person I know that came in. I don't know if he knew what was going on.

Mr. LIEBELER. Now tell us the conversation that you and Lee and Vance and Carlos had, the best you can recall it.

Mr. GERACI. Well, Carlos and me and Vance were kind of talking among ourselves, and he came in and said, "Excuse me," and, you know, he acted a little nervous and things like that. He asked, "Is this the Cuban headquarters, Cuban exile headquarters?" And, "Are you a Cuban exile?" You know, the way I acted when I first went in there. Just asked him a few questions, was he a Cuban exile, and Carlos said yes. He asked him some questions like was he connected with the Cosa Nostra, La Cosi Nostra.

Mr. LIEBELER. Who asked that?

Mr. GERACI. Oswald; he asked that.

Mr. LIEBELER. Of Carlos?

Mr. GERACI. Yes; and Carlos said no, he wasn't. Oswald then asked where was his headquarters—in Miami? And Carlos said yes; and he said—let's see—and then Oswald asked, said something like, "It is kind of exciting meeting someone"—I don't know if he said exciting—but he expressed something like that. He said, you know, he expressed wonder or something like that at meeting somebody who was a real Cuban exile, you know, someone who is really trying to do something to help free Cuba and all that. He didn't really say much. In the papers they said he tried to join and all that. That must have been later, because this was—

Mr. LIEBELER. He didn't do that when you were there?

Mr. GERACI. No. This was his first visit. As far as I can make out, it must have been, and he asked a few questions like that. Carlos just answered real simply and all that, he didn't go into any big speeches, you know, with them, like he did for me and Vance, just answered his questions simply. Then when the man came in with the broken radio, Carlos left, and that left Oswald, me, and Vance by ourselves.

Then, well, we asked—you know, we were a little interested in guerrilla warfare ourselves and things like that, and he said, well, he was an ex-marine, said he was in the Marines once. He said he learned a little bit about that stuff, and he said a few things about guerrilla warfare I remember, like he said the way to derail a train was to wrap chain around the ties of the track and then lock it with a padlock and the train would derail. He said the thing he liked best of all was learning how to blow up the Huey P. Long Bridge. He said you put explosive at each end on the banks and blow it up, and that leaves the one column standing. And he said how to make a homemade gun and how to make gunpowder, homemade gunpowder. He just went into those real simply. He didn't really, you know, tell us how to do it or anything, just said like if you want to make a homemade gun, you know, do something like—you know, the thing you pull back [demonstrating] and it goes forward, like on one of the pinball machines. He just said something like that. He didn't really go into detail or anything. We didn't ask him. And by this time Carlos came back from the other guy, and came back, and he was listening, and, well, that is about all.

Oh, there was one important thing. Oswald said something like that he had a military manual from when he was in the Marines, and he said he would give it to me, and I said, "That is all right. You don't have to. You can give it to Carlos." He said, "Well, OK, he will give it to Carlos next time he comes." And after that—well, everybody left. That is as far as I can make out.

Mr. LIEBELER. Do you remember—

Mr. GERACI. And he said he was going to come back later and give Carlos this military manual from when he was in the Marines.

Mr. LIEBELER. And was he going to give this to Carlos for Carlos' benefit, or was he—

Mr. GERACI. For Carlos' benefit, I guess, Carlos' or the Cuban exiles'.

Mr. LIEBELER. Did you hear any conversation about training guerrillas to oppose Castro?

Mr. GERACI. No. He didn't say anything about being an expert rifle shooter, never said anything about going to Russia or joining or training or anything like that.

Mr. LIEBELER. Well, was there a conversation concerning the training of anti-Castro troops or guerrillas to oppose Castro?

Mr. GERACI. No; that must have been later, maybe when he came back some other time.

Mr. LIEBELER. Now were you present at all times while Oswald was there?

Mr. GERACI. We got there before he did and we left at the same time he did.

Mr. LIEBELER. So, as far as you know, there wouldn't have been any opportunity for Oswald and Carlos to talk among themselves where you wouldn't have heard what they said?

Mr. GERACI. That is right; because we were there all the time.

Mr. LIEBELER. And you have no recollection that Oswald told Carlos that he wanted to help train anti-Castro guerrillas to fight against Castro?

Mr. GERACI. None at all; none that I remember.

Mr. LIEBELER. All right. Now what was Oswald going to bring this marine book back for?

Mr. GERACI. Well, I guess to give to Carlos to help him out or something. First he was going to give it to me and Vance. I guess he wanted us to blow up the bridge or something. I don't know. We said no; and so he said, "OK. I will give it to Carlos," you know, because after all Carlos—I guess he could use it better than we could, you know, blow up bridges in Cuba or something, and I guess he was just going to give it to him so he could learn some stuff from it. I wouldn't know.

Mr. LIEBELER. Now when you left the store did you try to follow Oswald at all?

Mr. GERACI. Well, we had some thought about it. When he left, he was going to go down—he crossed Canal Street and he was—he kept on going that way, I think on St. Charles or Claiborne—way down there near the end—which one is closer to the river? St. Charles?

Mr. LIEBELER. I am not familiar with New Orleans, so I get them mixed up.

Mr. GERACI. It must have been St. Charles he went down, and Vance said, "Hey, let's follow him, see where he lives." He told us where he lived, but the way he told us the address—

Mr. LIEBELER. You don't know what it was?

Mr. GERACI. When the FBI man came by my house that day, he asked me, and I could just barely remember it. I remember it was to the left of Canal Street. It was Magazine Street.

Mr. LIEBELER. Magazine Street? What number?

Mr. GERACI. Well, I remembered the number a little. I couldn't remember it altogether, but I remember—

Mr. LIEBELER. Do you remember that he had told you the number?

Mr. GERACI. Yes; and I could—I had a few—I mean I had a little recollection about what it was, like it was a big number sort of like and had two zeros in it or something. I don't even remember. It seemed that his number did have that. We decided—we thought maybe we can follow him for fun, but we decided no, we had better not, you know, because it was not good or anything, so we just went up Canal Street.

Mr. LIEBELER. Do you remember whether Oswald said anything about having been in Florida?

Mr. GERACI. In Florida?

Mr. LIEBELER. Yes.

Mr. GERACI. I am not too sure about that.

Mr. LIEBELER. You don't remember one way or the other whether—

Mr. GERACI. The only thing I remember about Florida is when he asked was headquarters down there. He could have, but I don't know.

Mr. LIEBELER. Now did you ever see Oswald after that?

Mr. GERACI. No; that was the last time; first and last.

Mr. LIEBELER. How about Carlos? Did you see him after that?

Mr. GERACI. Yes. That time when we found out that it was Oswald who killed him, well, then I went there, you know, to get things straightened out and talk with Carlos a little about him, you know.

Mr. LIEBELER. You went back and talked with Carlos, about this meeting with Oswald, after the assassination? Is that right?

Mr. GERACI. Yes.

Mr. LIEBELER. Do you remember whether you saw Carlos between the time that you met Oswald and the assassination?

Mr. GERACI. Carlos?

Mr. LIEBELER. Yes.

Mr. GERACI. Not that I remember.

Mr. LIEBELER. Can you tell us approximately when it was that you met Oswald? Was it July or August?

Mr. GERACI. Well, last time the FBI man came, I estimated around late July. I couldn't remember now, so I will just stick with late July. That seems to stick pretty good. Vance said the same thing himself when the FBI man questioned him, so I am pretty sure it was between late July—middle July to late July.

Mr. LIEBELER. Did you form any opinion about Oswald when you met him?

Mr. GERACI. When I met him?

Mr. LIEBELER. Yes. What did you think of him?

Mr. GERACI. Well, when he went in there, I noticed he was a little nervous.

Mr. LIEBELER. How did he show his nervousness? Do you remember?

Mr. GERACI. Well, the way he talked, you know. Well, you know, the way he talked I guess, kind of, you know, searching around for words and all that, and I remember he leaned on the table, and I remember reading once that, you know, if you exert some physical exertion, it kind of helps you tend to calm down or something like that. Anyway, I could tell by the way he was leaning on the table that maybe he was nervous.

Mr. LIEBELER. Other than this nervousness, did you form any other opinion about it?

Mr. GERACI. Not particularly.

Mr. LIEBELER. Did he appear to be an intelligent person?

Mr. GERACI. Intelligent person?

Mr. LIEBELER. Yes.

Mr. GERACI. Sort of. He didn't appear stupid or anything like that. He seemed OK, you know. He didn't seem like a Communist. Seemed like he just wanted to, you know, help out too, sort of.

Mr. LIEBELER. Did you subsequently learn that Oswald was arrested by the New Orleans Police Department for distributing Fair Play for Cuba Committee leaflets?

Mr. GERACI. I didn't know that until after he killed Kennedy and it was in the papers.

Mr. LIEBELER. You didn't hear it?

Mr. GERACI. On the radio?

Mr. LIEBELER. On the radio or television.

Mr. GERACI. No.

Mr. LIEBELER. Do you think you have now told us everything that you can remember about this meeting you had with Oswald and Carlos? Is there anything else that you can think of?

Mr. GERACI. No. There might be one thing. Carlos, when he talked to me and Vance and my friend, Bill Dwyer, the first time, you know, he made speeches and all that. When he met him—I don't know—seemed like maybe he didn't want him or something. I am not too sure.

Mr. LIEBELER. Carlos didn't seem to open up to Oswald?

Mr. GERACI. That is right. He opened up enough, you know, but he didn't give him any speeches or anything like that.

Mr. LIEBELER. If you can think of anything else that occurred, we would like to have you tell us.

Mr. GERACI. OK.

Mr. LIEBELER. If you can't, I don't have any other questions.

Mr. GERACI. He did seem like—I guess he did seem like the type who was a little antisocial.

Mr. LIEBELER. He didn't seem to be too friendly?

Mr. GERACI. No. He seemed friendly. I mean, he seemed friendly, you know, but he—maybe like he didn't have enough experience with people, sort of. He seemed friendly though. That is one thing.

Mr. LIEBELER. I don't have any other questions.

Mrs. GERACI. Do you have a record of me reporting Carlos to the FBI? Do you have that in the record anywhere where I found out—he told me he was going to collect money for Cuba, but I didn't know he was giving out these little tickets as he called them, and then when I found out he had collected \$10 and brought it down and I saw the receipts and he had more tickets, we forbade him to go down there, and Carlos called the house to try to get him a—what is it—a license or permit to go from house to house and collect money.

Mr. GERACI. He never called me.

Mrs. GERACI. He did call me.

Mr. GERACI. He called you? Carlos?

Mrs. GERACI. I spoke with him on the phone.

Mr. GERACI. That is because I told him—when I collected, a man told me to do something like that, that I needed a license, so I went and told Carlos, "You have to get a license." He said, "Don't collect any more until I get one." Then he went to city hall and got some stuff he had to fill out.

Mr. LIEBELER. This wasn't Oswald who told you you couldn't collect?

Mr. GERACI. No.

Mr. LIEBELER. Oswald didn't have anything to do with this?

Mr. GERACI. No; this was before I knew Oswald. This is a man works some place—who works in a cleaner's, I remember. I went there and he said I had to get a license to do that, so I called Carlos on the phone and told him.

Mrs. GERACI. Then when Carlos called the house, I realized he was still involved in this.

Mr. GERACI. I told you I was.

Mrs. GERACI. I put my foot down and told him he couldn't do it any more, and I called the FBI.

Mr. GERACI. And the Better Business Bureau.

Mrs. GERACI. They told me to call the Better Business Bureau, but the man at the FBI told me he couldn't give out any information as to whether this was a Communist organization or not, and the headquarters were in Miami, and the best thing to do would be not to let him get involved in it any more. Then I called the Better Business Bureau, and they were supposed to check with Miami, but I never did get a report back from him.

Mr. LIEBELER. Was this before or after you met Oswald?

Mr. GERACI. This was before.

Mrs. GERACI. But he has the receipt at home with the date on it. When he gave Carlos money, Carlos gave him a receipt.

Mr. GERACI. I remember Carlos making out a check to give the money to Miami too. When I gave him the money, he put the money in his bank and made out a check to the headquarters.

Mrs. GERACI. We met Carlos just now in the hall, and he told me the best thing Philip could do would be listen to his parents and be a good student. Right now that would be the way he could help combat communism. And I told him I thought he was too young to get involved in things like this, selling tickets for Cuba and all this stuff. Last year he was only 15 and too young to be involved in all that mess. The man at the FBI told me that an organization could be all right today and next week it would be Communist-controlled and how was I to know.

Mr. LIEBELER. Do you know who you talked to at the FBI?

Mrs. GERACI. Gee, I may have his name at home with these slips of paper that I took from him.

Mr. LIEBELER. It is not really important. I just wondered if you remembered.

Mrs. GERACI. Well, I wanted his name cleared for getting mixed up with Carlos, because I didn't know from beans about Carlos. He could be a Communist. I don't know who is and who isn't. When I found out he met Oswald,

I nearly died. The week this happened he was camping with the Boy Scouts and gone Friday, Saturday, and Sunday when the stuff was on TV.

Mr. GERACI. I was in school when he got shot.

Mrs. GERACI. But you were in camp, but you didn't see a lot of the funeral and all that stuff showing Oswald's picture.

Mr. LIEBELER. How did you first become aware that Oswald was the fellow you met? Did Vance talk to you about it? Do you remember?

Mr. GERACI. The first time was when the FBI agent came to my house and asked did I see an ex-marine and showed a picture and all that. I didn't even know it before that. It was just then that I realized.

Mr. LIEBELER. Did the FBI man tell you how he——

Mr. GERACI. Got my name?

Mr. LIEBELER. What prompted him, why did he come to your house? Did he tell you?

Mr. GERACI. Well, he said he couldn't tell me that. I asked him, and he said, well, he couldn't tell me. Of course, I guess it might have been because we—my mother called, you know, about this Cuban business—they got my name on their list or something, I guess, and when they found out that he tried to join that group, that must have been where it came from. That is what I think.

Mrs. GERACI. They probably had a list of people who were collecting money for the organization.

Mr. LIEBELER. OK. I don't have any more questions. I do want to thank you very much for coming in and being as cooperative as you have, and, on behalf of the Commission, I want to thank you very much.

Mr. GERACI. OK.

Mrs. GERACI. You are welcome, so long as we don't have any publicity.

Mr. LIEBELER. That is something you never can guarantee.

TESTIMONY OF VANCE BLALOCK

The testimony of Vance Blalock, accompanied by his parents, was taken on April 7-8, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Vance Blalock, having been first duly sworn, was examined and testified as follows:

Mr. LIEBELER. My name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy. Staff members have been authorized to take the testimony of witnesses by the Commission, pursuant to authority granted to the Commission by Executive Order No. 11130, dated November 29, 1963, and joint resolution of Congress No. 137. I understand, Vance, that Mr. Lee Rankin, who is general counsel of the Commission, wrote you a letter last week——

Mr. BLALOCK. That is right.

Mr. LIEBELER. And told you that I would be in touch with you concerning the taking of your testimony. I understand that Mr. Rankin enclosed with that letter a copy of the Executive order and of the resolution of Congress to which I have just referred, as well as a copy of the rules of procedure adopted by the Commission governing the taking of the testimony of witnesses. Did you receive that letter and those documents?

Mr. BLALOCK. Yes; I did.

Mr. LIEBELER. We want to inquire very briefly of you concerning an event which occurred some time in the summer of 1963 here in New Orleans. We understand that you were present at a meeting, a chance meeting, between Lee Harvey Oswald and Carlos Bringuier. Before we get into the details of that, however, would you state your full name for the record.

Mr. BLALOCK. Vance Douglas Blalock.

Mr. LIEBELER. Let the record show that your mother and father are here in the room with us. How old are you, Vance?

Mr. BLALOCK. I am 16.

Mr. LIEBELER. Where were you born?

Mr. BLALOCK. Lake Charles, La.

Mr. LIEBELER. Where do you live now?

Mr. BLALOCK. Metairie, La.

Mr. LIEBELER. How long have you lived there?

Mr. BLALOCK. Less than a year.

Mr. LIEBELER. Do you go to school?

Mr. BLALOCK. Yes, sir.

Mr. LIEBELER. Where?

Mr. BLALOCK. East Jefferson High School.

Mr. LIEBELER. What grade are you in at East Jefferson High School?

Mr. BLALOCK. Tenth.

Mr. LIEBELER. Do you know Carlos Bringuier?

Mr. BLALOCK. I have met him once.

Mr. LIEBELER. How did it happen that you met him?

Mr. BLALOCK. I went downtown with my friend, Philip Geraci. We went to a store to return funds that Philip had collected for the organization this man had had, and while I was there I met Carlos. That is how I met him.

Mr. LIEBELER. Did you have anything to do with these funds that were collected by your friend Geraci?

Mr. BLALOCK. No, sir; I didn't.

Mr. LIEBELER. That was entirely his operation?

Mr. BLALOCK. Yes.

Mr. LIEBELER. Do you remember where you went that day with Philip?

Mr. BLALOCK. Yes, sir; we went to Decatur Street, I believe it is. I am not sure. The store is the Casa Roca.

Mr. LIEBELER. What organization was it that Bringuier was running? Do you know?

Mr. BLALOCK. I couldn't say the Spanish name. The American name of it is the Cuban Student Revolutionary Organization.

Mr. LIEBELER. Can you tell me approximately when that was?

Mr. BLALOCK. Last part of the summer. I couldn't—

Mr. LIEBELER. Late July or early August would it be, or some time in August of 1963?

Mr. BLALOCK. August would be the closest I could get. I don't remember the exact date.

Mr. LIEBELER. Tell me the conversation that you and Philip had with Bringuier when you went into the store.

Mr. BLALOCK. Oh, we entered the store and Philip introduced me to Carlos, and I told him—I saw the funds Philip had collected for him, and I told him I was curious about what it was for, and then he explained for me how the organization worked and told me he received the funds from people in New Orleans and sent it to Florida, and that was his total business, and he explained that Communism was where the kids are supposed to tell everything on their parents, to obey the State and not their parents.

Mr. LIEBELER. Present at this conversation were just you and Philip and Carlos? Is that right?

Mr. BLALOCK. No; there was another man—must have worked at the store. He was present.

Mr. LIEBELER. Did you know what his name was?

Mr. BLALOCK. No, sir.

Mr. LIEBELER. Now while you were there in the store, did you notice anybody else present?

Mr. BLALOCK. Well, a man from a moving company or some trucking company came in. He had a radio that needed to be fixed, a broken radio, and Lee Harvey Oswald came in.

Mr. LIEBELER. Tell us, to the best of your recollection, the things that happened as far as Oswald was concerned.

Mr. BLALOCK. He walked up to us and leaned against the desk and listened

to the conversation. Then he started asking questions about the organization, and we were talking about guerrilla warfare, just in case the country got in war how young students could help, something in that nature, and then he started—then Oswald, Lee Harvey Oswald, asked Carlos Bringuier all about the organization and what part it played in the main movement in Florida.

Mr. LIEBELER. Did they say anything else? Was there more to the conversation?

Mr. BLALOCK. Let's see.

Mr. LIEBELER. Did this man who walked up introduce himself by name?

Mr. BLALOCK. I believe so, but I don't remember what name he gave.

Mr. LIEBELER. Are you now convinced that he was Lee Harvey Oswald?

Mr. BLALOCK. Yes, sir. I know his face. I recognized his face.

Mr. LIEBELER. But you don't remember that he mentioned the name Lee Harvey Oswald at that time?

Mr. BLALOCK. No.

Mr. LIEBELER. Did Oswald say anything about having been a Marine?

Mr. BLALOCK. Yes, sir; he did, and he explained that he took training in guerrilla warfare, and he told us how to blow up bridges, derail trains, make zip guns, make homemade gunpowder.

Mr. LIEBELER. He told you about this in detail?

Mr. BLALOCK. He told us how to blow up the Huey P. Long Bridge.

Mr. LIEBELER. Tell us just what he told you about that. I know you can't remember the exact words, but you can remember the substance of the conversation. We want you to tell us about it.

Mr. BLALOCK. He told us to put powder charges at each end of the bridge from the foundation to where the foundation meets the suspension part, and to blow that part up and the center part of the bridge would collapse.

Mr. LIEBELER. Did he talk about any other aspect of guerrilla warfare that you can remember?

Mr. BLALOCK. He said that if you don't have the materials you need always available, you had to do without stuff.

Mr. LIEBELER. Did he give any specific example of that?

Mr. BLALOCK. Gunpowder, high explosives.

Mr. LIEBELER. Did he tell you how to do without gunpowder in these activities?

Mr. BLALOCK. He told us how to derail a train without gunpowder.

Mr. LIEBELER. What did he say about that?

Mr. BLALOCK. He said put a chain around the railroad track and lock it to the track with a lock.

Mr. LIEBELER. And then when the train hit the chain it would derail the train?

Mr. BLALOCK. Yes, sir.

Mr. LIEBELER. Did he say that he knew how to make gunpowder?

Mr. BLALOCK. Yes, sir; he told us the formula, and I—saltpeper and nitrate—some formula—I don't remember.

Mr. LIEBELER. Did he say anything about guns?

Mr. BLALOCK. About zip guns, how to make them out of tubing and a plunger.

Mr. LIEBELER. Did he say something to the effect that he knew all about guns?

Mr. BLALOCK. No; he told us he had a manual that explained all about guns, a Marine manual, and that he had training in guns, trained with guns.

Mr. LIEBELER. Do you remember anything else that he said?

Mr. BLALOCK. Not right offhand.

Mr. LIEBELER. Did he talk to Bringuier about helping Bringuier in this organization, or just what was the general context of this conversation? Was this just a general discussion of guerrilla warfare, or did it relate to the activities of Bringuier's anti-Castro organization? What can you remember?

Mr. BLALOCK. He just asked him about the anti-Castro organization and asked him to explain it to him, and he said he was interested in finding out how it operated. He didn't say he wanted to join it: He just said he was interested in it. Oh, and Bringuier gave him literature, a Cuban newspaper and leaflets or booklets.

Mr. LIEBELER. Was there any discussion of politics?

Mr. BLALOCK. Not to my recollection.

Mr. LIEBELER. Was there any mention of President Kennedy?

Mr. BLALOCK. No, sir. I couldn't say for sure there was no mention of President Kennedy. I don't think there was.

Mr. LIEBELER. What did you think of Oswald?

Mr. BLALOCK. He seemed like a very intelligent man to me, well spoken, looked well dressed, well groomed.

Mr. LIEBELER. Did you think anything else about him, or is that about it?

Mr. BLALOCK. That is the impression that I got right at the moment.

Mr. LIEBELER. Did he say anything about Florida?

Mr. BLALOCK. Just mentioned the Cuban anti-Castro organization there.

Mr. LIEBELER. What did he say about that?

Mr. BLALOCK. I don't remember exactly, but I think he said he had been there and he had looked into it. I couldn't say for sure on that.

Mr. LIEBELER. Did he mention the name of the organization?

Mr. BLALOCK. No, sir. No, I don't recall any name.

Mr. LIEBELER. Do you remember being interviewed about this subject by an FBI agent?

Mr. BLALOCK. Yes, sir; I do, during the Christmas holidays.

Mr. LIEBELER. Do you remember his name?

Mr. BLALOCK. No, sir; I don't. All I know is a Lieutenant or something like that.

Mr. LIEBELER. Do you think you would remember his name if I mentioned it to you?

Mr. BLALOCK. I might, or my mother might. She was present.

Mr. LIEBELER. Your mother was present when you were interviewed by the FBI?

Mr. BLALOCK. Yes.

Mr. LIEBELER. Would it refresh your recollection if I told you that the report that I have of the interview that you had with the FBI agent indicates that the man's name was Kevin J. Herrigan?

Mr. BLALOCK. Herrigan? No. No; I don't remember that name.

Mr. LIEBELER. Do you remember talking to the FBI agent about Oswald's remark concerning having been to Florida?

Mr. BLALOCK. No, sir; I don't remember what I told the FBI agent. I don't remember anything about Oswald saying—only that I think he said he had been there.

Mr. LIEBELER. Well, the report that I have here says that you seemed to remember Oswald mentioning something about having recently visited something called the Casa Nostra, C-a-s-a N-o-s-t-r-a. Do you remember saying anything about that to the FBI man?

Mr. BLALOCK. Yes, sir; I remember mentioning the organization, but I couldn't remember the name. That organization was mentioned in the conversation with Carlos Bringuier and Harvey Oswald.

Mr. LIEBELER. It was?

Mr. BLALOCK. I believe so.

Mr. LIEBELER. Do you remember that it was Oswald who mentioned it?

Mr. BLALOCK. I don't remember which one mentioned it first.

Mr. LIEBELER. And it was mentioned as being a Cuban organization in Florida? Is that your recollection?

Mr. BLALOCK. Yes, sir; I think that is the name they mentioned. It could be something similar. I know I got this Mafia name mixed up with a Cuban organization name.

Mr. LIEBELER. Well, you know that that name that I just mentioned, Casa Nostra, is very similar to the Cosa Nostra. Do you think you may have been confused at the time you talked with him?

Mr. BLALOCK. Well, I meant the Cuban organization. I may have said the Mafia, the Cosa Nostra.

Mr. LIEBELER. You may have used that name?

Mr. BLALOCK. But I meant the Cuban—

Mr. LIEBELER. You meant some Anti-Castro Cuban organization?

Mr. BLALOCK. Yes, sir.

Mr. LIEBELER. So the best you can recall, Oswald didn't say that he had recently visited someone in the Cosa Nostra?

Mr. BLALOCK. No, sir. Yes, sir.

Mr. LIEBELER. But you do recall sort of vaguely that Oswald did say that he had been in Florida and he had visited an Anti-Castro Cuban organization there?

Mr. BLALOCK. Yes, sir; I do.

Mr. LIEBELER. Can you remember anything else about this incident in the store that day when Oswald came in?

Mr. BLALOCK. Oh, he said he lived on Magazine Street.

Mr. LIEBELER. Did he give his exact address to you? Do you remember?

Mr. BLALOCK. I don't believe he gave his exact address, but I couldn't say for sure.

Mr. LIEBELER. Did he say anything about whether he was working or not, whether he had a job?

Mr. BLALOCK. I don't remember if he said anything about his job.

Mr. LIEBELER. Did he tell you anything about his background? Did he say he was from New Orleans or anything about that?

Mr. BLALOCK. No, sir; I don't remember anything about that.

Mr. LIEBELER. Can you think of anything else that happened?

Mr. BLALOCK. Philip Geraci and I started following him home after we both left the store. Oswald, Philip and I both left the store about the same time. We started to follow Oswald to his house just out of curiosity, and I recollect that Oswald said he would give us his Marine manual if we ever came back, if we contacted him.

Mr. LIEBELER. That he would give you the Marine manual if you saw each other at the store again?

Mr. BLALOCK. At the store or just saw each other, if we would contact him and get it, we could have it. If he saw us again, he would give it to us.

Mr. LIEBELER. How long did you continue to follow him home? Did you just walk out and walk down the street with him, or did you sort of shadow him or—

Mr. BLALOCK. No, sir. We walked out the door. We both started different directions, and Philip and I said, "Why don't we follow him and get the Marine manual now, nothing else to do." We started to go to the corner, and we didn't see him, so we went on our way.

Mr. LIEBELER. Did you ever see the Marine manual?

Mr. BLALOCK. No, sir; I didn't.

Mr. LIEBELER. Did you ever talk to Mr. Bringuier again after that?

Mr. BLALOCK. No, sir.

Mr. LIEBELER. You never saw Carlos again until just today—

Mr. BLALOCK. No, sir.

Mr. LIEBELER. When you saw him come out of this room and leave the building?

Mr. BLALOCK. Yes, sir.

Mr. LIEBELER. Are you and Philip good friends?

Mr. BLALOCK. I wouldn't say real close friends, but we are friends.

Mr. LIEBELER. Did you talk about this incident or talk about Oswald at all after this time but prior to the assassination?

Mr. BLALOCK. No, sir; I don't believe we did. We talked about the Cuban Student Organization.

Mr. LIEBELER. Were you aware of the fact that Oswald was subsequently arrested here in New Orleans in connection with his activity on behalf of the Fair Play for Cuba Committee?

Mr. BLALOCK. No; I didn't know about that until after the assassination.

Mr. LIEBELER. You didn't hear Oswald debate Carlos on the radio program—

Mr. BLALOCK. No, sir.

Mr. LIEBELER. Or you didn't see Oswald on television?

Mr. BLALOCK. No, sir. I might have. I just don't remember it.

Mr. LIEBELER. Did Philip say anything about having seen these things?

Mr. BLALOCK. Not to me he didn't.

Mr. LIEBELER. So you never had any real discussions, as far as you remember, with Philip about Oswald until the time of the assassination? Is that correct?

Mr. BLALOCK. That is correct.

Mr. LIEBELER. You must have talked to Philip about Oswald after the assassination.

Mr. BLALOCK. Yes.

Mr. LIEBELER. Did you recall to each other and discuss with each other the meeting that you had with Oswald in the store on Decatur Street at that time?

Mr. BLALOCK. I think I was the one that recognized him. I called it to Philip's attention, and the next day at school he said, "Yes, that is the man we met at the store." I recognized Oswald late one night when I was just about going to bed. I told my Daddy, "I went uptown and met that man up there."

Mr. LIEBELER. This was shortly after the assassination?

Mr. BLALOCK. Yes; during the time they didn't have any shows but the funeral and—

Mr. LIEBELER. [Exhibiting photograph to witness.] Let me show you a picture that has been marked as Exhibit 1 to the affidavit of Jesse J. Garner taken at New Orleans, April 6, 1964, and I ask you if you recognize the individual portrayed in that picture.

Mr. BLALOCK. Yes, sir; I recognize him.

Mr. LIEBELER. And do you recognize him as the man you met in the store that day?

Mr. BLALOCK. Yes, sir; Lee Harvey Oswald.

Mr. LIEBELER. Can you think of anything else now about your contact with Oswald, or can you think of anything else that you know about him that I haven't asked you about and you think the Commission should know about?

Mr. BLALOCK. I can't think of anything else.

Mr. LIEBELER. I don't have any other questions. If you can't think of anything else, we will terminate the deposition. On behalf of the Commission, I want to thank you very much.

TESTIMONY OF VINCENT T. LEE

The testimony of Vincent T. Lee was taken at 1:30 p.m., on April 17, 1964, at the U.S. courthouse, Foley Square, New York, N.Y., by Messrs. J. Lee Rankin, General Counsel, and Wesley J. Liebeler, assistant counsel of the President's Commission. Vincent T. Lee was accompanied by his attorney, Stanley Faulkner.

Vincent T. Lee, having duly affirmed, was examined and testified as follows:

Mr. RANKIN. Mr. Lee, this deposition is being taken by the Commission under the authority of Executive Order No. 11130 and joint resolution of the Congress No. 137. My name is J. Lee Rankin. I am general counsel for the Commission. Mr. Liebeler is associated with me in this work. You have a right to have a copy of your testimony if you wish to pay for it and you may ask the reporters to make such arrangements.

During the examination you have a right to have counsel, which you have here, and counsel may object to any of the questions. At the close of the examination by myself, if counsel wishes to ask you questions to clarify or make clear any particular part of your testimony or correct it, if you wish to call anything to his attention, why, he is free to do that.

Where do you live, Mr. Lee?

Mr. LEE. 37½ St. Mark's Place, New York City.

Mr. RANKIN. You are entitled under the rules of the Commission to 3 days' notice, and I assume since you are here you are willing to waive that and go ahead with the deposition.

Mr. LEE. Yes.

Mr. RANKIN. Do you have an official connection with the Fair Play for Cuba Committee?

Mr. LEE. The Fair Play for Cuba Committee is no longer a functioning organization.

Mr. RANKIN. Did you at one time have such a connection?

Mr. LEE. Yes; I did.

Mr. RANKIN. During what period?

Mr. LEE. From the year of 1963—yes, last year.

Mr. RANKIN. When was it closed up?

Mr. LEE. Officially the office went out of existence December 1963.

Mr. RANKIN. In 1963?

Mr. LEE. December 1963. Eviction notice was served and the office was closed.

Mr. RANKIN. Did you have some communications with Lee Harvey Oswald?

Mr. LEE. Yes; I did.

Mr. RANKIN. Have you made a search of your files for all communications that you had with him?

Mr. LEE. Upon being communicated with by the Federal agents, from the Federal Bureau of Investigation, at their behest I made an exhausting search throughout the whole Fair Play offices for any and all communications which were there, and finding certain communications I turned them over to the Federal agents, particularly Federal Agent Kennedy, in early December 1963.

Mr. RANKIN. When did you make that search?

Mr. LEE. Within a day or two after being contacted by the Federal agents.

Mr. RANKIN. Can you tell us the approximate date of that contact?

Mr. LEE. I believe it was the first week of December.

Mr. RANKIN. 1963?

Mr. LEE. 1963, yes. I am not positive. I am pretty sure it was somewhere around that time.

Mr. RANKIN. Was that search made by you personally?

Mr. LEE. Yes, sir.

Mr. RANKIN. Was it a thorough and complete search?

Mr. LEE. Well, I went through every scrap of paper down to the last little scrap behind the desk and under radiators and in cabinets and in drawers and under desk blotters and every possible conceivable place any piece of paper might have been stored or fallen to and laid down or anything else.

Mr. RANKIN. So you are satisfied—

Mr. LEE. As far as I know I went through every—to the best of my knowledge I went through everything I could find and everything that I found I turned over to the agents afterwards, after having copies made.

Mr. RANKIN. Did you or anybody on behalf of your committee have any oral communications with Lee Harvey Oswald that you know of?

Mr. LEE. To my knowledge there was never any such communication. I can't ever remember ever having such communication myself. I don't know that anybody else did. Nobody that I have known has ever mentioned such a thing to me.

(Document marked Lee Exhibit No. 1.)

Mr. RANKIN. I hand you Exhibit No. 1 and ask you if that is a letter that you or your committee received from Lee Harvey Oswald?

Mr. LEE. This looks very much like such a letter, sir.

Mr. RANKIN. Did you receive it near the date that it bears?

Mr. LEE. There is not a date—it is not dated. This particular letter is not dated. Evidently here on the bottom is a notation which is made. This letter requests that the organization send some literature which the organization had published and there is a notation on the bottom which says the material was sent. It says "Sent 4/19/63," which I assume was quite some time ago. I can remember when people wrote in, we had many, many communications from many parts of the country, and when they asked for something we would send it to them and we would mark the thing "Sent so and so," so we would know the communication had been answered and what had been done about it.

Mr. RANKIN. Do you know whether that notation "Sent 4/19/63" and also the circling of the "50" was done by you?

Mr. LEE. This is doubtful because at that time, let's see, at that time I was not in the New York office. I was out on a national tour, I believe I was on the west coast at that time. We have had other people coming in to volunteer to, you know, wrap packages and address envelopes and things like that, come in for an hour or two, and go on about their business, whatever it is,

and evidently somebody else did this because at that time I was on the west coast.

Mr. RANKIN. Would you be able to tell whether or not the letter, Exhibit 1, was dated or sent to you, rather than dated, somewhere around the time that this "Sent" recording was made?

Mr. LEE. I have absolutely no reason to believe otherwise. I believe there might have been an envelope which—some of the letters had envelopes. I don't know whether this particular one did or not. I think this is one of the first communications we would have, and it goes back to the end of April 1963, and to the best of my knowledge all my experience has been that these things, just so much of this was done; it was an automatic thing that was sent or replied, a certain date, which meant within that period of time, a week or so, sometimes it was slow, sometimes it was done the same day, sometimes it was done, you know, several days later, but within a week, around that area I would imagine is when that thing was replied.

(Lee Exhibits Nos. 2 to 5 marked.)

Mr. RANKIN. Mr. Lee, in accordance with the practice on these exhibits, when these exhibits are examined, the counsel doing the examining initials them, and also the witness. Would you be kind enough to do it under my initials.

Mr. LEE. Well, I would like to know what my—I would like to understand what my signature would imply.

Mr. RANKIN. It only implies that this exhibit was presented to you at the time, so there won't be any question about it.

Mr. LEE. Yes. Where should I initial it?

Mr. RANKIN. Just under mine, so it doesn't show anything except that fact. (Witness complies.)

Mr. RANKIN. Do you have any independent recollection, Mr. Lee, of this Exhibit 1 coming to your own attention at any time, other than when you went to search the files and find out what you had?

Mr. LEE. No; I don't have.

Mr. RANKIN. I hand you Exhibit 2 and ask you to examine that and see if you recall if your committee or you received it on or about or near the date that it bears.

Mr. LEE. This looks precisely like such a communication received.

Mr. RANKIN. You will notice that it bears the date May 26 at the top.

Mr. LEE. Yes; and I have every reason to believe that it would be an accurate—

Mr. RANKIN. And you are quite sure that you received Exhibit 1 before you received Exhibit 2?

Mr. LEE. Well, like I say, you see, this one here was, I believe—I believe this probably arrived—I have every reason to believe that this arrived particularly during the weeks that I was away from the office, before this one.

Mr. RANKIN. This one—

Mr. LEE. And in piecing the thing together to the best of my own knowledge over a period of time like this and by using this to jog my recollection, this one here would have come to my attention after this one.

Mr. RANKIN. When you say this one here—

Mr. LEE. This one dated—Exhibit No. 2, dated May 26, yes.

Mr. RANKIN. Came to you after Exhibit No. 1?

Mr. LEE. Yes.

Mr. RANKIN. Did you do anything about the information that was in Exhibit No. 2?

Mr. LEE. Well, I cannot be sure what I did, because I have no—I never bothered to keep records on these details.

Mr. RANKIN. I see.

Mr. LEE. But I had a general policy which I pursued, when somebody addressed a communication which I received, I would write to them, trying to present them with the information they requested or the material which they requested in whatever way I thought best at the time for the particular case, whatever it was. Like I said, not having saved—not having made any copies of any of these things, I can't be sure of what I did. I really don't know what

I would have said, but I always made it a policy to try and reply to these communications.

Mr. RANKIN. Mr. Lee, I hand you Exhibit No. 3, which purports to be a photocopy of a purported reply that you have made to Lee Harvey Oswald's letter of May 26, Exhibit No. 3, purporting to be a letter of May 29. Do you recall having sent that?

Mr. LEE. Yes. It's dated May 29.

Mr. RANKIN. Yes.

Mr. LEE. This is a copy—this must be a copy of a letter—this looks like my signature here, and I don't actually recall this—did I miss something?—Oh, I see. I don't actually recall writing the letter, but it looks like something which I might have written at the time in response to the previous inquiry.

Mr. RANKIN. Yes.

Mr. LEE. But I can't say that I remember sitting down and writing it.

Mr. RANKIN. We will try to secure the original and submit it to you for your approval in substitution for this copy.

Mr. LEE. Well, I am not actually questioning it. I am saying I can't really remember. Actually, I have thought about this. I haven't a real recollection of sitting down and writing, you know, letters to that particular person. Like I said, I was answering as many communications myself as possible to many, many inquiries which came into the office, so it is hard for me to pick out such and such a person a year later, even if something had happened in between to make the name prominent, to go back then. The name wouldn't mean too much to me at that time that I had written.

Mr. RANKIN. And when you referred to his getting a post office box as a must, what did you mean by that?

Mr. LEE. Well, this is a recommendation which was made, an organizational recommendation which had been made a long time before I myself had gone into a position with the organization. Because of the nature of the organization, people would come and go. They would support it and then drop out, and sometimes they would move, and if somebody—naturally most of the thing was just a small, little local activity. People didn't maintain business offices for such an organization, and if a person would move or drop out of the organization and the activities, the communications between the national office and the local area would get all tangled up because we didn't know where the mail would be returned, where we would write, whereas if there was a post office box, if one person in the organization dropped out who was receiving mail, then the mail would still be delivered to a post office box, where the other officials of the chapter, if it still existed, would still have access to the mail and be able to reply to communications from the national organization concerning the activities of the organization. The purpose of the post office box was purely to facilitate communications between areas and maintain them on a permanent basis.

Mr. RANKIN. I hand you Exhibit 3-A and see if you recall seeing the original of which that appears to be a photocopy. It is dated May 22, 1963.

Mr. LEE. It looks very much like a formal notice that I may have sent. I mean, I was accustomed to sending many such communications, and that looks very much like something I would have sent. Did I sign the other one?

Mr. RANKIN. No. I hand you Exhibit No. 4, which I don't find to be dated, either, but it does show an address in New Orleans which helps to make it possible for us to fix the general period. Do you recall having seen that before?

Mr. LEE. Yes. This was another one of the communications which were sent to me. Obviously, not through recollection of having seen the letters but piecing these things together, I conclude that this was one of the letters which were sent after I had entered into direct communications with this person, because he no longer addresses it "Dear Sirs." Evidently he has received communications from us, so he addresses us by name. I would say that evidently that was a communication sent to me which I received.

Mr. RANKIN. You will note it has four pages as a part of the letter and has a membership blank for—

Mr. LEE. Yes. My recollection on this is that in previous letters—for a moment I would like to go over this and make sure I don't get the letters confused

one with the other. This—yes, yes. This evidently is a letter which was sent in reply, after I had—he had in one letter asked for information about the possibilities of doing—setting up a chapter, for which I had sent him the rules and regulations regarding the functioning of our organization and copies of our constitution and bylaws and things like that. This evidently is a letter which he wrote in which he replies that he had gone ahead and acted on his own without any authorization from the organization, and if I recall correctly this was also a letter which was received by myself in my capacity, not having any great happiness at somebody going off on their own and doing something against the rules of the organization, under the name of the organization, which is obviously what was done, because this set up himself—this thing reads, "New Orleans Chapter, Member Branch." There was no such thing, because he had just received—just previous to this he had received the regulations, and my letter would give an indication of what would be necessary to set up a chapter, which would certainly consist of more than one person operating on his own, and this, if I recall correctly, was such a letter which I received.

Naturally, anybody in an organization position such as I was in any other organization, you would always be interested in expanding and getting your ideas across and reaching more people, and when somebody writes to you and says they would like to help you, your immediate response is, "Well, wonderful. Here is a new contact in a new part of the hinterlands and, gee, I hope this works out." And then, when somebody goes off like this, violating all the rules that you send him, it comes as quite a disappointment, because you have had hopes. Obviously this man was not operating in an official capacity for the organization. As he states, he went off with his own innovations and everything else.

Mr. RANKIN. You will note that he refers in the letter to this throw sheet.

Mr. LEE. Yes.

Mr. RANKIN. And the fact that he has established a charter in violation of your instructions.

Mr. LEE. Yes. I certainly do.

Mr. RANKIN. And then he also refers to his membership blank.

Mr. LEE. Yes, which is another complete violation. It has no—

Mr. RANKIN. Apparently both of those were enclosed with a letter, were they?

Mr. LEE. Evidently, yes. To the best of my recollection, they would be. As I say, all of these details—I can't be positive of every little thing, because it's been such a time and so much has transpired in between.

Mr. RANKIN. Exhibit No. 5 is apparently a letter of August 1 from Lee Harvey Oswald. Do you recall that?

Mr. LEE. There was a couple of letters here. I don't know whether it was these two, Exhibits 4 and 5, but it's hard for me to determine, they came so close together. They came, you know, almost on top of each other, to the best of my recollection, that I don't know which one—only by studying the text can you halfway determine which came first. I remember vaguely receiving these communications in this order.

You see here, another case where I mentioned, and I would recommend not trying to get an office to start off with, particularly the—what was being espoused by our organization wouldn't be the most popular thing in the area of New Orleans, Louisiana, and I would automatically, myself, personally, from my own experience, would say to anybody, "You know, you better be way ahead before you start something like that," and certainly he has gone ahead against all of that recommendation from everybody else. But to the best of my recollection, these letters were very close together, about the same time, the same issue.

Mr. RANKIN. That was one of the letters, Exhibit No. 5, that you supplied the FBI at the time?

Mr. LEE. Yes.

(Document marked Lee Exhibit No. 6.)

Mr. RANKIN. Your Exhibit No. 6, which apparently is composed of a letter and an affidavit in regard to a charge against Lee Harvey Oswald, and a clipping in regard to the disposition of that charge, do you recall that correspondence and the attachments?

Mr. LEE. Yes, I have a recollection of this. I don't think the clipping—as a matter of fact, I seem to remember that this clipping was not attached to a piece of paper, though. I think this may have been attached since I submitted it. That is the only difference I can see.

Mr. RANKIN. Apparently since you furnished the letter, Exhibit 6, and the copy of the charge against Lee Harvey Oswald and the clipping, the clipping has been stapled to a piece of paper?

Mr. LEE. Yes. The reason I say that is simply because I never paper-clip things; I always rubber cement them.

(Document marked Lee Exhibit No. 7.)

Mr. RANKIN. I hand you Exhibit 7, which consists of two pages of a letter dated August 17, and an envelope attached by a clip, and ask you if that exhibit in that form was one you received from Lee Harvey Oswald and furnished to the Bureau as you described?

Mr. LEE. I believe so; yes.

Mr. RANKIN. Throughout this period of time you had no oral or personal telephone conversations with Lee Harvey Oswald, did you?

Mr. LEE. To the best of my knowledge, to the very best of my knowledge, I can't ever remember speaking to this person. The only communications I can recall or having heard of him was through these series of letters, and I have subsequently seen photographs, and as a matter of fact I was another one of the millions of TV witnesses, and I don't recall ever having seen the man or having heard his voice. The only thing I ever had at all, that I can ever remember, are purely these communications. He is a complete stranger to me outside of this, and even within the framework of this he wasn't very much more than a stranger.

(Documents marked Lee Exhibits Nos. 8A through 8C.)

Mr. RANKIN. I hand you Exhibits 8A, B and C, respectively, which appear to be change of address cards.

Mr. LEE. Yes, these are post office cards. I have a recollection of receiving these. Of course we always got scads of these too, but this was a very normal thing. Usually people send these in with changes of address, people who subscribe to our publications and things. Do you want me to initial those?

Mr. RANKIN. Would you initial those?

(Witness complies.)

(Document marked Lee Exhibit No. 9.)

Mr. RANKIN. I hand you Exhibit 9 and ask you if you recall having seen that before?

Mr. LEE. It seems like there should be a letter to go with it. I believe that each of the things that I turned in, where it was available, there was an envelope with the letter. I don't recall that I turned in any isolated envelope that wasn't with a letter.

Mr. FAULKNER. This has a postmark, New Orleans, 4 Aug. 1963.

Mr. RANKIN. I might ask you, Mr. Lee, if that envelope, Exhibit 9, might be connected with the Exhibit 5.

Mr. LEE. Well, now, it's possible. The letter is dated August 1, and the thing is postmarked PM, August 4. I assume—it looks very much like it would fit in there, the envelope and paper match up, and there is no difference in the ink, the pen used, from what I can see. I do remember specifically that when I turned over the material to the Federal agents I did—I don't recall at any time having a loose envelope, it was with one of the letters.

Mr. RANKIN. It is apparently closer to any of the letters timewise.

Mr. LEE. It is very likely that it goes with this letter, and from my own experience there is a date discrepancy of a couple of days there, but I have carried a letter around in my pocket for a couple of days, too, and I can very well assume that somebody else would do the same.

Mr. RANKIN. On the back of Exhibit 7 there is a penciled number. Does that have anything to do with your organization?

Mr. LEE. I haven't the faintest idea what this thing is, sir. There is one on here too. I have never seen this before. It is certainly not my hand on these things, and I very much—in fact I am pretty positive that this material has been added to these letters since I turned these things into the Federal agents.

It is probably a filing code number or something or other used by the Federal agents.

Mr. RANKIN. The FBI, yes.

Mr. LEE. It is not in my hand, and it certainly doesn't look like—in fact I remember when I made copies of these things I was looking at both sides of the papers to make sure that I had a complete copy when I made the copy of these letters for my own personal file on the issue, and these things were not on. I am sure that these things were not on them when I turned them in.

Mr. RANKIN. By "these things" you mean those pencil marks on the back?

Mr. LEE. The penciled digits on the back of the letters.

Mr. RANKIN. Such as on Exhibit 7 that I just referred you to, the mark "62-109060-1845"?

Mr. LEE. Yes, those things must have been added after I turned them in.

Mr. RANKIN. Mr. Lee, I asked you about the circling of the figure 50 and the notation "Sent 4/19/63" on Exhibit 1. As I recall, you said you were out traveling over the country at that time, and you knew you were not in the office so as to send that literature. Do you have any idea what 50 copies were sent?

Mr. LEE. Well, this is back in April of 1963, and he asks, I quote, "I now ask for 40 or 50," and the circle is around 50, and this, the normal procedure had always been to note it. When the circle was made around the 50, I just assume, and I very much believe, that it was 50 items that were sent. Now, we have printed various leaflets, and this is what was sent, these leaflets, such as, you know, calling for the end of hostile relations, and so forth, between the Government of the United States and the Government of Cuba, which we used for distribution at various public affairs and public places.

Mr. RANKIN. We had information from the Bureau that you had said that notation was by you and that you sent the material. Is that incorrect?

Mr. LEE. Well, I can't see how it could possibly be when I wasn't in the area at the time. The 19th of April I was somewhere on the west coast, I was somewhere between Los Angeles and Seattle, Washington. I arrived on the west coast, I believe, on April the 1st or 2d of 1963, and I didn't return until the first week of May of 1963, and the last point of departure to New York was from, I believe, the City of Chicago. I was out on the west coast and the west and midwest during that period of time, and I wasn't there. Now, I assume that at some point along the line in my communications I had sent this gentleman some material, which we always had in stock. This was part of our activity, to print up leaflets and pamphlets and translations of various things and provide them to the general public.

But this particular item, assuming that all these dates are correct, I can't possibly have sent it. But the point is that I would authorize—to me it was a standard policy that if anybody asked for anything that we had, we would give it to them, and that is the best I can say. But as for myself, at that particular date, I was not in the New York area. I was very far away at that particular time. In fact I was definitely on the west coast of the United States at that time.

Mr. RANKIN. So if they recorded that you said that, there was some error?

Mr. LEE. There was an error somewhere. Maybe they got confused in the conversation over maybe something else, some other communication that I mentioned, that I had felt that I had replied to, communications, and sent him stuff like the constitution and bylaws. Maybe that might have got confused.

Mr. RANKIN. Was there any connection with you or your organization or anyone from your organization that you know of with the acts of Lee Harvey Oswald in connection with the assassination of the President?

Mr. LEE. With myself or organizationally, to the best of my knowledge, no; nor have I heard or know of any other person related to the organization in any way. Definitely there would be no connection between the act—acts of Lee Harvey Oswald. Whether or not he did anything in relation to the assassination, I don't know. As I understood, this is what is trying to be determined, and so forth, with this hearing. But whether he did or did not in relation, we had nothing to do with this. In fact I would feel very free to say that this particular act by anybody would be the worst possible thing that we could conceive of. Our idea was certainly not to engage in any activities of violence or illegal actions of any kind. We try very much to maintain a character of nonviolent

participation in community affairs. In fact we have organizationally held, in which I directed and participated, demonstrations in which we made a very firm commitment to peaceful assembly and demonstration, and even when attacked physically did not respond to the attack but withheld and conducted ourselves peacefully and legally.

Mr. RANKIN. Was Lee Harvey Oswald a member of your organization?

Mr. LEE. I have no record of this. You see, we never kept a membership file. We never at any time maintained a membership file. If somebody asked to join the organization, we made out a membership card for them and the card was sent to the person, but there was no duplicate and there was no special recording of it; it was just a simple formality, and we just sent them the card. And so there is no way that I can tell for sure that he was or he wasn't, because we never did maintain a file in this direction.

Mr. RANKIN. Do you recall anything about his being a member, as far as your recollection?

Mr. LEE. I am not sure on that score. I mean I don't know. It is entirely possible. It is entirely possible. But I can't say that I recall, you know, filling out a card for him. It is entirely possible. I may very well have. But as far as saying absolutely I remember, no, I don't, I can't say that, because I really don't remember, but I will say it is entirely possible. In fact I would assume from the communications—I would assume from the communications which were conducted with this gentleman that it is very likely that he asked to join, and our membership was the type of thing where it was open to anybody who asked to become a member, was given membership. We had no restrictions on membership. In fact we had one of the policy statements of the organization, its constitution and bylaws, was that it was open to all regardless of race, creed, color, religion, national origin or political opinion. It was open to anybody, anybody at all could join, and from the communications, since I was writing to him in connection with—he was asking if he could start a chapter, well, I can't conceive of my writing to a nonmember in the direction of starting a chapter. It is very—I assume that he must have at some point along the line asked to join as a member and met the simple requirements of sending in a membership fee, which was really a subscription to any of our publications, and I assume that he must have been, otherwise I can't quite conceive of my having written to him about membership, starting a chapter, replying to such a question without having—the letters—evidently there would have been some communication saying, well, "You can't do it unless you join," and from the letters you showed me, which I assume are correct, he must have already at some point in the communications decided to join the organization.

Mr. RANKIN. I call your attention to the first paragraph, Mr. Lee, of Exhibit No. 2.

Mr. LEE. Oh, yes; sure, here it is, "I am requesting formal membership in your organizations." Well, evidently at this point, at the end of May, 1963, he requested formal—I don't—let's see, is there a note in here of having sent him—well, anyhow, assuming that accompanying this letter there was—

Mr. RANKIN. Let me call your attention to Exhibit 3, and there is in the first paragraph there—

Mr. LEE. Oh, yes; evidently he did join, yes. I assumed that it was so, because I can't conceive of having written him about a chapter unless he had joined. One doesn't organizationally ask people to help the organization who are not members.

Mr. RANKIN. Do you know of any combination, conspiracy or common action of any kind that worked with Lee Harvey Oswald in connection with his acts concerning the assassination of President Kennedy?

Mr. LEE. I have no knowledge of any such thing.

Mr. RANKIN. Do you know of any members of Fair Play for Cuba Committee in New Orleans that were working with Lee Harvey Oswald in connection with anything he did there for the committee?

Mr. LEE. No; I have no recollection of any such thing. In fact all I can recall is that the man communicated I think to me that somehow in these letters that he had nobody and that he was completely alone, and that in fact I think

one of the letters mentioned how he was out somewhere all alone and that he had no—nobody at all, nobody working with him or through him or for him or around him or anything else. He gave me the impression that he was completely isolated in his community, which became obvious to me from his actions which would certainly isolate him in his community. I could see very well how he would be.

Mr. RANKIN. I call your attention to Exhibit 7 and the paragraph in which he says he was working with three people in the demonstration. He doesn't purport to say they are members.

Mr. LEE. Demonstration of three. I wonder if he was one of the three, or who it was. Somewhere in some of these letters, I don't know where—I could check back—I got the indication that he had no support and that he was completely isolated. Now, what this business of the three people is, I have no idea. He doesn't seem to mention anything more about this, and I don't even know whether he was one of the three or whether there were three besides him or what.

Mr. RANKIN. I call your attention to Exhibit 5, in which he refers to the fact that he was attacked during one of the demonstrations, and then the following page of that Exhibit 5, that robbed him of any associates.

Mr. LEE. “. . . the support I had, leaving me alone.” Yes, I guess this is what I had in mind, “This incident robbed me of what support I had, leaving me alone.” Now, what support he had, I don't know.

If I recall correctly, at this incident which he mentions here, he had sent me the things from his court, the arrest things, and the only people that are mentioned in that are Oswald and the people who he claims attacked him, and that is the only people, evidently, according to the court records and the police, you know, who the police brought charges on. There didn't seem to be anybody involved but this Lee Harvey Oswald and the Cuban exiles who he became involved in a fracas with down there. So I don't know how much validity—I really don't know how much validity there is in these other people existing, whether they did or not.

Mr. RANKIN. Do you know of any members of the Fair Play for Cuba Committee in Dallas?

Mr. LEE. As I said, I never kept a membership file and I don't recall who is a member and who wouldn't be a member. I know we received many communications requesting literature of various types and things like that from all over the country, and I don't know of any state of the union which has not been sent some material at some time during the 3½-year history of the organization. I would assume that somewhere, at some time, in Texas some people wrote in and received something, some communication, but as far as doing anything particularly about Dallas, no. The only thing I know about Dallas is what I read in the papers, which doesn't tell me too much.

Mr. RANKIN. And that same situation about whether there were any members of the committee in New Orleans would be true, would it?

Mr. LEE. Well, it is like I say. As for membership, this is an almost impossible situation in view of the fact that we didn't conduct a membership file or a duplicate membership card system and we just had mailing lists. In fact the mailing lists—even the mailing lists wouldn't tell very much, if anything, and that was just a case, anybody who thought somebody should receive a communication gave the name of somebody, in fact for now deceased Governor Lehman was on that list, Senators and Congressmen were placed on the mailing list, everybody and his brother who we thought should be—well, we thought some reason should receive the material which we sent out, we just sent material. It could be anybody. And like I say, stuff went to all over the country, just automatically, just did large mailings to every place we could think of, dream of or hope for in any of our activities of mailing.

But as far as particularly—there was never an active organization of the committee in these areas. We have had in the past—there was in existence in the committee a series of chapters, committee chapters, in various parts of the country, but there were never any chapters or active participation on a local level, to my knowledge, in either Texas or Louisiana at any time during the entire history of the organization.

Mr. RANKIN. Is there any information, evidence or knowledge that you haven't given us that would bear upon this assassination of President Kennedy, that might help the Commission?

Mr. LEE. No, sir; I have no information whatsoever. I have more than personal, more than just curiosity, and I hope very much to know the truth about this incident and hope very much that the truth is known, particularly for my own personal reasons, as well as any other reasons, because having been practically a victim of very serious slander in this direction, both by individuals and by elements of the press and various periodicals, I have very serious concern about developing the truth. I have been threatened. People have tried to break into my home, somehow connecting myself and my organizational activities, quite falsely, with the assassination—I would like to see the truth come up, because I am quite sure that any investigation will show that this was not true, that I didn't have any part of this. I am as much interested and probably more interested in my own way in having the facts presented than many of the average people on the street. I have a personal involvement in this.

Mr. RANKIN. That is all.

Mr. Faulkner, do you have anything?

Mr. FAULKNER. I was just going to ask Mr. Lee one question with regard to Exhibit No. 1, where the date in the lower righthand corner appears reading, "Sent 4/19/63" in his handwriting.

Mr. LEE. Well, you see, the thing is, I don't think it is, because I don't see how I could have written that if I wasn't there. That's the whole thing. But it could be—like I said, that office was an open door. Everybody used to come and go, and people would come in and say, "I've got twenty minutes"—a kid from school, some kid would come in and say, "I've got 20 minutes between classes. Can I do something to help you?" And somebody would say, "Yes, wrap that package", and they would be off 20 minutes later. So it could be anybody in the world. Or perhaps the only possibility is when I returned, perhaps somebody mentioned that it was taken care of, and I wrote it after my return. But certainly not at that time, because I wasn't even present.

Mr. RANKIN. Is it satisfactory, Mr. Lee, if we finally obtain the originals from the Bureau and send them to you of these Exhibits 3 and 3-A, which purport to be copies or photocopies of your correspondence, and on your verification substitute those for those copies?

Mr. FAULKNER. If—

Mr. LEE. If you find it's necessary. Actually, as I say, I would assume these very much—I mean, this looks very much like what I would expect a duplicate, a duplication of the stationery which I used to look like. I mean, just, you know, like I say, I assume—

Mr. FAULKNER. We would be satisfied.

Mr. LEE. (Continuing.) I would be satisfied to make this—

Mr. FAULKNER. If you are satisfied when you see the original, compare it with this, and if you are satisfied that they correspond, there is no reason to call Mr. Lee.

Mr. LEE. No; I am quite agreeable to verification.

Mr. RANKIN. Fine. Thank you very much.

TESTIMONY OF ARNOLD SAMUEL JOHNSON

The testimony of Arnold Samuel Johnson was taken at 9:30 a.m., on April 17, 1964, at the U.S. Courthouse, Foley Square, New York, N.Y., by Messrs. J. Lee Rankin, general counsel, and Wesley J. Liebeler, assistant counsel of the President's Commission. Mr. Arnold Samuel Johnson was accompanied by his attorney, John J. Abt.

Arnold Samuel Johnson, having been first duly sworn, was examined and testified as follows:

Mr. RANKIN. Will you give the reporter your name and address.

• Mr. JOHNSON. Arnold Samuel Johnson. My home address is 56 Seventh Avenue, New York City.

Mr. RANKIN. Mr. Johnson, my name is J. Lee Rankin. I am general counsel for the President's Commission on the Assassination of President Kennedy.

We are here to take your testimony with regard to that matter, and we have certain rules and procedures that the Commission has set up to be followed in connection with the hearings and testimony that is taken for the consideration of the Commission. Mr. Liebeler is here as my assistant, and he is one of the several counsel of the Commission.

The Commission acts in accordance with an Executive order of President Johnson, No. 11130, and a Joint Resolution of the Congress No. 137.

Under the rules you have a right to a 3-day notice of this examination. I understand you are appearing voluntarily and do not require that?

Mr. JOHNSON. That is right.

Mr. RANKIN. You are also entitled to have counsel, and I understand Mr. Abt is acting as your counsel in connection with this proceeding.

Mr. JOHNSON. Correct.

Mr. RANKIN. You also have a right to have a copy of the testimony made available to you. However, it is at your own expense. We just tell the reporter that you can get it if you pay for it.

Your counsel has a right to make objections during the proceedings and also at the close of the examination on behalf of the Commission to ask you such questions as he may care to, that may clarify anything that you say that he thinks either you desire to have clarified or he thinks in his good judgment should be either clarified or elaborated upon or require further questions from him to make clear what he thinks your testimony is.

Are there any questions which you have in regard to it?

Mr. JOHNSON. Perfectly all right.

Mr. RANKIN. Mr. Johnson, can you identify for us the position you occupied at the time you received some communications from Lee Harvey Oswald?

Mr. JOHNSON. Yes; I was the director of the information and lecture bureau of the Communist Party.

Mr. RANKIN. I may ask you some questions trying to cover things which I ordinarily would, and you wait for your counsel. Is it possible for you to tell us whether you continue to occupy that position now? Is that any problem?

Mr. ABT. I think not. I think there is no problem.

Mr. JOHNSON. No problem.

Mr. RANKIN. And you do?

Mr. JOHNSON. I do.

Mr. RANKIN. Do you have anything to do with the subscription list of the Worker?

Mr. JOHNSON. Immediately, I do not.

Mr. RANKIN. Would you know, then, whether Lee Harvey Oswald was a subscriber to the Worker, of your own knowledge?

Mr. ABT. Just say of your own knowledge, whether you actually know it or don't.

Mr. JOHNSON. I mean, not of my own knowledge; no. That's the point, I would say.

Mr. RANKIN. Did the fact that he was a subscriber come to your attention at some time, through hearsay or otherwise?

Mr. JOHNSON. Through hearsay only.

Mr. RANKIN. Was that from him or someone else?

Mr. JOHNSON. From him in one of the letters.

Mr. RANKIN. Did you supply some correspondence that you had with Lee Harvey Oswald to someone in connection with the consideration of the assassination of President Kennedy?

Mr. JOHNSON. Yes; I supplied all of it.

Mr. RANKIN. About when was that that you did supply that information?

Mr. JOHNSON. In the first week of December.

Mr. RANKIN. What year?

Mr. JOHNSON. 1963.

Mr. RANKIN. How did you happen to supply that information?

Mr. JOHNSON. Well, I supplied it in the office of John Abt to the representative of the FBI at the time, in the presence of my attorney, John Abt, and it was supplied to the FBI agent who came, and I assume was conducting the investigation on behalf of the Commission at the time.

Mr. RANKIN. Now, before you supplied that material to this FBI agent, did you make any search of files to determine what information, correspondence or records you had in regard to Lee Harvey Oswald?

Mr. JOHNSON. Oh, yes. Very extensive. We went through every bit of the office.

Mr. RANKIN. Did you do that yourself or have it done under your supervision and direction?

Mr. JOHNSON. I did it myself.

Mr. RANKIN. How large a search was that? I would like to establish how complete, if I can.

Mr. JOHNSON. I will admit the files are not exactly in an organized fashion. It's—it was material in which there were a lot of other letters and things like that. So I went through these files several times.

Mr. RANKIN. Yourself?

Mr. JOHNSON. All the files, back and forth.

Mr. RANKIN. You did that yourself?

Mr. JOHNSON. Yes.

Mr. RANKIN. And those were all the files that you could find that might show any correspondence between—

Mr. JOHNSON. Oh, yes.

Mr. RANKIN. The Communist Party and Mr. Lee Harvey Oswald?

Mr. JOHNSON. Yes; that would be the complete file, everything, all the correspondence.

Mr. RANKIN. About when did you make this search?

Mr. JOHNSON. Frankly, I started right after the assassination was announced. As soon as that name appeared, I started to make a search.

Mr. RANKIN. Why did you do this?

Mr. JOHNSON. Somehow the name struck my memory.

Mr. RANKIN. Why did you supply the information to the FBI agent that was investigating?

Mr. JOHNSON. Oh, because I felt dutybound to cooperate in the full with the Government in any investigation of this assassination.

Mr. RANKIN. Do you know whether or not Lee Harvey Oswald was ever a member of the Communist Party of the United States of America?

Mr. JOHNSON. To my knowledge, he was never such, and I would know.

Mr. RANKIN. You think you would know?

Mr. JOHNSON. Oh, yes; I would, I am sure.

Mr. RANKIN. I hand you an exhibit that has been marked—

Mr. LIEBELER. Exhibit No. 1 on the examination of Arnold Johnson, April 17, 1964. It has been our practice for the examining attorney and for the witness to initial the exhibit for purposes of identification so there is no confusion.

Mr. RANKIN. Mr. Johnson, would you be kind enough to initial the exhibit under my initials so we both certify one of the exhibits offered.

Mr. JOHNSON. Yes (witness complies).

(Document marked Johnson Exhibit No. 1.)

Mr. RANKIN. Will you examine that Exhibit No. 1 on your examination and determine whether you have seen that before?

Mr. JOHNSON. Yes; I have.

Mr. RANKIN. About when did you receive it?

Mr. JOHNSON. In late June or early July—I believe June—of 1963.

Mr. RANKIN. Where did you receive it?

Mr. JOHNSON. In my office.

Mr. RANKIN. Is it in substantially the same form that it was when you received it, except for some notations by you on it?

Mr. JOHNSON. Yes.

Mr. RANKIN. You recognize that there are some notations by you on that Exhibit 1?

Mr. JOHNSON. Yes; there are.

Mr. RANKIN. Will you tell us about those, please?

Mr. JOHNSON. The notations are "Send catalog and limited supply."

Mr. RANKIN. What does that mean?

Mr. JOHNSON. That is in reference to a request for literature, and I stated to send a limited supply, I mean, which means usually a copy of one, a single copy of several pieces at the particular time.

Mr. RANKIN. I see. And what does the catalog reference mean?

Mr. JOHNSON. The catalog is a—

Mr. RANKIN. A listing of your supplies and literature?

Mr. JOHNSON. It is a listing of literature, which is a rather old catalog, to tell the truth about it, of the International Publishers, which usually is included in—which includes many other pieces of literature that if the person was interested they could purchase.

Mr. RANKIN. Will you explain the other notation?

Mr. JOHNSON. The other notation is "lit sent," which means that the literature was sent.

Mr. RANKIN. That notation was made by you too?

Mr. JOHNSON. That is my writing too.

Mr. RANKIN. And the double line?

Mr. JOHNSON. This double line refers to this particular point of literature, and I made that double line. That is all.

Mr. RANKIN. Does this Exhibit 1, as you received it, consist of two handwritten pages apparently written by Lee Harvey Oswald on or before the date they bear, together with a single printed sheet about "Hands off Cuba"?

Mr. JOHNSON. Yes. In the letter he refers to the leaflet "like the one enclosed," and that accompanied the letter. It is also true on the leaflet he refers to the term "free literature."

Mr. RANKIN. Do you have any recollection of just what literature you sent?

Mr. JOHNSON. At the time when I turned this over I included copies of what I would assume would have been the literature at the time.

Mr. RANKIN. That is when you turned it over to the FBI?

Mr. JOHNSON. Yes; I turned over copies of the literature at the same time. That would be the normal thing for that particular period. I think I could think through carefully—

Mr. RANKIN. Would that be four or five pieces?

Mr. JOHNSON. Possibly more than that; about seven or eight.

Mr. RANKIN. Could you briefly describe about what they were for the record?

Mr. JOHNSON. Well, they would be those pieces of literature which somehow state what was being distributed around that time from our offices, and I know it included a pamphlet "End The Cold War" by Gus Hall; it included a pamphlet on the McCarran Act. I think it would have included at that time another pamphlet on "Peaceful Co-existence." Then the pamphlet that we usually sent by Elizabeth Flynn, something of the history of the Communist Party, "Horizons of the Future." I am guessing now, to tell the truth about it, from here on.

Mr. RANKIN. Do you recall the reference in this Exhibit 1 to honorary membership cards in the Fair Play For Cuba?

Mr. JOHNSON. I know the reference is there; yes.

Mr. RANKIN. Do you recall whether or not the cards were enclosed or not?

Mr. JOHNSON. I really don't remember that.

Mr. RANKIN. Did you ever have any oral communications with Lee Harvey Oswald?

Mr. JOHNSON. None whatsoever.

Mr. RANKIN. Did you ever have any oral communications with anybody on his behalf?

Mr. JOHNSON. None whatsoever.

Mr. RANKIN. Do you recall doing anything about the honorary membership cards, giving them to Mr. Hall and Mr. Davis, or anything like that?

Mr. JOHNSON. No. That is where I don't really recall about them. If I would have done that, then I am sure that I would have remembered it.

Mr. RANKIN. Do you recall doing anything else about the letter, Exhibit 1, and the printed sheet attached to it beyond what you have described?

Mr. JOHNSON. I replied to it.

(Document marked Johnson Exhibit No. 2.)

Mr. RANKIN. I hand you Exhibit No. 2 on your examination and ask you if you will identify that by stating whether or not you have seen that copy and the original of that copy at some time.

Mr. JOHNSON. Yes. This is my reply to the letter we have just been discussing.

Mr. RANKIN. Did you prepare that reply?

Mr. JOHNSON. I did.

Mr. RANKIN. Did you send it on or about the date it bears to Mr. Oswald?

Mr. JOHNSON. Yes; I did.

Mr. RANKIN. Would you kindly initial it.

(Witness complies.)

Mr. RANKIN. Thank you. What did you mean in Exhibit 2 by the statement that "We do not have any organizational ties with the committee"?

Mr. JOHNSON. That is in reference to the Fair Play for Cuba Committee.

Mr. RANKIN. Yes.

Mr. JOHNSON. And there are no organizational ties between the Communist Party and the Fair Play for Cuba Committee; and since he was writing on that subject, I wanted to make it clear that there is no such relationship existing, so that literature that was being sent was not being sent from the viewpoint of the Fair Play for Cuba Committee as such, or anything like that.

Mr. RANKIN. By "organizational ties" did you mean to distinguish between that kind of a tie and some other kind of a tie; is that what you were trying to do?

Mr. JOHNSON. In the sense—well, in this sense, that while not being responsible for what that committee may do, if there were activities being done by a committee which would have our sympathy, well, there would be that kind of relationship; but that is not any—not where we would assume responsibility for it, nor could we indicate what its policy would be, or anything like that.

Mr. RANKIN. You are trying to distinguish between some official relationship and mere sympathy?

Mr. JOHNSON. That is correct.

Mr. RANKIN. Is that it? You did recognize a sympathy or desire to encourage the Fair Play for Cuba Committee, I take it, then?

Mr. JOHNSON. That and other similar committees, whatever they may be, but not exclusively that.

(Document marked Johnson Exhibit No. 3.)

Mr. RANKIN. I hand you Exhibit No. 3 and ask you if you recall having received that from Lee Harvey Oswald?

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. Is that one of the letters that you delivered to the FBI at the time you described?

Mr. JOHNSON. That is.

Mr. RANKIN. Did you receive it on or about the date it bears?

Mr. JOHNSON. I think so. I mean within those days; not on the day but afterward.

Mr. RANKIN. Do you recall receiving the honorary membership card of esteem that he says he is sending to you?

Mr. JOHNSON. Somehow I do not; at least I never kept it, and it wasn't attached to the letter at all when I found it in the files, or anything like that. I do not recall that.

Mr. RANKIN. Will you kindly initial Exhibit 3 too, please.

(Witness complies.)

Mr. RANKIN. There is a reference in the second paragraph of Exhibit No. 3 to a clipping. Do you recall that at all?

Mr. JOHNSON. I recall a clipping that had something to do with either a distribution of literature or a—and I think that was it. I am not too sure whether it also had something about an arrest or some altercation that he had been in. I did not keep it. I did not regard it as of any particular significance.

Mr. RANKIN. Do you recall destroying it or do you know what happened to the clipping?

Mr. JOHNSON. Well, things like that I would just very likely throw in the wastebasket; that's all.

Mr. RANKIN. Do you recall whether or not you responded to the Exhibit No. 3?

Mr. JOHNSON. I responded to that together with other letters.

Mr. RANKIN. At some later date?

Mr. JOHNSON. At a later date.

Mr. RANKIN. There is a request in Exhibit 3 for additional information or literature. Do you recall whether you sent any additional—

Mr. JOHNSON. I don't recall exactly, but I would rather imagine not, and for a very simple reason: If I would have, I would have made a notation on here, "Literature sent."

Mr. RANKIN. I see. I hand you what has been marked Johnson Exhibit No. 4 and ask you if you recall receiving that.

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. About when compared with the date it bears? Do you remember?

Mr. JOHNSON. Within just a few days after that.

Mr. RANKIN. Will you please initial that below my initials.

(Witness complies.)

Mr. RANKIN. Is Exhibit 4 in the same condition as it was when you received it, except the notations on it that—

Mr. JOHNSON. Yes; it is.

Mr. RANKIN. Is it one of the papers that you supplied the FBI at the time that you referred to?

Mr. JOHNSON. That is correct.

Mr. RANKIN. And does it consist of three pages, handwritten?

Mr. JOHNSON. Right. Three full pages; yes.

Mr. RANKIN. It is dated August 28, 1963; is that correct?

Mr. JOHNSON. That's right.

Mr. RANKIN. Now, will you tell us about the notations that you put on Exhibit 4? Describe first each one as you tell about it.

Mr. JOHNSON. The notations that I put on?

Mr. RANKIN. Yes.

Mr. JOHNSON. This one, "Fair Play is a broader comm." I put that simply as a point to be emphasized in my reply. The two lines on page 2—

Mr. RANKIN. The top of the page?

Mr. JOHNSON. At the top of the page—as a point to consider in making my reply. Those are the only notations that I've got on it.

Mr. RANKIN. Now, there is another notation in ink, "Arnold, please reply," with the capital letter E, apparently.

Mr. JOHNSON. Yes.

Mr. RANKIN. Do you know who put that on?

Mr. JOHNSON. Yes.

Mr. RANKIN. Will you tell us?

Mr. JOHNSON. Elizabeth Gurley Flynn.

Mr. RANKIN. Who is she?

Mr. APT. Mr. Rankin, I have advised Mr. Johnson respectfully to decline to give any further information on this subject.

Mr. RANKIN. Will you tell us what you meant by that notation, that is, "broader comm."?

Mr. JOHNSON. That the Fair Play for Cuba Committee is a committee which is inclusive of people of varied political viewpoints and backgrounds, and it is not what we term a—a more limited committee, which would have people more closely associated with us, but rather includes people who vigorously disagree with us, and in this sense is a broader committee.

Mr. RANKIN. That is, it might consist of people who were sympathetic with the Communist movement and also those who were in support of the Cuban movement but not necessarily with the Communist movement? Is that what you are saying?

Mr. JOHNSON. Yes; and who may even be vigorously opposed to the Communist movement.

Mr. RANKIN. There is a reference to Lee Oswald trying to dissolve his United States citizenship. Had you known of that before you received this letter?

Mr. JOHNSON. No; I did not.

Mr. RANKIN. Did you discuss this Exhibit 4 with anyone else at the time you prepared your answer?

Mr. JOHNSON. When Elizabeth gave it to me, just that she indicated that I should answer it. There was really no discussion of what the answer would be.

Mr. RANKIN. Did you give him an answer as to whether he should remain in the background, i.e., underground?

Mr. JOHNSON. Yes; I did.

Mr. RANKIN. Did you do that in your letter?

Mr. JOHNSON. In my letter; yes.

Mr. RANKIN. There is on the last or third page, Mr. Johnson, a notation, "Arnold," with a line above and below that. Do you know whose handwriting that is?

Mr. JOHNSON. Elizabeth Flynn's.

Mr. RANKIN. I hand you Exhibit 4-A and ask you if that is a reply that you prepared to Exhibit 4.

Mr. JOHNSON. It is, but it is also to a further letter (indicating).

Mr. RANKIN. I hand you Johnson Exhibit No. 6, dated September 1, 1963, apparently in the handwriting of Lee Harvey Oswald and consisting of a part of one page in handwriting. Is that the other letter that you referred to, that Exhibit 4-A is a response to?

Mr. JOHNSON. Yes.

Mr. RANKIN. Did you receive Exhibit 6 on or about the date it bears?

Mr. JOHNSON. Shortly after; yes.

Mr. RANKIN. Is it in the same form?

Mr. JOHNSON. It is.

Mr. RANKIN. So by Exhibit 4-A you tried to answer both Exhibit 4 and Exhibit 6? Is that what you mean?

Mr. JOHNSON. And the one previous to that, too. There were three letters that come in under this.

Mr. RANKIN. By these three, you are referring to Exhibit 3—

Mr. JOHNSON. No. 3, 4, and 6.

Mr. RANKIN. Will you initial those two as I have done, Mr. Johnson.

(Witness complies.)

Mr. RANKIN. In Exhibit 4-A, you speak about finding some way to get in touch with Mr. Oswald in Baltimore. Can you tell us what you meant by that?

Mr. JOHNSON. In his letter of September 1, he refers that he is going to come to the Baltimore-Washington area and asked for information about how to reach somebody. It is not my practice to refer them to people until a person comes into an area, and if there is any reason to refer them to a person, then I do so under those circumstances. Thus, this is a simple form of simply—of just saying that when such a circumstance arises we can make a contact, that is, look him up wherever he is at the time.

Mr. RANKIN. After you received the letter, Exhibit 4, with regard to Lee Harvey Oswald's trying to dissolve his American citizenship while he was in the Soviet Union, did you make any inquiry to try to determine whether he had taken such action?

Mr. JOHNSON. Nothing further than was in the letter itself.

Mr. RANKIN. And you said that it is often advisable for some people to remain in the background, not underground. What did you mean by that?

Mr. JOHNSON. Very simply that as an American citizen, whatever he is doing should always be aboveground; that a person remains in the background within any organizational activities, that he does not push himself forward in whatever he is doing.

(Document marked Johnson Exhibit No. 5.)

Mr. RANKIN. I hand you Exhibit No. 5 and ask you whether that letter dated August 31, 1963, consisting of two pages and an envelope, was one of the pieces of correspondence you turned over to the FBI at the time you described?

Mr. JOHNSON. It is.

Mr. RANKIN. Had you seen that Exhibit 5 at some time prior to the time you turned it over?

Mr. JOHNSON. Oh, yes; just within a couple of days before, I think it was. Mr. RANKIN. It is addressed to a Mr. or M. Bert. I guess Mr. Bert.

Mr. JOHNSON. Mr. Bert.

Mr. RANKIN. Can you tell us who that is?

Mr. JOHNSON. He is the managing editor of the Worker.

Mr. RANKIN. How did that Exhibit 5 come to your attention?

Mr. JOHNSON. I inquired specifically of the Worker as to whether there was any other correspondence when I was assembling the material to turn over, and I insisted upon a search of files, in an easy way, "Please look through the files and see if there is anything."

Mr. RANKIN. Who did you make that inquiry of?

Mr. JOHNSON. I made that actually to Mr. Jackson.

Mr. RANKIN. Can you tell us who Mr. Jackson is, enough so that we can know how he may be acting or he may have the authority to search the files?

Mr. JOHNSON. He is the editor of the Worker.

Mr. RANKIN. That was done shortly before you turned over the other papers and this to the FBI?

Mr. JOHNSON. Yes.

Mr. RANKIN. Do you have any basis for believing that when you made such a request it would be carried out?

Mr. JOHNSON. Oh, yes.

Mr. RANKIN. Can you tell us enough about that so we would know what reason you would have to believe that it would be carried out?

Mr. JOHNSON. Well, the relationship would be one, which was very normal; the editorial policy of the Worker in relationship to the assassination; and insistence upon cooperation in any fashion to determine anything related to it that would be helpful in the work of the Commission or Government agencies involved. There was no resistance, and there was immediately a willingness and desire to do so; that is all.

Mr. RANKIN. Did you ask that there be a complete search for anything that would show any correspondence?

Mr. JOHNSON. I did.

Mr. RANKIN. Or contact with Lee Harvey Oswald by either the Communist Party in the United States or the Worker?

Mr. JOHNSON. I did.

Mr. RANKIN. Are you satisfied that that search was full and complete?

Mr. JOHNSON. Yes; I am.

Mr. RANKIN. And that whatever you turned over to the FBI was all that either of those organizations had in their possession?

Mr. JOHNSON. That is correct.

Mr. RANKIN. Did you have any further conversation with Mr. Bert in regard to Lee Harvey Oswald?

Mr. JOHNSON. Only in the sense of asking whether he was sure that there was no other communications, and I think that was really all. I mean I didn't ask him what his reactions were or anything like that.

Mr. RANKIN. And you did not discuss the correspondence in the sense of what it contained?

Mr. JOHNSON. No; I think I did discuss this, I asked him whether there was any reply to it, and he said, no; that he did not reply. And I asked him specifically as to whether—"Are you sure?" because I wondered if there was anything further, and he said he was very sure about that.

Mr. RANKIN. Would you initial that too, please, Mr. Johnson.

(Witness complies.)

Mr. RANKIN. Do you know the Mr. Weinstock that is referred to in this Exhibit 5?

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. Can you tell us who he is or was at that time?

Mr. JOHNSON. He was at that time the managing—the business manager of the Worker.

Mr. RANKIN. Would you tell us where he is now?

Mr. JOHNSON. Right at the moment he is out of town. He had a heart illness some time back.

Mr. RANKIN. Is he somewhat disabled?

Mr. JOHNSON. Yes. Well, he is not working at all now, and I—he was in town a few days ago seeing doctors, and I told him about this request. I asked him specifically whether he knew anything about—anything further about this letter, and so forth. He did not recall a thing.

Mr. RANKIN. Did you ask him whether he had any other contacts with Lee Harvey Oswald except the one that is referred to in that letter?

Mr. JOHNSON. He did not recall it. I asked him that. I also made a search of his back files and found nothing.

Mr. RANKIN. Did you make any inquiry as to whether he knew anything else about Lee Harvey Oswald?

Mr. JOHNSON. I inquired, I asked him that—this was all on the telephone—and he said, no. And he went to this thing out in the country some place, just to sort of recover from this illness.

Mr. RANKIN. And there is a Mr. Tormey that is referred to in that letter. Do you know him too?

Mr. APT. Mr. Tormey is here, and he is prepared to testify.

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. Do you know what position he occupied about that time?

Mr. JOHNSON. About that time he was the executive secretary of the Hall-Davis Defense Committee.

(Document marked Johnson Exhibit No. 5A.)

Mr. RANKIN. Mr. Johnson, I hand you Exhibit 5A, which I was informed was one of the works of Lee Harvey Oswald that you turned over to the FBI at the same time. Do you recall having seen that?

Mr. JOHNSON. Yes.

Mr. RANKIN. Do you know whether or not that was one of the pieces of Lee Harvey Oswald's purported works that he had sent to Mr. Weinstock?

Mr. JOHNSON. Whether he had sent it to Mr. Weinstock or whether he had sent it to Mr. Bert, I don't know. I got it at the same time as I got the letter from Mr. Bert.

Mr. RANKIN. But you do believe that it was sent to one or the other?

Mr. JOHNSON. It was sent to one or the other. It could have been either one.

Mr. RANKIN. And do you understand that it was purportedly something that Lee Harvey Oswald claimed to have made up himself?

Mr. JOHNSON. Yes.

Mr. RANKIN. Do you know whether or not Mr. Weinstock wrote any letter back to Lee Harvey Oswald about that or other material that he had sent in?

Mr. JOHNSON. Not of my own knowledge, other than there is a reference to it in that letter.

Mr. RANKIN. Yes; and you have already testified that you asked Mr. Weinstock about it, and he did not recall any answer; is that correct?

Mr. JOHNSON. That is correct.

Mr. RANKIN. I notice with Exhibit 5, the envelope shows considerable difficulty in reaching the addressee.

Mr. JOHNSON. That is correct.

Mr. RANKIN. Do you know how it happened to get to Mr. Bert?

Mr. JOHNSON. Well, the address is wrong in that on the envelope it is 26 West 23d Street, and the proper address would have been 23 West 26th Street. That is the first mistake. Therefore it was apparently turned back, and then the post office made the correction.

(Witness initials Exhibit No. 5A.)

(Document marked Johnson Exhibit No. 7.)

Mr. RANKIN. I hand you Exhibit 7, which is a letter from Lee Harvey Oswald, with the envelope. Do you recall having received that and turning that over to the FBI?

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. At the time you referred to?

Mr. JOHNSON. Yes; I do.

Mr. RANKIN. Do you know whether you received it near the date that shows on the envelope?

Mr. JOHNSON. I know when I received it.

Mr. RANKIN. Oh, you do recall?

Mr. JOHNSON. And it was not near the date.

Mr. RANKIN. I see. When was it?

Mr. JOHNSON. The envelope has a postmark of the 1st of November. I received it on the 29th of November. That is the day after Thanksgiving.

Mr. RANKIN. You were probably surprised to receive——

Mr. JOHNSON. I was. This was after the assassination date by a week.

Mr. RANKIN. Did you answer that letter?

Mr. JOHNSON. No.

Mr. RANKIN. You did not?

Mr. JOHNSON. No.

Mr. RANKIN. You remember receiving it personally rather than someone in your office at that time?

Mr. JOHNSON. It was brought in by the mail carrier in the normal—in the afternoon, and then was delivered to me within the office, yes.

Mr. RANKIN. Will you place your initials under mine?

(Witness complies.)

Mr. RANKIN. Do you know any reason for the delay in the letter?

Mr. JOHNSON. I really do not. That's an unusual delay. I could readily see a delay occurring after the 22d, but to have a delay from the 1st to that date seems to me to be beyond all normal procedure. Even when mails are held and checked during a thing like that, they wouldn't stand so long. I cannot understand.

Mr. RANKIN. Did you make any examination at the time to determine whether Exhibit 7 had been opened by anyone before you received it?

Mr. JOHNSON. No; except that the envelope has the unusual line on the back which indicates that there was possibly an opening and return. But that could also be the way it was folded or something like that. But you can see the line here [indicating].

Mr. RANKIN. Will you mark that——

Mr. JOHNSON. You see that. It looks that to me, anyway, as if this was the line where it had been opened and then put back. Then if you look at the envelope itself, as an airmail envelope, normally this part would be turned down, and instead it's open like this. Now, it's true that, folded that way, it fits in only when it is this way, but then this line should not have been here. There is something odd about the whole letter as far as the delivery itself is concerned.

Mr. RANKIN. Would you make a pen line on the place on the back that you find that unusual marking, please.

Mr. JOHNSON. (Witness complies.) I will admit I was very much surprised when I received that letter. I was bound to look at it.

Mr. RANKIN. Did you discuss it with anyone at the time?

Mr. JOHNSON. I guess I just made comments all over the place about getting a letter from him at that time.

Mr. RANKIN. Do you have any question about whether Exhibit 7 was prepared and sent by Lee Harvey Oswald?

Mr. JOHNSON. I never studied his handwriting too carefully. There are several things that looked a little bit odd about it. It's a little hard to say. For instance, you have a different kind of ink in two places here. It seems that way to me. But that's pretty hard to say with modern pens. The way he signs his name and the way—that could be a problem, because he didn't always sign it the same—or he has "Mr. A. Johnston" up here, and it starts "Mr. Johnson" up here. I don't know what all the confusing elements are, but I would just as soon leave that to someone who is more—who is a handwriting expert, and I am not.

Mr. RANKIN. Did you ever have a conversation——

Mr. JOHNSON. It may be worthwhile to check it with a handwriting expert on that.

Mr. RANKIN. A conversation with V. T. Lee or any others in regard to the Fair Play for Cuba matter and Lee Harvey Oswald?

Mr. JOHNSON. At no time.

Mr. RANKIN. Did you have any conversation with anyone about the effect

of the assassination by Lee Harvey Oswald and his connection with the Fair Play for Cuba effort in New Orleans on the Communist Party?

Mr. JOHNSON. Will you state that again?

Mr. RANKIN. Read the question, please.

(Question read.)

Mr. JOHNSON. Not in that sense, no. Not in relationship to Fair Play for Cuba et cetera.

Mr. RANKIN. In some other sense, did you?

Mr. JOHNSON. Well, normally, just within our own—among our own people, I would naturally discuss it and say that somebody could try to make a false charge against us in some fashion, and that we of necessity would have to react quickly to it so as to make clear that he was never a member of the Communist Party, never associated with us in any fashion of a political or organizational character.

Mr. RANKIN. Did you make any inquiry to determine whether or not any members of the Communist Party of the United States were involved in any conspiracy with Lee Harvey Oswald about the assassination?

Mr. JOHNSON. Oh, I would say very definitely that they were not. There was never any such relationships at all. There was nobody that I know of who had any contact whatsoever, and I think I would have known.

Mr. RANKIN. By nobody, do you mean—

Mr. JOHNSON. No Communist of any character, at any time.

Mr. RANKIN. Have you made sufficient inquiry or have sufficient knowledge so you were satisfied that that would be true?

Mr. JOHNSON. Oh, yes. There was no relationships whatsoever. I would say definitely I would know if any Communist would have had any conversation, and I know of none, no communication or conversation.

Mr. RANKIN. By any conversation, you mean with regard to the assassination of President Kennedy?

Mr. JOHNSON. Yes.

Mr. RANKIN. Did you have any contacts with the—

Mr. JOHNSON. That's so flagrantly against anything about the Communist viewpoint that it's—

Mr. RANKIN. Will you explain that, Mr. Johnson?

Mr. JOHNSON. Communists just do not believe in assassination as a method of social change, and—

Mr. RANKIN. You mean that as far as the Communist Party of the United States is concerned?

Mr. JOHNSON. Definitely.

Mr. RANKIN. Or generally?

Mr. JOHNSON. Definitely and generally. I mean that very specifically. It has nothing to do with it. We would say that anybody who harbors such a thought is not only not a Communist but an anti-Communist basically.

Mr. RANKIN. Would you extend that to cover the activities of various groups in the Soviet Union?

Mr. JOHNSON. As far as assassination is concerned, yes.

Mr. RANKIN. I thought there was information that they had people connected with the government who were engaged in trying to understand and be able to use methods of assassination.

Mr. JOHNSON. No.

Mr. RANKIN. You don't think that's true?

Mr. JOHNSON. Oh, no. That's not true. That's dissident groups, groups like that, not Communist groups.

Mr. RANKIN. You don't think that is a part presently of the Soviet Union—

Mr. JOHNSON. Definitely not.

Mr. RANKIN. And you don't think it is any part of the plans of the Communist Party of the United States?

Mr. JOHNSON. I know that a thousand percent. We have for years made it a point if anybody has such viewpoints they cannot ever be a member of the party. They are expelled et cetera. We specifically speak against any acts of terrorism or individual violence et cetera.

Mr. RANKIN. Did you have any contact with Columbia Broadcasting System in regard to news matters relating to Lee Harvey Oswald?

Mr. JOHNSON. That's what I was referring to before, that as soon as—yes, on the —I was trying to say the date, on the 23d, the day after the assassination, I called and issued a statement to all the news media in which I made it clear that Lee Harvey Oswald was not associated with us in any way and so forth, and they carried this on the radio or on television, I think one of them did. But it was also carried on the front page of the New York Times and through other papers. That was called in to all the stations, not just to Columbia. There was a seven-sentence statement.

Mr. RANKIN. Did you ever say that Lee Harvey Oswald was not given citizenship in the Soviet Union because they considered him a Fascist, or words to that effect?

Mr. JOHNSON. I don't recall that. I don't recall that.

Mr. RANKIN. Was that your belief?

Mr. JOHNSON. I never got involved in the reason, as I recall, as to why he was not given citizenship there. I assumed they had good reasons.

Mr. RANKIN. Did you ever see any writings or communications or anything to indicate that he had a Fascist philosophy?

Mr. JOHNSON. The only feature within that would be, within one of these letters, when he refers to the fact that he attended the Walker meeting down there in Dallas; another reported story of his volunteering to be on both sides as far as Cuba was concerned, and then the further point, and this is a matter of political orientation maybe as to why he was in contact with Senator Tower instead of Senator Yarborough; that is just pure speculation, it doesn't mean very much.

Mr. RANKIN. Most of his expressions in his correspondence that you produced indicated an interest and sympathy with the Communist Party rather than any Fascist group, didn't they?

Mr. JOHNSON. But the main point would be that this act is so contradictory to anything in the Communist viewpoint, and that would be the essential test, that any person who has that kind of a mentality could just as well be covering up in communications, and that would be one of the difficulties of it; but the act itself, you see, would be an act, that kind of act of terrorism based upon the climate and everything there which would have been an act from a Fascist-minded person instead of from a Communist-minded person.

Mr. RANKIN. Do you have any evidence or know of any evidence to indicate that this assassination was a rightist or extreme right plot of any kind, conspiracy?

Mr. JOHNSON. Not of evidence in that sense, no. If you draw conclusions from the materials that were being circulated in Dallas, that ad in the newspaper that morning, and the various communications of people, of the added hate atmosphere, the warnings that were made of that hatred, that was all of a rightist character.

Mr. RANKIN. But that wouldn't necessarily mean that there was any plot or conspiracy to assassinate President Kennedy, would it? Or does it to you?

Mr. JOHNSON. Well, I would rather think not. I mean I would rather think that nobody would proceed from any of this to the point of assassination. And there it is a matter I think where a person may have an opinion and not necessarily have evidence that could substantiate the opinion.

Mr. RANKIN. Or you could speculate easily?

Mr. JOHNSON. That is speculation.

Mr. RANKIN. Whether it was a rightist plot or there was a leftist plot?

Mr. JOHNSON. If there was a plot, it was only a rightist plot.

Mr. RANKIN. And you say that because you consider the act of assassination to accomplish political ends is not within the Communist Party philosophy; is that right?

Mr. JOHNSON. That is basically true. The second basic point would be the attitude of the Communist towards President Kennedy was one of high regard and respect, even though sharply differing on many things, but it was always that.

Mr. RANKIN. Mr. Johnson, do you have any other papers or knowledge bearing upon the assassination of President Kennedy that you haven't related here?

Mr. JOHNSON. No, I do not.

Mr. RANKIN. That is all I have, Mr. Abt. Do you have anything?

Mr. ABT. I have nothing.

Mr. RANKIN. Mr. Abt, may we ask you to be so kind as to be sworn and act as a witness for a brief moment?

Mr. ABT. Surely.

TESTIMONY OF JAMES J. TORMEY

The testimony of James J. Tormey was taken at 11:30 a.m., on April 17, 1964, at the U.S. Courthouse, Foley Square, New York, N.Y., by Messrs. J. Lee Rankin, general counsel and Wesley J. Liebeler, assistant counsel of the President's Commission. James J. Tormey was accompanied by his attorney, John J. Abt.

James J. Tormey, having been first duly sworn, was examined and testified as follows:

Mr. RANKIN. Give the reporter your name and your address.

Mr. TORMEY. James J. Tormey, T-o-r-m-e-y, 215 Willoughby Avenue, Brooklyn, N.Y.

Mr. RANKIN. Mr. Tormey, you received some correspondence from Lee Harvey Oswald, did you?

Mr. TORMEY. I received—a letter was referred to me from him.

Mr. RANKIN. Who referred the letter to you?

Mr. TORMEY. I don't know who it was, but apparently the letter which is addressed on the upper right-hand side to 23 West 26th Street was referred, and I don't remember who referred it.

Mr. RANKIN. Will you tell us what your position was at the time you received this referral?

Mr. TORMEY. Yes; I was the executive secretary of the Hall-Davis Defense Committee.

(Objects marked Tormey Exhibit No. 1.)

Mr. RANKIN. Mr. Tormey, will you examine Exhibit No. 1 on the deposition that you are giving today, which consists of several placard-type pieces of material, together with some plastic pieces, and tell us whether or not you have seen those before?

Mr. TORMEY. I have seen them before.

Mr. RANKIN. That Exhibit 1, I did not fully describe as I asked you to examine it. It also includes a little note purportedly from Lee Harvey Oswald, addressed to "Dear Sirs," with an address, 23 West 25th Street, apparently, New York.

Mr. TORMEY. I imagine that is 26th Street. I am not sure.

Mr. RANKIN. Twenty-six; yes. And that was a part of the Exhibit 1 that included these other materials that I have described, was it, when you received it?

Mr. TORMEY. That is right.

Mr. RANKIN. After you received Exhibit 1 with those various materials and that note on yellow paper, what did you do?

Mr. TORMEY. Well, after reading it over I answered to the person who signed the letter, stating that I would put it on file, expressing appreciation for sending them, that I would put it on file in the event that we would have any occasion to use his services.

(Document marked Tormey Exhibit No. 2.)

Mr. RANKIN. I hand you Exhibit No. 2 and ask you if that is a carbon copy of the answer that you prepared and sent.

Mr. TORMEY. Yes; it is.

Mr. RANKIN. Under our practice, the examining attorney is asked to initial the exhibit, and the witness too, so it will be established that we both—

Mr. TORMEY. Examined it?

Mr. RANKIN. Examined it; yes. Would you kindly do that?

(Witness complies.)

Mr. RANKIN. And kindly do the same for Exhibit 2.

(Witness complies.)

Mr. RANKIN. Mr. Torney, we have initialed Exhibit No. 1 on the back of one of the placards, which appear to be the same, reading "The Gus Hall-Benjamin Davis Defense Committee," below that the words "End McCarranism" in large letters, and there are two of those, apparently identical; and then two plastic sheets, with the same legend on each of them, one of them apparently a negative and the other a positive, and then the little note headed "Dear Sirs" and signed "Lee H. Oswald," and message on the back, instructions, and so forth; is that correct?

Mr. TORMEY. Yes.

Mr. RANKIN. Did you have any other communications with Lee Harvey Oswald except Exhibits 1 and 2?

Mr. TORMEY. I have no recollection of any.

Mr. RANKIN. Have you made any search of your files to determine whether or not there is anything else that you have?

Mr. TORMEY. I did, sir.

Mr. RANKIN. When did you do that?

Mr. TORMEY. Well, it was—it would be sometime in the latter part of November or the early part of December of 1963.

Mr. RANKIN. How did you happen to make that search?

Mr. TORMEY. Well, I had been told that a letter had been received from me by him, and I decided to conduct a routine check.

Mr. RANKIN. What was the nature of that search? Will you tell us so we can know how complete it was?

Mr. TORMEY. Yes; well, first I kept copies of all communications that I had with anyone.

Mr. RANKIN. Yes.

Mr. TORMEY. So I would assume in advance that there was a copy, and I asked the person who was managing the office at the time that I was there to look into the files to see if it were possible that such a communication did exist. I found that copy of communication.

Mr. RANKIN. Was the person that you asked to make that search a person under your control and direction?

Mr. TORMEY. At the time I was with Hall and Davis.

Mr. RANKIN. But at the time you requested this search, this person was not under your control and direction, I take it?

Mr. TORMEY. Well, not control and direction.

Mr. RANKIN. I see. But there was a sufficient relationship so that you are satisfied that the search was made, and it was a thorough search?

Mr. TORMEY. I am perfectly satisfied.

Mr. RANKIN. And you are able to assure us that there is nothing else so far as you know in regard to any communication of any type with Lee Harvey Oswald?

Mr. TORMEY. I give that assurance.

Mr. RANKIN. Do you know of any effort in regard to any conspiracy or common action between any people associated with this Gus Hall-Benjamin J. Davis Defense Committee that were involved with Lee Harvey Oswald in the assassination of President Kennedy?

Mr. TORMEY. I have no such knowledge.

Mr. RANKIN. Do you have any information that would cause you to believe that there was any such association?

Mr. TORMEY. No; I have not.

Mr. RANKIN. Did you ever use any of the material in Exhibit 1 in connection with your work on the committee?

Mr. TORMEY. No, sir.

Mr. RANKIN. Do you have any other knowledge in regard to the assassination of President Kennedy that you have not related to us?

Mr. TORMEY. No, sir.

Mr. RANKIN. Thank you very much.

TESTIMONY OF FARRELL DOBBS

The testimony of Farrell Dobbs was taken at 11:45 a.m., on April 17, 1964, at the U.S. Courthouse, Foley Square, New York, N.Y., by Messrs. J. Lee Rankin, general counsel and Wesley J. Liebeler, assistant counsel of the President's Commission. Farrell Dobbs was accompanied by his attorney, Rowland Watts.

Farrell Dobbs, having been first duly sworn, was examined and testified as follows:

Mr. RANKIN. In this examination, Mr. Dobbs, we are proceeding in accordance with the procedures that the Commission has set out and by reason of the Executive order of President Johnson No. 11130 and the joint resolution of Congress No. 137.

The examination will be done by myself, J. Lee Rankin, general counsel for the Commission. Mr. Liebeler is associated with me in that regard.

You are entitled to a 3-day notice of this examination. I assume, since you are willing to come here, you are willing to waive that 3-day notice and proceed with the hearing at this time; is that right?

Mr. DOBBS. That's right.

Mr. RANKIN. You are also entitled to have your counsel here, as you have, and during the examination, if he has any objection to any questions or wants to have a recess so that he may talk with you, of course, he may. At the close of your testimony, if there is something that he would like to examine you about so as to clarify anything that you said or give you an opportunity to correct or to change it, that is provided for, too. Do you have any questions before we start?

Mr. WATTS. Mr. Rankin, I think that it should show on the record that this is a voluntary appearance, that Mr. Dobbs volunteered what information he had and offered to come if you chose to have him.

Mr. RANKIN. Yes; we wish to have that on the record.

Did you produce the information that was requested of you?

Mr. DOBBS. Yes; I turned it over to Mr. Watts, and he forwarded it to you.

Mr. RANKIN. Do you have from the Militant files the 4-month introductory subscription blank stamped September 17, 1962?

Mr. WATTS. Yes; we offer it.

Mr. RANKIN. Will you mark that as Exhibit 1.

(Marked Dobbs' Exhibit No. 1.)

Mr. RANKIN. Do you have the 4-month renewal blank stamped May 28, 1963?

Mr. WATTS. Yes; we offer that.

Mr. RANKIN. Mark that Exhibit 2, please.

(Marked Dobbs' Exhibit No. 2.)

Mr. RANKIN. Do you have the Addressograph plate for Lee H. Oswald?

Mr. WATTS. Yes; we offer that.

Mr. RANKIN. Mark that Exhibit 3, please.

(Marked Dobbs' Exhibit No. 3.)

Mr. RANKIN. And from the Pioneer Publishers' files—I failed to ask you for the change of address notice postmarked June 12, 1963, and November 12, 1963. Do you have those?

Mr. WATTS. Yes; I offer them.

Mr. RANKIN. Mark those Exhibits 4 and 5 respectively.

(Marked Dobbs' Exhibits Nos. 4 and 5.)

Mr. RANKIN. Do you have from the Pioneer Publishers' files an order for the Teachings of Leon Trotsky and a cash memo dated May 8, 1962, indicating that 25 cents had been received?

Mr. WATTS. Yes; we have that, and with them is a carbon copy of a letter from Pioneer Publishers, dated September 28, 1963, and a canceled envelope postmarked January 2, I believe, 1963, to Pioneer Publishers from Lee Oswald, and we offer all of those.

Mr. RANKIN. Thank you.

Mr. WATTS. In addition, from Pioneer Publishers, we have a letter from Lee Oswald with a date January 1, the year not identified, ordering "The Coming American Revolution," "The End of the Comintern," and "The 1948 Manifesto

of the Fourth Internationale," indicating that 35 cents is enclosed and requesting the English words of the song "The Internationale," and attached is a receipt or a cash memo of Pioneer Publishers, indicating that 35 cents was received.

Mr. RANKIN. Mark that No. 7.

(Marked Dobbs' Exhibit No. 7.)

Mr. WATTS. We also have a carbon copy of a letter dated April 26, 1963, to Mr. Oswald, setting forth the English words of The Internationale. I believe that is all we have from Pioneer Publishers.

Mr. RANKIN. Do you have any document from the files of the Socialist Workers Party?

Mr. WATTS. Yes.

Mr. RANKIN. Will you describe those, please?

Mr. WATTS. We have a letter dated August 12, 1962, signed Lee H. Oswald to the Socialist Workers Party, asking for information concerning the nature of the party and expressing an interest in finding out all he can about the program. We have a coupon dated as having been received October 31, 1962, signed Lee H. Oswald, indicating that he would like to join the Socialist Workers Party, and we have a carbon copy of a letter dated August 23, 1962, apparently in answer to the first letter, thanking Mr. Oswald for his request for information and indicating that a pamphlet concerning the Socialist Workers Party was being enclosed and inviting further inquiry if he had any more questions.

Mr. RANKIN. The last material you have described, Mr. Watts will be marked Dobbs' No. 9.

(Marked Dobbs' Exhibit No. 9.)

Mr. WATTS. We have, in addition, a letter dated September 1, 1963, signed Lee H. Oswald. Attached to it is what appears to be its envelope from New Orleans, postmarked August 31, 1963. This letter requests information concerning SWP representatives in the Washington-Baltimore area and states that Mr. Oswald expects to be moving into that area in October. That is all I have.

Mr. RANKIN. Thank you. The last letter and envelope are marked Dobbs' Exhibit No. 10.

(Marked Dobbs' Exhibit No. 10.)

Mr. RANKIN. Mr. Dobbs, do you have some occupation at the present time?

Mr. DOBBS. I am secretary of the Socialist Workers Party.

Mr. RANKIN. Have you been in that position for some time?

Mr. DOBBS. Since 1953.

Mr. RANKIN. Did you have some correspondence with Lee Harvey Oswald?

Mr. DOBBS. We have nothing in our files other than what we have turned over to you. I might add that I feel certain that we would have responded to his—the coupon that he sent indicating a desire to join the party. It's not surprising we wouldn't have kept a file copy, because our interest in cases of this kind is an established thing. It is our policy not to take anybody into membership in the party unless we have a branch of the party in the area where they are resident. In such case we would—we would have replied to him to that effect. We would have suggested to him that he interest himself in the circulation of The Militant and Socialist literature and would have expressed a desire for continued fraternal contact with him on that basis.

Mr. RANKIN. Do you recall having seen Dobbs' No. 1 at some time?

Mr. DOBBS. I recall that only in the sense that I assisted in the search of the files after November 22 to find everything we could.

Mr. RANKIN. Will you describe to the Commission what happened at that time, what you did? Did you do something to try to find out if there was any contact or communication between your organization and Lee Harvey Oswald?

Mr. DOBBS. Yes. I received a telephone call from one of the newspaper reporters asking me if Oswald had ever been a subscriber to The Militant. I told him not to my knowledge. I then, however, went and checked the files, discovered he had been, and with that I decided to check every file that I could, and find whatever information was in the files, and get it together.

Mr. RANKIN. About when did you do that?

Mr. DOBBS. This would have been done, I believe, about Monday following the assassination. I think it was on Monday morning I received the call.

Mr. RANKIN. What kind of a search was made at that time; can you describe that for the Commission, please?

Mr. DOBBS. Yes. We went through all the files that we had, and, well, I guess that is about all I can say.

Mr. RANKIN. Who do you mean by "we."

Mr. DOBBS. Myself and members of the organization who work as my voluntary office assistants, and I cooperated with the people in charge of The Militant business office, and the Pioneer Publishing business office.

Mr. RANKIN. And how complete was that search?

Mr. DOBBS. We made it as thorough as we could, to our best knowledge. We have given you everything we had in the files.

Mr. RANKIN. As a result of that search, you discovered Dobbs' No. 1, did you?

Mr. DOBBS. Yes.

Mr. RANKIN. That is a subscription for the 4 months' introductory subscription of The Militant—

Mr. DOBBS. Yes, that is correct.

Mr. RANKIN. By Lee Harvey Oswald, or Lee H. Oswald?

Mr. DOBBS. Yes, that is correct.

Mr. RANKIN. It is a practice in taking these depositions, Mr. Dobbs, for the counsel that is examining to initial whatever exhibits are presented, and also for the witness, so that it can be recognized as official.

(Witness complies.)

(Document marked Dobbs' Exhibit No. 2.)

Mr. RANKIN. Did you at that time also discover Dobbs' No. 2?

Mr. DOBBS. Yes.

Mr. RANKIN. And what is that?

Mr. DOBBS. It is a renewal of the trial subscription, and it is stamped May 28, 1963.

Mr. RANKIN. Will you kindly initial that too?

(Witness complies.)

(Addressograph plate marked Dobbs' Exhibit No. 3.)

Mr. DOBBS. Yes.

Mr. RANKIN. Will you please initial that?

Mr. DOBBS. Yes.

(Witness complies.)

(Document marked Dobbs' Exhibit No. 4.)

Mr. RANKIN. Do you recall at that time discovering Dobbs' No. 4?

Mr. DOBBS. Yes.

Mr. RANKIN. What is that?

Mr. DOBBS. It is a notification of change of address sent by Lee H. Oswald and stamped "Received" on June 17, 1963.

Mr. RANKIN. Will you please initial that?

Mr. DOBBS. Yes (witness complies).

(Document marked Dobbs' Exhibit No. 5.)

Mr. RANKIN. Then did you discover at that time Dobbs' No. 5?

Mr. DOBBS. Yes.

Mr. RANKIN. That is also a change-of-address notice?

Mr. DOBBS. It is a change of address notice from Lee H. Oswald stamped "Received" November 14, 1963.

Mr. RANKIN. Changing the address from New Orleans back to Dallas?

Mr. DOBBS. Yes.

Mr. RANKIN. Will you kindly initial that?

(Witness complies.)

(Document marked Dobbs' Exhibit No. 6.)

Mr. RANKIN. Do you recall receiving Dobbs' No. 6?

Mr. DOBBS. Yes.

Mr. RANKIN. What does that consist of?

Mr. DOBBS. A cash receipt for 25 cents received from Oswald.

Mr. WATTS. Correction, Mr. Rankin. It is not really a cash receipt; it is a cash office memo.

Mr. RANKIN. Thank you. Is that correct?

Mr. DOBBS. That is correct, yes, under date of August 31, 1962. And the second item is an order blank requesting a book, The Teachings of Leon Trotsky, signed by Lee H. Oswald, stamped "Received" August 28, 1962. A third item is a letter under date of September 29, 1962, to Lee H. Oswald from Pioneer Publishers, acknowledging receipt of the order and indicating that the book ordered is out of print and that he will be given a 25-cent credit on the money he sent in.

Mr. RANKIN. The last item is the envelope?

Mr. DOBBS. The last item is an envelope postmarked Dallas, Tex., either January 2 or January 21, it is difficult to discern, 1963, with Oswald's name in the upper left-hand corner.

Mr. RANKIN. Would you kindly initial that?

Mr. DOBBS. Each separately.

Mr. RANKIN. No, just the first one.

(Witness complies.)

Mr. RANKIN. Did you handle any part of the transactions involved in Dobbs' No. 6 yourself?

Mr. DOBBS. No, not personally.

(Document marked Dobbs' Exhibit No. 7.)

Mr. RANKIN. Will you examine Dobbs' No. 7 and tell us what it is, please?

Mr. DOBBS. An office cash memo acknowledging 35 cents received from L. H. Oswald, dated January 11, 1963, and a letter to Pioneer Publishers from Lee H. Oswald under date of January 1, 1963.

Mr. RANKIN. Will you initial that, please, Mr. Dobbs?

(Witness complies.)

(Document marked Dobbs' Exhibit No. 8.)

Mr. RANKIN. Will you examine Watts' No. 8 and tell us what that is.

Mr. DOBBS. It is a letter to Lee H. Oswald from Pioneer Publishers under date of April 26, 1963.

Mr. RANKIN. Will you initial that?

(Witness complies.)

(Document marked Dobbs' Exhibit No. 9.)

Mr. RANKIN. And Dobbs' No. 9, tell us what that is, please.

Mr. DOBBS. A coupon signed "Lee H. Oswald," received under date of October 31, 1962, in which he indicates, by placing a check in an appropriate place, that he would like to join the Socialist Workers Party.

Mr. RANKIN. That is what you have referred to in your prior testimony when you said that you would have responded to it in the way you have described if you knew that there was no organization in that locality?

Mr. DOBBS. That is correct.

Mr. RANKIN. Was there a Socialist Workers Party organization in the Dallas area at that time?

Mr. DOBBS. No, no; there was not.

Mr. RANKIN. You haven't discovered any copy of a communication to Lee Harvey Oswald along the lines that you have described, have you?

Mr. DOBBS. No, sir; I have not.

Mr. RANKIN. But you know it is a standard practice, and that is the way you would have responded?

Mr. DOBBS. That is correct.

(Document marked Dobbs' Exhibit No. 11.)

Mr. RANKIN. Mr. Dobbs, we have what has been marked as Dobbs' No. 11, which purports to be a copy, photocopy, of a carbon of your response as of November 5, 1962, to Mr. Oswald's letter. Will you examine that and see whether or not it is?

Mr. RANKIN. I would like to correct the record to show that this is a type-written copy of the original, apparently not the carbon.

Mr. WATTS. Clarify that. You are saying that it is a typewritten copy of the original of the letter—

Mr. RANKIN. Purportedly.

Mr. WATTS. Purportedly received by Mr. Oswald?

Mr. RANKIN. Yes.

Mr. LIEBELER. Off the record.

(Discussion off the record.)

Mr. RANKIN. Will you first respond, Mr. Dobbs, to whether or not this Dobbs' No. 11 appears to be a typewritten copy of a letter that you wrote to Lee Harvey Oswald in response to his inquiry about the Socialist Workers Party?

Mr. DOBBS. Yes, it appears to be the type of letter I would have written.

Mr. RANKIN. Do you understand that we are going to secure the original and submit it to you to see if it is in fact the letter that you did write, and if you find that it is, then it will be offered as a part of this deposition?

Mr. DOBBS. Yes.

Mr. RANKIN. Will you initial now Dobbs' No. 9, please?

(Witness complies.)

Mr. WATTS. Mr. Rankin, in his responding he did not get past that coupon.

Mr. RANKIN. Yes. Will you describe the balance of Dobbs' No. 9? I understand you completed with the coupon but not the other two pieces.

Mr. DOBBS. The second item is a letter from Lee H. Oswald, addressed apparently to the Socialist Workers Party and marked "Received" under date of August 13, 1962, in which he requests information about the nature of the party and its policies. The third is a letter to Lee H. Oswald from the Socialist Workers Party under date of August 23, 1962, indicating that a pamphlet is being enclosed for him entitled "The Socialist Workers Party—What It Is, What It Stands For."

Mr. RANKIN. I asked you whether or not the Socialist Workers Party had any organization in Dallas. What is the fact in regard to Fort Worth and New Orleans at that time?

Mr. DOBBS. No, we had no organization anywhere in that area.

(Document marked Dobbs' Exhibit No. 10.)

Mr. RANKIN. Will you examine Dobbs' No. 10 and tell us what that exhibit consists of.

Mr. DOBBS. A letter signed "Lee H. Oswald" to the Socialist Workers Party, dated September 1, 1963, stating that he would like to know if he could get in direct contact with SWP representatives in the Washington, D.C.-Baltimore area.

Mr. RANKIN. Will you please initial that?

Mr. DOBBS. Right on the envelope?

Mr. RANKIN. That is right.

(Witness complies.)

Mr. RANKIN. I notice that Dobbs' No. 9 refers to a Sherry Finer signed on the letter, copy of which is dated August 23, 1962.

Mr. DOBBS. Yes.

Mr. RANKIN. Who is Sherry Finer?

Mr. DOBBS. She is one of the volunteer assistants that helps me occasionally with office work.

Mr. RANKIN. And No. 11 is a typewritten copy of the original, purportedly an answer to Lee Harvey Oswald that we have already referred to, and you have said you thought it would be the type of letter at least that you would write in answer?

Mr. DOBBS. That is correct.

Mr. RANKIN. And we have said that we would get the original and submit it to you for your examination. If you find that the original is the original of Dobbs' No. 11 when it is submitted to you, will you then initial it and return it to us so we can make it a part of the record here?

Mr. DOBBS. I will do so.

Mr. RANKIN. Thank you.

(Document marked Dobbs' Exhibit No. 12.)

Mr. RANKIN. I hand you Dobbs' No. 12 and ask you if you know anything about the person Bob Chester that purportedly signed the original of that letter.

Mr. DOBBS. Yes.

Mr. RANKIN. Who is that Bob Chester?

Mr. DOBBS. It is an associate of mine, works in collaboration with me, a day volunteer here in the party office.

Mr. RANKIN. Do you know anything about the blowups, reversal and reproduction work that he refers to there?

Mr. DOBBS. I can only assume that he would have written about——

Mr. WATTS. Excuse me. You should answer what you know, Farrell; and if you want to express an opinion, it is all right, but make it very clear whether or not you have any knowledge.

Mr. DOBBS. Would you ask me the question again; perhaps I did not understand.

Mr. RANKIN. I am interested in your knowledge about that material that is referred to in the letter, the blowups and reproductions and the other things that are referred to in the first paragraph.

Mr. DOBBS. So far as I can perceive, it refers to a technical process. I wouldn't know anything beyond that.

Mr. RANKIN. And you don't know whether there was anything of that kind; at least you did not find it when you made the search?

Mr. DOBBS. I have no indication of such information in our search.

Mr. RANKIN. Mr. Chester is still with your organization?

Mr. DOBBS. He is.

Mr. RANKIN. And you don't recall this Exhibit No. 12 or the original or copies or anything of that kind?

Mr. DOBBS. No; I do not.

Mr. RANKIN. You did not find it when you made your search?

Mr. DOBBS. That's right.

Mr. RANKIN. Would you kindly make a search to see if there is such a letter and such materials in your files?

Mr. DOBBS. Yes; we will look for that.

Mr. WATTS. Mr. Rankin, you are requesting Mr. Dobbs to make a further search to see if he can find the letter and reproductions referred to; is that correct?

Mr. RANKIN. Yes, both; and if he does find them, to forward them to us so they can be incorporated after they are initialed as a part of the record in this deposition.

(Document marked Dobbs' Exhibit No. 13.)

Mr. RANKIN. Mr. Dobbs, do you recall seeing Dobbs' No. 13?

Mr. DOBBS. No; I do not.

Mr. RANKIN. Do you recognize the signature?

Mr. DOBBS. Yes; that would have been one of my associates that helps me in volunteer office work.

Mr. RANKIN. And you recognize the stationery, I suppose?

Mr. DOBBS. Yes; that appears to be on our letterhead.

Mr. RANKIN. When you made a search of the files, you did not find any letter like Dobbs' No. 13?

Mr. DOBBS. No; I did not.

Mr. RANKIN. Did you have any information as to whether or not such a letter was sent?

Mr. DOBBS. No, no. I would assume, in view of the fact that it does appear to be an official party letterhead, that the letter would have been sent, but we would not have kept a file copy of it.

Mr. RANKIN. I see. And you do recognize the signature?

Mr. DOBBS. Yes.

Mr. RANKIN. Would you kindly initial that, please.

Mr. DOBBS. (Witness complies.)

Mr. RANKIN. Do you have any recollection of any other correspondence or communications of any kind?

Mr. DOBBS. No; I do not, sir.

Mr. RANKIN. With Lee Harvey Oswald?

Mr. DOBBS. I do not.

Mr. RANKIN. You will note that Dobbs' No. 13 refers to a communication from Lee Harvey Oswald of March 24, presumably 1963. Do you recall ever having seen that?

Mr. DOBBS. No; I do not, and obviously it was not in our files or we would have included it in the material we turned over to you.

Mr. RANKIN. While you are making further search for this last item, would you kindly make another search to see if you do have any copy of Dobbs' No. 13 and also the letter from Lee Harvey Oswald of March 24?

Mr. DOBBS. That's referred to here?

Mr. RANKIN. Yes.

Mr. DOBBS. Yes. We will make a recheck.

Mr. RANKIN. We should also like that clipping that is referred to as being enclosed with Mr. Oswald's letter, if you find it.

Mr. DOBBS. Yes.

Mr. RANKIN. I was not quite clear, Mr. Dobbs, about your response in regard to that. Is that the type of letter you would not expect to have a copy of in the files?

Mr. DOBBS. Yes.

Mr. RANKIN. Because it is a general form that is followed? Is that the reason?

Mr. DOBBS. Yes. The reason—I can explain to you, however, our basic procedure in matters of this kind. We receive quite a few inquiries, and we have more or less an established policy of reply along the lines I have indicated to you, so we do not keep an accumulation of the—all the letters received and all the replies sent. As I told you, our office work is done essentially by volunteer help. We are a small organization with meager resources, and we have to adjust our proceedings accordingly.

Mr. RANKIN. Do you have any knowledge of any collaboration, association or combination of any of the people in the Socialist Workers Party, Pioneer Publishers, or The Militant, with Lee Harvey Oswald and his action in connection with the assassination of President Kennedy?

Mr. DOBBS. None whatever. So far as I know, nobody in any of the categories mentioned by you ever knew anything about him other than the written material that we have made available to you.

Mr. RANKIN. With your position in connection with these organizations, would you have such material? Would such information be available to you if it existed?

Mr. DOBBS. Yes. If anybody in the organization would know, I would know. I am the central executive officer of the party.

Mr. RANKIN. You are satisfied that no one had such an association with Lee Harvey Oswald from those organizations?

Mr. DOBBS. Absolutely so.

Mr. RANKIN. Do you know of any other communications, either orally or in writing, between any of those organizations and Lee Harvey Oswald, other than what has been produced here?

Mr. DOBBS. No; I do not.

Mr. RANKIN. We have some information, Mr. Dobbs, that when Lee Harvey Oswald was about 16 years of age, he communicated with the Socialist Party of America and the Socialist Call. I would like to know whether or not those have any relationship with the organizations that I have just described that you have some connection with?

Mr. DOBBS. No, sir; it is an entirely different organization. Our organization didn't come into being until 1938.

Mr. RANKIN. And these organizations, the Socialist Call and the Socialist Party of America, were not predecessors of your organization?

Mr. DOBBS. No.

Mr. RANKIN. Or associated in any way?

Mr. DOBBS. No.

Mr. RANKIN. Do you have any knowledge of any conspiracy or association with Lee Harvey Oswald by anybody with regard to whatever he did in connection with the assassination of President Kennedy?

Mr. DOBBS. No; I do not, and I would add that it's a matter of historic record, long established, that our organization's philosophy is opposed to individual acts of political terrorism.

Mr. RANKIN. Do you have any additional information beyond what you have supplied here that might be of assistance to the Commission in regard to the assassination of President Kennedy?

Mr. DOBBS. No; we do not. We have sought voluntarily to provide you everything we have in the spirit of giving you whatever cooperation we could, and we have given you all the information we had.

Mr. RANKIN. And that includes anything, either oral or in writing?

Mr. DOBBS. Correct.

Mr. RANKIN. Thank you very much, Mr. Dobbs.

TESTIMONY OF JOHN J. ABT

The testimony of John J. Abt was taken at 9:30 a.m., on April 17, 1964, at the U.S. courthouse, Foley Square, New York, N.Y., by Messrs. J. Lee Rankin, general counsel, and Wesley J. Liebeler, assistant counsel of the President's Commission.

John Abt, having been first duly sworn, was examined and testified as follows:

Mr. RANKIN. Will you state your name?

Mr. ABT. John J. Abt.

Mr. RANKIN. Where do you live?

Mr. ABT. 444 Central Park West, New York City.

Mr. RANKIN. You are a practicing attorney in the city of New York?

Mr. ABT. I am.

Mr. RANKIN. How long have you been practicing law?

Mr. ABT. A long time, Mr. Rankin, since 1927. You do the mathematics.

Mr. RANKIN. You have been informed, I am sure, that Lee Harvey Oswald, after his arrest, tried to reach you to request that you act as his counsel. I don't know how you were informed, but I have seen it in the newspapers. When did it first come to your attention?

Mr. ABT. May I tell you the story, Mr. Rankin? Perhaps that is the simplest way.

Mr. RANKIN. Yes.

Mr. ABT. On Friday evening, the 22d, my wife and I left the city to spend the weekend at a little cabin we have up in the Connecticut woods. Sometime on Saturday, several people phoned me to say that they had heard on the radio that Oswald had asked that I represent him, and then shortly after that the press—both the press, radio, and TV reporters began to call me up there. I may say we have a radio but we have no TV there. And in the interim I turned on the radio and heard the same report.

I informed them—and these calls kept on all day and night Saturday and again Sunday morning—I informed all of the reporters with whom I spoke that I had received no request either from Oswald or from anyone on his behalf to represent him, and hence I was in no position to give any definitive answer to any such proposal if, as and when it came. I told them, however, that if I were requested to represent him, I felt that it would probably be difficult, if not impossible, for me to do so because of my commitments to other clients. I never had any communication, either directly from Oswald or from anyone on his behalf, and all of my information about the whole matter to this day came from what the press told me in those telephone conversations and what I subsequently read in the newspapers.

Mr. RANKIN. Mr. Abt, did you learn that Lee Harvey Oswald was interested in having you represent him apparently because of some prior connection of yours with the American Civil Liberties Union?

Mr. ABT. No. My assumption was, and it is pure assumption, that he read about some of my representation in the press, and, therefore, it occurred to him that I might be a good man to represent him, but that is pure assumption on my part. I have no direct knowledge of the whole matter.

Mr. RANKIN. You have told us all that you know about it?

Mr. ABT. Yes. I may say that I have had no prior contact with Oswald, knew nothing about him, did not know the name, and this request came as something entirely new and surprising to me when it came.

Mr. RANKIN. None of your clients had ever communicated to you about him prior to that time you heard about it over the radio?

Mr. ABT. No; I had no recollection of even having heard the name, his name, before that time.

Mr. RANKIN. Thank you.

Mr. ABT. Right.

TESTIMONY OF MRS. HELEN P. CUNNINGHAM

The testimony of Mrs. Helen P. Cunningham was taken at 5:20 p.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Would you state your full name?

Mrs. CUNNINGHAM. Helen P. Cunningham.

Mr. JENNER. And would you rise and be sworn. Mrs. Cunningham, in your testimony that you are about to give, do you swear to tell the truth, the whole truth, and nothing but the truth?

Mrs. CUNNINGHAM. I do.

Mr. JENNER. I am Albert E. Jenner, Jr. I am a member of the legal staff of the President's Commission. The President's Commission was created by U.S. Senate Joint Resolution 137. That Commission under that legislation is appointed to investigate the assassination of our late President, John Fitzgerald Kennedy. The President of the United States, Mr. Lyndon B. Johnson, did act pursuant to that legislation and under Executive Order 11130, he appointed the Commission and brought it into legal existence. Its duties, as I have indicated, are to investigate the assassination of the late President, John Fitzgerald Kennedy, and in the course of that work, which has now been going on for some time, we find many people, especially people here in Dallas, who had some kind of contact in the normal and usual and regular course of business, most of them, whether State agents or otherwise, with Lee Harvey Oswald and some of them with his wife, Marina. We understand from others of your fellow employees of the Commission that you had some contact with Lee Harvey Oswald and I would like to ask you some questions about that.

Am I right in my assumption that you did have some contact with him?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. And it was in your capacity, in the due course of your work with the Texas Employment Commission, that office being located here in Dallas?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Where do you reside, Mrs. Cunningham?

Mrs. CUNNINGHAM. 1046 North Winnetka.

Mr. JENNER. In Dallas?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Are you a native of Dallas?

Mrs. CUNNINGHAM. What is your definition of "native"—born here, sir?

Mr. JENNER. Well, say—born or lived most of your life in Dallas?

Mrs. CUNNINGHAM. No, sir; my speech indicates that I was not.

Mr. JENNER. I detected that.

Mrs. CUNNINGHAM. I was born in St. Louis, Mo., and resided in Missouri in various portions of it.

If my voice is low, young lady, if it doesn't come to you, well please call my attention to it.

We came to Dallas in 1951 and we have resided here since then.

Mr. JENNER. How long have you been employed by or associated with the Texas Employment Commission?

Mrs. CUNNINGHAM. Since August of 1957, if I am remembering my dates properly.

Mr. JENNER. And your duties with the Commission, say, the last 3 years have been what?

Mrs. CUNNINGHAM. As an employment counselor.

Mr. JENNER. Explain what that is, please?

Mrs. CUNNINGHAM. We are a small group of workers that are set into our operation, who are given more time to deal with applicants, who for one reason or another had difficulty in finding jobs or in holding jobs, and we used the best techniques that are available to us to be helpful, primarily to the applicant, but also preparing him for what he finds in the labor market, and what working conditions are, and what employers' requirements are.

Mr. JENNER. Tell me, in general, how does the Texas Employment Commission function?

Mrs. CUNNINGHAM. As a quasi-Federal-State operation under the U.S. Department of Labor and you undoubtedly know that there is a Bureau of Employment Security office here.

Mr. JENNER. That's the Federal Bureau?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Or agency?

Mrs. CUNNINGHAM. Yes, sir; which represents the U.S. Department of Labor and serves a region in which we are. I am by my paycheck an employee of the State of Texas, however. It works, in general, however, as all the public employment offices do, in the 50 different States. Now, do you want more detail than that, or was that helpful.

Mr. JENNER. Well, probably, that is sufficient, with a little supplementation. Let me put to you a couple of hypotheticals. Someone comes into this State who has had no connection with any employment in the State of Texas and that hypothetical person comes to the Texas Employment Commission and said he is seeking employment—does the Texas Employment Commission do anything, or would it do anything about seeking employment for him?

Mrs. CUNNINGHAM. Certainly. We have, you know, what is commonly known as a clearance procedure, which is an interchange of orders and applicants among the States and it is an interlocked operation among States.

Mr. JENNER. And that particular person, I take it from what you say, you would inquire of him as to his past employment?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. In the other States, and would seek the information from the other States by way of confirmation, or would you go that far?

Mrs. CUNNINGHAM. No, sir; we generally accept the applicant's statement as to what his previous employment is, and in general, the employer checks references if he is considering hiring that individual.

Mr. JENNER. Now, the second hypothetical I would like to put to you—I anticipate the answer is obvious—he is employed by someone in Texas, let's say, in this county, that employment terminates, he then comes to the Texas Employment Commission, I take it you would undertake upon review of his record and make it a necessary recording of that record; to also seek to obtain him employment if he sought it?

Mrs. CUNNINGHAM. Yes, sir. We are a public agency and our doors are open to the public.

Mr. JENNER. Is it coordinated in anyway with unemployment compensation?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Tell us how that operates?

Mrs. CUNNINGHAM. Well, you know the legislation better than I do, because I am assuming that your profession is a lawyer?

Mr. JENNER. Yes; I am a lawyer, but don't presume I know anything.

Mrs. CUNNINGHAM. Well, I would hate to be talking to the table [laughing].

Mr. JENNER. Mrs. Cunningham, the person who reads the record may not be a lawyer.

Mrs. CUNNINGHAM. I see.

Mr. JENNER. And may not understand this and my purpose is to record how the Commission functions.

Mrs. CUNNINGHAM. The original legislation established the employment service and the unemployment compensation program under one law, and until about

1 year ago in Dallas, applicants for unemployment compensation applied at usually the same office for recording their availability for work and making a claim for unemployment compensation, as where the employment services were housed in the last year in this particular area, and it is not true throughout all the public employment service offices—not even in this district. We have split out the employment services from the unemployment services, but there is a coordination between the offices and in the procedures on unemployment compensation, I know the general law and the necessity for being able and available for work, while being a claimant, and I make no pretense of knowing the up-to-date details of that.

Mr. JENNER. No; I wasn't seeking that. I just wanted the general picture of how they are coordinated.

Mrs. CUNNINGHAM. And you see, one of the necessities for a person filing a claim for unemployment compensation is that he be registered in a public employment office.

Mr. JENNER. And be available?

Mrs. CUNNINGHAM. Be available and be able to work. Those are basic requirements and I think those are the same throughout the States.

Mr. JENNER. Now, in the performance of your duties, your particular function with the Texas Employment Commission, did you have occasion to counsel, talk with, or examine a man by the name of Lee Harvey Oswald?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Tell us about that please, ma'am. If you need any of these records to refresh your recollection, please use them, and as you refer to them, would you hesitate so I can identify the exhibit to which you make reference? You may use those documents to refresh your recollection. You did have a direct contact with Lee Harvey Oswald and I would like to have you give me the time, when it commenced, and relate it to us.

Mrs. CUNNINGHAM. As Mr. Statman has probably told you, a photostat of the counseling record is not here. The record I am now looking at is the application form.

Mr. JENNER. Excuse me, it is the form that I described in the record, the top line of which reads, "Describe your longest and most important jobs, including Military Service. Begin with your most recent job." It is also the application form called E-13.

Mrs. CUNNINGHAM. Yes; it is E-13.

Mr. JENNER. We will mark it Cunningham Exhibit No. 1. Now, I take it you were at the Texas Employment Commission and Mr. Oswald came in; is that correct? [The original of Cunningham Exhibit No. 1 is in evidence as Cunningham Exhibit No. 1-A.]

Mrs. CUNNINGHAM. No, sir. I'm on the record. I got a call from an acquaintance of mine, as I recall it, it was from Mr. Teofil Meller, M-e-l-l-e-r (spelling).

Mr. JENNER. That is T-e-o-f-i-l M-e-l-l-e-r (spelling)?

Mrs. CUNNINGHAM. You can be right—I was recalling it with an "H" in it, but I believe that's the way he does spell it—asking me if I would see Lee Harvey Oswald or Lee Oswald, as it was known, as they were giving assistance to his wife and infant child, and they were saying, "If you can help him, it will help the family and relieve us of this burden."

Mr. JENNER. You understood, then, from Mr. Meller, that the wife, at least, was residing with him?

Mrs. CUNNINGHAM. At or had previously resided there for a brief time. I can't be certain of that.

Mr. JENNER. In any event, that the Mellers were under obligation to assist or they had volunteered to assist?

Mrs. CUNNINGHAM. Volunteered to assist.

Mr. JENNER. They had volunteered to assist the Oswalds or at least Mrs. Oswald?

Mr. JENNER. Did Mr. Meller say anything to you at this time as to who Mrs. Oswald was and who Mr. Oswald was?

Mrs. CUNNINGHAM. As I recall, he said that Oswald was a Fort Worth boy who had lived in Russia and had married a Russian girl, and it was she who was in their residence and it was their offspring.

Mr. JENNER. That is, they had a child and the child was the offspring of this marriage?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. All right. Go ahead.

Mrs. CUNNINGHAM. I cannot be certain whether I gave an appointment at that time or not, or simply said, "Well, ask him to come in and see me"; that would be normal procedure, or usually we look up any records that we may already have, you see, sir, and if you will excuse me, I will see what I have on some little scratch notes here when Mr. Odum of the FBI called me from the district office,

Mr. JENNER. You use anything you wish to refresh your recollection.

Mrs. CUNNINGHAM. All right, sir. I am uncertain whether the 10-9-62 dating on this application form is my handwriting or not. I know that the 10-10-62 is.

Mr. JENNER. That's October 10, 1962?

Mrs. CUNNINGHAM. Yes, sir—that is my dating of the application card and I would suspect that that was the first day on which I saw him, but I could have seen him on the 9th.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. Part of the application appears to be in Lee Harvey Oswald's own handwriting or printing.

Mr. JENNER. Was this application filled out in your presence?

Mrs. CUNNINGHAM. That, I cannot recall, sir.

Mr. JENNER. Was it filled out as part of your interview that you then conducted?

Mrs. CUNNINGHAM. That would depend whether I saw him on the 9th and the 10th, also, and I cannot be sure of that at this time.

Mr. JENNER. Does it indicate that the form at least was commenced to be filled out on the 9th, and that in any event, most of the information thereon was recorded on the 9th and the 10th of October 1962?

Mrs. CUNNINGHAM. Or thereabout, because our practice is—if we have a current date that we did not redate every day—the individual is in—on the application form, you see.

Mr. JENNER. Would it indicate at least reasonable certainty in your own mind that he was in your own office on the 10th day of October 1962?

Mrs. CUNNINGHAM. Yes, sir; and that I talked with him.

Mr. JENNER. Yes.

Mrs. CUNNINGHAM. The greater part of the information concerning his reputation and training is in my handwriting.

Mr. JENNER. And that would indicate that you obtained that from him when you interviewed him on the 10th of October 1962?

Mrs. CUNNINGHAM. Yes; it also indicates that I used one of our counseling tools, an interest checklist.

Mr. JENNER. Explain what that is.

Mrs. CUNNINGHAM. It is a form which asks for quick decisions about a person's interests, like or dislike or question about sample jobs or work and it is the relationship of the individual's interest to groups of jobs. It would further indicate that on the 10th of October in 1962, I learned from him that he had taken our general aptitude test battery in the Fort Worth office.

Mr. JENNER. Now, your general aptitude test battery is something distinct from the short form of test you just a moment ago mentioned, is it?

Mrs. CUNNINGHAM. Yes, sir; it is a correlated tool—the interest check list delves into interest. The general aptitude tests battery is a measure of aptitude.

Mr. JENNER. Now, would you tell me what the results of the inquiries as to the interests tests were?

Mrs. CUNNINGHAM. There is no indication on this form, and I would not have detailed recollection of it, sir.

Mr. JENNER. Do you have any kind of recollection, detailed or otherwise?

Mrs. CUNNINGHAM. To tell you the truth, unless I saw it—I saw I.C.L. here—I would have been uncertain whether I used this counseling tool.

Mr. JENNER. Mrs. Cunningham, this is Mr. Robert Davis of the attorney general's office of the State of Texas.

Mr. DAVIS. Thank you so much for coming today, Mrs. Cunningham.

Mr. JENNER. Do you have any recollection of the subject of his interest tests?

Mrs. CUNNINGHAM. I recall that there was some in the writing area.

Mr. JENNER. This was an aptitude, a particular aptitude?

Mrs. CUNNINGHAM. Interest, sir; I am speaking of.

Mr. JENNER. He had an interest in doing some writing?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Do you recall your inquiries of him on that subject, how did you probe him in that connection? He had an interest, but the fact that somebody says he has an interest in doing something, that isn't sufficient for you, is it?

Mrs. CUNNINGHAM. No, sir; but usually I use the aptitude test results along with the interests check list, and I could well have said something—"Yes, you have the capabilities for writing, but this is in a job area where you are not likely to get a job quickly," and I did not probe, as you are saying, as to what he wrote about or anything of that kind, sir.

Mr. JENNER. And you did not undertake a probing to determine whether it was merely an interest to go on to determine whether there was an aptitude coupled with it?

Mrs. CUNNINGHAM. The aptitude test indicates that there is some because the verbal score is high and the clerical score is high, but my concern was primarily to meet this family's need.

Mr. JENNER. The immediate need?

Mrs. CUNNINGHAM. The immediate need for income, and the young man's apparent need for employment, and in the counseling service, I attempt to do two things. First of all, to help young people to find a vocational choice which may not be an immediate thing that they can get into, but then, secondly, basically—applicants come to us for a job and I use the interest check list and the general aptitude test battery in working toward both purposes, and if the job can be in line with their vocational choice—fine and good—but if it is an immediate need for employment, then the emphasis is toward what can you get with immediacy? What is available? Where are your qualifications as of today likely to be used in the present labor market?

And, basically, that is what I did with Oswald, because as he was presented to me, that was the immediate thing—was at least to get this young man into work where he could support a family and himself, and I didn't even—I would at—I would say—attempt a vocational choice with him nor give that much time to Lee Harvey Oswald.

Also, the test results can be used in exploring what are the most likely possibilities and can be helpful to our placement staff in knowing at least where this individual has the potential for serving an employer well, and that's what some of these indications at the lower part concerning the test data indicates.

Mr. JENNER. Now, would you please interpret that for me? What the tests indicate?

Now, you are interpreting here the tests made by the Fort Worth District office, are you?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And you obtained those results by communicating with the Fort Worth office?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Either on or prior to October 10, 1962?

Mrs. CUNNINGHAM. Subsequent to 10-10-62.

Mr. JENNER. And when you got those results, what did you find in interpreting them?

You see, the reader of this transcript will look at these forms and see nothing but figures.

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. What do they mean?

Mrs. CUNNINGHAM. Have you identified this form?

Mr. JENNER. Yes; the form you now hold in your left hand, which I have marked as Cunningham Exhibit No. 2, we have identified as "Individual Aptitude Profile" and we have read into the record the figures sequentially occurring at the bottom, beginning with figure 109 and ending with 126. [The original of Cunningham Exhibit No. 2 is in evidence as Cunningham Exhibit No. 2-A.]

Mrs. CUNNINGHAM. Have you used this data here at all?

Mr. JENNER. Mr. Statman said you would be better able to interpret than he, and he suggested that when you testified that I ask you to do that.

Mrs. CUNNINGHAM. Very well, sir. To the right of the form we were just speaking of—

Mr. JENNER. In the vertical column?

Mrs. CUNNINGHAM. Under the headings "OAP".

Mr. JENNER. Meaning?

Mrs. CUNNINGHAM. Occupational Aptitude Pattern—the numbers of the patterns which are circled are the ones in which the applicant has made the minimum scores or above, and are indicative of strength for various patterns of occupations.

Mr. JENNER. Now, various patterns—aptitudes for various occupations?

Mrs. CUNNINGHAM. Yes, sir. You will see that if I copied correctly, the entries on the face of the application card are those which are circled on the test record, and are the ones that he had potential in those patterns—"Jobs for occupational patterns."

Mr. JENNER. And in which did he have potential and which were indicated as deficiencies or weaknesses, if any?

Mrs. CUNNINGHAM. Of the 23 patterns, then being used by the employment service, there were only three in which he did not meet the minimum requirements.

Mr. JENNER. And those three?

Mrs. CUNNINGHAM. Or 4, 1, 3, 5, and 20.

Mr. JENNER. You have just called off numbers that are encircled on the exhibit "Individual Aptitude Profile"?

Mrs. CUNNINGHAM. No, sir; they are stricken off.

Mr. JENNER. And they are stricken off for what reason?

Mrs. CUNNINGHAM. Because the applicant's scores did not meet the minimum standards to qualify for those occupational aptitude patterns.

Mr. JENNER. What occupational aptitude patterns are indicated by the numbers you have read which in turn were stricken off on that exhibit?

Mrs. CUNNINGHAM. I'm sorry, sir; I cannot at this point answer that because we are using a new manual with new occupational patterns and there are a number of the detailed jobs in these patterns, and I could not even expect to carry the whole matter in my head.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. If you like—I shall talk a little about this.

Mr. JENNER. Now, before you go to the bottom line, there are numbered aptitude patterns that are encircled. That means that the applicant had the minimum aptitude for each of those that are encircled?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Since you were not able to tell me what the aptitudes were in which there was an indicated deficiency by the striking of the number, I assume you are not able to tell me what the aptitudes were that are encircled, in which he did score in them.

Mrs. CUNNINGHAM. Not in detail.

Mr. JENNER. Are you able to do some interpreting?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Would you do so?

Mrs. CUNNINGHAM. Perhaps I should talk about the next two columns to the right here.

Mr. JENNER. You are still talking about the same exhibit?

Mrs. CUNNINGHAM. Yes—note that the date on this is 10-11-62.

Mr. JENNER. That's October 11, 1962.

Mrs. CUNNINGHAM. And these are three specific tests which are set into the testing program in the Dallas clerical and sales office. Comparing the standards of those specific tests with the report as given from the Fort Worth office, I chose three of them—the B-400, which is a general clerical—a general office clerk is the designation of it; by BX-1002, and a B-493.

If my recollection serves me properly at the time of this interview, the B-493 was aptitude for entering drafting. The BX-1002 is an experimental test for

claims examiners in the insurance industry. On each of these three specifics, he scored high.

Mr. JENNER. What led you to select those, as to this man?

Mrs. CUNNINGHAM. Basically, it's usually done in relation to his interests, and because of jobs available in this labor market or possibly available. For instance, the Clerk General office cuts across all industry, and strength in it can be used in a number of industries, and in a number of work situations.

Mr. JENNER. Yes.

Mrs. CUNNINGHAM. We have a lot of insurance and insurance firms here. The claims examiner is not usually a beginning job, but it is some indication that a young person can start in the clerical field and perhaps move in this direction in the insurance industry.

I would assume that there was a relationship to some discussion of this experience and training in the Military Corps in the electronics and radar that suggests the drafting or because I knew of some possibilities in that area.

I see nothing in what I have recorded about the high school training which would so indicate that.

Mr. JENNER. All of these records that have been placed before you, being three in number, do you interpret them indicating anything other than—I do not mean to be deprecatory here, that this man had about a high school education.

Mrs. CUNNINGHAM. Sir, I accepted his statement that at some time and some place, usually when the young man is in the armed services, he had taken the high school equivalency test and had passed it. There is nothing from the aptitude scores that would lead me to believe otherwise. In fact, there are some things in it that would tend to say that he could do college work.

Mr. JENNER. Indicate that, please—what leads you to say that?

Mrs. CUNNINGHAM. Well, the "G" score, which is a general ability and not an IQ score, is above 100. We have certain standards that we carry in the back of our head that that says—yes.

Mr. JENNER. It says—yes—what?

Mrs. CUNNINGHAM. College capabilities.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. Other factors being equal, of course. The verbal is quite high—this is one of the learning tools, exact knowledge of words and word meanings.

Mr. JENNER. And his score in that connection was?

Mrs. CUNNINGHAM. 127.

Mr. JENNER. You say this is quite high—what is an average?

Mrs. CUNNINGHAM. We are told that about 50 percent of the people who take this test score 100 and below, and the other 50 percent of necessity 100 and above—the break point is. We are warned against, however, looking at any one of these items and considering it alone, except as we were talking of possibility for college training altogether.

Mr. JENNER. His score in the first category you have mentioned was what?

Mrs. CUNNINGHAM. 109.

Mr. JENNER. That is close to the minimum?

Mrs. CUNNINGHAM. No, sir.

Mr. JENNER. Explain that.

Mrs. CUNNINGHAM. You said "the minimum"?

Mr. JENNER. The minimum necessary—is there a minimum standard?

Mrs. CUNNINGHAM. A necessary for what, of course, is the immediate question.

Mr. JENNER. Well, for you to decide, for example, "Well, this man does have capability for college study."

Mrs. CUNNINGHAM. I have not reviewed these figures that are in our manuals recently, but if I recall correctly, 100 is thought sufficient to do a junior college or possibly in some—a 4-year course; that about 125 is required on the "G" score for professional schools, and 110 is quite good for finishing a 4-year college. As you see, this score is close to that, and we consider the test only about 15 percent of the total in making decisions about vocation and it is not the biggest factor.

Mr. JENNER. Off the record a minute.

(Discussion between Counsel Jenner and the witness, Mrs. Cunningham, off the record.)

Mr. JENNER. Now, I think we had better be on the record on this.

Mrs. CUNNINGHAM. None of our tests are personality tests.

Mr. JENNER. You see, I want you to tell me what these are, and if I misinterpret them, I want you to correct me. It is important that we know what testing was done and that we don't misinterpret it ourselves.

Now, is any of this a personality test?

Mrs. CUNNINGHAM. No, sir; none whatsoever. It is aptitude—it is an interest checklist and I am an employment counselor only, and that is why you got part of the answers from me a while ago, was that I was limiting it to that segment of counseling which presumably is my specialty, and for which I am paid by the Texas Employment Commission.

In general, I would say that the tests indicate potential for quite a broad number of jobs—certainly in the semiskilled and skilled occupations.

Mr. JENNER. Would these be a potential with training?

Mrs. CUNNINGHAM. Yes, sir. Certainly I have indicated the areas in the clerical field by the tests that I selected and most of the drafting jobs, of course, are semiprofessional. I did not apparently think that these others were important at the time or I would have given other classifications.

Mr. JENNER. Other classification tests?

Mrs. CUNNINGHAM. No, sir; I'm sorry—I am throwing you on terminology. This indicates where the application is held.

Mr. JENNER. Would you tell us what you mean by "this"?

Mrs. CUNNINGHAM. The words "Routine Clerical Work—1-X-4.9" is a classification of the application in the area where the application will be held by the placement interviewers for referral on jobs.

Mr. JENNER. This represents an entry based on your judgment in interviewing?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And that is your personal entry and your handwriting?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And what does that job classification mean and what degree of aptitude, if any, does it indicate?

Mrs. CUNNINGHAM. On the entry level.

Mr. JENNER. Just the entry level?

Mrs. CUNNINGHAM. Into routine clerical work—it covers a lot of jobs and a lot of work circumstances.

Mr. JENNER. Now, I ask you this—there is a surface inconsistency between that particular classification you gave him and your testimony with respect to his capabilities to do college work. I say there is a surface inconsistency, would you explain that?

Mrs. CUNNINGHAM. Yes, sir. To enter professional jobs, usually the employers require more training or experience in the area of the profession. The availability in this labor market of clerical jobs to a newcomer into the labor market area is very much greater and, therefore, the job opportunities for this young man in a clerical entry job would be much brighter than in an entry for a professional job.

Mr. JENNER. So, I take it, then, in that classification as dictated by your knowledge of the available labor market, this was an area which at the time seemed to afford greater opportunity for placement of this young man immediately.

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Having in mind the information related to you by Mr. Meller, that there was dire need for financial assistance here.

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. And the other aptitudes you recorded on his ability you thought to do college work—those are not inconsistent with the classification you gave when you considered the whole problem that was facing you at the immediate time.

Mrs. CUNNINGHAM. Then I was talking about the potential only for the future, he had not even started college—a college training, by the record as I

was giving it, sir, and because there is nothing as presented in the work history when I first worked with him which would indicate that he had ever worked at a professional or semiprofessional level that would give strength to a professional classification, and remembering, too, that the aptitude test is really only about 15 percent of the decision as to where this individual shall seek as of this time in this place—

Mr. JENNER. The other factors being for one instance—one, the ready labor market, and two, the immediate need, if there is an absolute immediate need, and what other factors?

Mrs. CUNNINGHAM. Previous work experience—a good work record within the present labor market can be a big factor. Any employer, as you well know, would much prefer to pick up the phone and call for a reference than to write to Podunk and maybe get a communication and maybe not, and they don't know really what that firm is or with whom he is communicating, and I would say in general, and this is a personal judgment, that the incoming person to a labor market has to take the lower pay, the less desirable job, until he gets a work record in the community, unless he is highly qualified and in one of the shortage occupations.

Mr. JENNER. And from your visit with this young man, he had not much of a work record, do I fairly state that?

Mrs. CUNNINGHAM. The work record when he came to me was limited in length of time as indicated on the application. It was mixed, as far as occupation was concerned in the semiskilled, in the sales, in the clerical.

Mr. JENNER. That is, he had a semimixed work record involving one or more of the three major groups you have now mentioned.

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Your answer was "Yes"—when you nod your head, we can't get it on the record.

Mrs. CUNNINGHAM. I thought I had said it was broken and limited, so, "Yes" is the answer.

Mr. JENNER. All right, you go right ahead, you are doing fine.

Mrs. CUNNINGHAM. Please note that in the work record there is an entry subsequent to when he was counseled, and that is in the semiprofessional or professional, if anyone would look at it.

Mr. JENNER. You say "subsequent," does that mean a later time or subsequently during the course of the interview you had with him?

Mrs. CUNNINGHAM. No, sir; at a later time.

Mr. JENNER. When?

Mrs. CUNNINGHAM. As indicated on the record it is 4 months to July of 1963 in photography.

Mr. JENNER. And he had the experience for that length of time somewhere?

Mrs. CUNNINGHAM. It indicates that it was in New Orleans with William B. Reily Co.

Mr. JENNER. And he reported that as having been experienced in what connection?

Mrs. CUNNINGHAM. Looking at the subsequent dating of the application card, it would appear that this was recorded in October 1963.

Mr. JENNER. Now, that is important and I am interested in that. In October 1963, which was a year subsequent to your interview, which had commenced at least on October 10, 1962, does it appear from those forms that he again returned to the Dallas office to make a work application?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And did you again counsel with or see him?

Mrs. CUNNINGHAM. No, sir. I did not know until after the President's assassination that he had recontacted the office after these October 1962 interviews of which we have been talking.

Mr. JENNER. Is there a record on any one of those exhibits of the number of applications that he made and when those applications were made in the sense of his personal appearance for the application? You have mentioned one, that is your own, that was generated by Mr. Meller? Do your initials appear there, or do you just happen to recall that? Is there something on the form in the way of your initials or signature that indicates to you that you did that?

* There appears on the reverse side of the form, E-13, (Cunningham Exhibit No. 1) in the handwriting, the word "Cunningham." Is that in your handwriting?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. There appears above it, and also is a signature—are you familiar with that signature?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Whose is it?

Mrs. CUNNINGHAM. It is of a counselor, at least presently a counselor, in the industrial office.

Mr. JENNER. Of the Texas Employment Commission?

Mrs. CUNNINGHAM. Of the Texas Employment Commission in Dallas.

Mr. JENNER. Is there any significance in the fact that his name appears above yours or yours below his?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. All right, tell us about it.

Mrs. CUNNINGHAM. This brings to mind that in seeking the records for this applicant, because—I guess the Mellers must have said "He has already been down to the Texas Employment Commission office and has not gotten a job," then, I started trying to find the records, so I did not duplicate, and I am uncertain whether this is the record that Mr. Brooks transmitted to our office or not.

Mr. JENNER. Who is Mr. Brooks?

Mrs. CUNNINGHAM. The counselor in the industrial office.

Mr. JENNER. Here in Dallas?

Mrs. CUNNINGHAM. Here in Dallas.

Mr. JENNER. And you are in what office here in Dallas?

Mrs. CUNNINGHAM. Clerical and sales.

Mr. JENNER. So that your counseling and your examination is directed primarily to clerical and sales?

Mrs. CUNNINGHAM. Sir, I would not agree fully with that. We take the public as it comes to our door and it is entirely possible for me to have an applicant arrive where I could decide that he was better served in another office and would transmit records and suggest that the applicant call at that office. In the Dallas organization we have our offices organized around occupations basically, and in our particular building, as you may have been told, we have a professional office and the clerical and sales office. We also have an industrial office.

Mr. JENNER. In the same building?

Mrs. CUNNINGHAM. No, sir; at 1206 Ross Street, and this original application card could have come from there to our files.

Mr. JENNER. And is the fact that your signature appears under Mr. Brooks' signature indicative of that likelihood?

Mrs. CUNNINGHAM. Yes, sir; by location it would be. These comments that are above Mr. Brooks' are in my writing.

Mr. JENNER. They are?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And those comments are under the classification headed or entitled, "Applicant's characteristics—well groomed and spoken. Business suit. Alert replies. Expresses self extremely well." That's in your handwriting?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And you made that record after you had interviewed Mr. Oswald?

Mrs. CUNNINGHAM. Perhaps after at least the second interview when I had had the tests results. Usually, I try to hold it until I more or less synchronize the information that I get.

Mr. JENNER. In any event, that records your reaction of him at that time? After you had the interview or interviews with him?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Now, above that, under the heading, "Conditions affecting employment," there appears—would you read each line, and as you read it, is that in your handwriting?

Mrs. CUNNINGHAM. Yes, sir; "bus transportation."

Mr. JENNER. Bus transportation meant what?

Mrs. CUNNINGHAM. That he did not have a car and driver's license, and so consequently, he would have to use public transportation in seeking a job.

Mr. JENNER. You interest me; you say he did not have an automobile or driver's license. Did you make inquiry on that subject—did he have a driver's license?

Mrs. CUNNINGHAM. The front of the card—there are entries above the word "car—no" the license that we usually use here is a driver's license; then the word "none" is in front of it. Now, I didn't know who made these entries. They could have been made by Oswald or they could have been made by Mr. Brooks, if this is a photostat of the card which Mr. Brooks first worked with. Can you see that?

Mr. JENNER. Yes; I see what it is. That's what Mr. Statman said in his testimony and in any event, from examining the card and your interview, it was your impression on that day that he did not have a driver's license?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Is that correct?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. But you don't recall you made a specific inquiry on the subject?

Mrs. CUNNINGHAM. No, sir; what is on the card would tend to indicate that I took it as it was recorded and that I did ask whether he had to use the bus to get to and from work—to—yes.

Mr. JENNER. Now, the next line in your handwriting reads—

Mrs. CUNNINGHAM. "Wife and child" and in parenthesis "8 months" which indicates the information I was given about the age of the child as of that date.

Mr. JENNER. The child was 8 months old?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. When did you make the entries about which I am now examining you?

Mrs. CUNNINGHAM. In October 1962.

Mr. JENNER. At that time this child was more than 8 months old?

Mrs. CUNNINGHAM. I could have recorded it wrong. I could have been informed wrong.

Mr. JENNER. Let me see—I will withdraw that—I may be wrong.

Mrs. CUNNINGHAM. I don't even know enough to check on it.

Mr. JENNER. That's what you recorded, in any event?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. And you would have received that information from him?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. The next line?

Mrs. CUNNINGHAM. "Outstanding verbal and clerical potential." That comes from what I was seeing on the test scores. It is to alert the placement worker of where the counselor finds his greatest potential to be through the testing.

Mr. JENNER. All right. Next line.

Mrs. CUNNINGHAM. "Financial position necessitates immediate employment."

Mr. JENNER. And that in turn affected what I might describe as being your immediate classification of him?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. And has a bearing on that—is there another line in your hand?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. What is it?

Mrs. CUNNINGHAM. "Brother—junior executive, Acme Brick" and the second line entry—

Mr. JENNER. That would have been information you received from him?

Mrs. CUNNINGHAM. Yes. "Brother—Staff Sgt. Air Force."

Mr. JENNER. Does that indicate to you two separate brothers?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And that is information that he afforded you?

Mrs. CUNNINGHAM. Yes, sir.

The next entry is "10-10-62."

Mr. JENNER. All right, that is 8 days later?

Mrs. CUNNINGHAM. It sounds like to me the first day I saw the boy, or the second day.

Mr. JENNER. Yes; you are right.

Mrs. CUNNINGHAM. "HPC" for my initials, and a "B" with a circle in it.

Mr. JENNER. Meaning what?

Mrs. CUNNINGHAM. I'm sorry—I'm not certain as to why that "B" was recorded there. We do use or did use, an A, B, C, D, E, F, for the kinds of problem and it could have been that, but I am unsure of what that entry means.

Mr. JENNER. What were your A-B-C problems?

Mrs. CUNNINGHAM. This gentleman is going to ask me to remember the whole manual this afternoon.

"A" is little or no work experience, and entry into the labor force basically, with no vocational choice.

"B" is an entry into the labor force or relatively so, or re-entry with a questionable choice.

Mr. JENNER. You mean questionable choice in what sense?

Mrs. CUNNINGHAM. That the applicant says, "I want to be a lawyer," and you say, "Are you ready, what training do you have, what is the indication?"

Mr. JENNER. Your questionable choice, therefore, is a question on your part as to his capability to attain that which he desires?

Mrs. CUNNINGHAM. Which is an expressed desire, but you see, sir, I do not have my basic counseling record among these papers and this is part of the reason that I am uncertain here. If I had the comparable and complete record, I could better answer the present question.

Mr. JENNER. What is your best recollection?

Mrs. CUNNINGHAM. I have no definite recollection of what the boy asked for, as far as an occupation is concerned.

Mr. JENNER. He wanted work immediately, you were also attempting to determine what he was seeking ultimately and your judgment of his capabilities to accomplish that which he sought ultimately; am I correct?

Mrs. CUNNINGHAM. Yes—but I again remind you that I did not attempt with Oswald the full counseling service, because I placed emphasis on the immediate with him.

Mr. JENNER. Well, that's important to me.

Mrs. CUNNINGHAM. Yes, I'm sure it is.

Mr. JENNER. What is "C"?

Mrs. CUNNINGHAM. "C" is expressed change of occupation for a variety of reasons.

Mr. JENNER. A desire to change whatever occupation he had been pursuing?

Mrs. CUNNINGHAM. And in that case it is presumed that the person is fully qualified in an occupation from his work experience.

Mr. JENNER. If a counselor reached the conclusion that he was not qualified or needed further training or you had any question about it as to the other occupation or the change of occupation the applicant desired, would you then classify him under "B" rather than "C"?

Mrs. CUNNINGHAM. No, sir; because as a counselor, I am applicant-and-individual oriented, and I guess as a counselor also, I work under the philosophy that the individual has some choices of his own and the best that I can do is give him information, use what tools and what knowledge I have gotten out of training and experience to help him to make the best choices, but the decisions basically are the applicant's.

Mr. JENNER. Did you say there was a "D" classification?

Mrs. CUNNINGHAM. Yes; there is a "D".

Mr. JENNER. What is that?

Mrs. CUNNINGHAM. I'm sorry, I cannot bring it to mind at the moment. There is an "E" and an "F" and a "G".

The "F" is emotional problems, which were not apparent in this young man to me in the few times that I saw him. He was well contained, well spoken, and did not give any information, as I recall, except what I referred to.

As I see his mother on television, this interviewee seems to me, and I have to use that verb, that there is a certain same kind of firmness in the individual there, and certain capabilities there, and to use words well.

Mr. JENNER. On the part of Mrs. Marguerite Oswald?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Do you notice any personality quirks or qualities or attributes in Marguerite Oswald as you observed her on television and her son, Lee Harvey Oswald?

Mrs. CUNNINGHAM. There is a driving in the woman that I did not see in the son. There is a strident of voice in the mother as she comes through to me on television that was not in the son. He was very self-contained.

I didn't probe for information because I was trying to meet the immediate need and to deal with the employment problem, only, sir, and then we also have workload and time pressures on us, as you well know in any job there are that.

We have applicants who are waiting to be interviewed and I guess now, with hindsight, I'm sorry that I didn't—but that's hindsight.

Mr. JENNER. Do you have capabilities in that area?

Mrs. CUNNINGHAM. Sir?

Mr. JENNER. Do you have capabilities in the area of inquiry into personality—when I said "capabilities"—first, do you have any training in that area? You necessarily have some experience, I am sure—formal training, let me put it that way.

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. I'm going to get into your overall training in a little bit.

Mrs. CUNNINGHAM. I hesitate to say this, because the pressures are with us in the Texas Employment Commission, to do a limited job on the vocational employment thing, because that is our emphasis and that is as right, but I have to say that I think a life is a unit and that you can't take a slice out of it and look at it alone and be very effective, nor that a human being can cut away from all his past, nor his associates, nor the other things that are affecting him and so I try to approach an individual, when time permits and when it seems like it might be effective in his vocational life, to get some information about other parts of his life.

Mr. JENNER. All right. Now, I got you off on this because I asked you what the "B" in the circle meant—may we go back to that?

Mrs. CUNNINGHAM. I thought I had answered completely.

Mr. JENNER. I think you have, but as I say, I got you off on it when we reached that point—I interrupted you.

Mrs. CUNNINGHAM. The entries on the application form, E-13 (Cunningham Exhibit No. 1) below "do not write below this line"—none are in my handwriting and they are not counseling records. They are referral placement records.

Mr. JENNER. Now, does the recording there indicate a reference of a job to the applicant and the result of that reference—what happened after the reference was made?

Mrs. CUNNINGHAM. The record is not absolutely complete, but in general—yes—and some line entries—yes.

Mr. JENNER. Would that form necessarily indicate if the applicant refused the position as distinguished from the possibility, for example, that the employer, when he interviewed the applicant, concluded that he did not wish to employ him?

Mrs. CUNNINGHAM. There is some indication of each, yes.

Mr. JENNER. Now, taking those entries, would you comment on each of them in that respect, taking them seriatim and tell us about it.

Mrs. CUNNINGHAM. On the first line entry, in the column headed "Call" there is a dash. That indicates to me that the applicant was not called in, that he was in the office and referred to the placement section. On the same line, under the word "referred" there is a date—10-8, which is struck through, and above that is written "10-10" and then under the heading, "Employer or agency," I am reading the entry there, "Harrel and Harrington, architects;" under job title or purpose, the word "Messenger"; under the abbreviation for duration, the letter "P" which indicates a permanent job; under "pay", I am reading \$1.50.

Mr. JENNER. Per hour?

Mrs. CUNNINGHAM. The hour is not indicated—that is inferred. There is no entry under "results". On the same line under "remarks" are the initials "LL".

Mr. JENNER. Whose initials are those?

Mrs. CUNNINGHAM. Placement worker who was with us formerly, whose name is Louise Latham.

Mr. JENNER. She was with you until yesterday?

Mrs. CUNNINGHAM. Well, I knew it has been an off again and on again situation—so you are more current than I about even in my own agency.

Shall I begin on the next line?

Mr. JENNER. Now, as far as that reference is concerned, there is nothing recorded as to what the result of that reference was?

Mrs. CUNNINGHAM. That is right. After having seen it, my recollection was that the boy was not hired.

Mr. JENNER. That was the decision of the employer?

Mrs. CUNNINGHAM. Yes, sir; and that is the information that would have come through me, either from talking to the placement worker or to Oswald on a second interview, you see?

Mr. JENNER. The cause for that doesn't appear—of course, it may be that when he got there the job was filled or anyone of a number of reasons?

Mrs. CUNNINGHAM. Since it is a blank entry, the applicant could not have reported, or the employer had rejected him, or he had seen other applicants and chose from them.

Mr. JENNER. All right. Let's go to the next line.

Mrs. CUNNINGHAM. Under the column "Call"—10-26-62.

Mr. JENNER. That indicates what?

Mrs. CUNNINGHAM. That he was called by telephone message, because there is a "TM" above the date.

Mr. JENNER. That means "telephone message"?

Mrs. CUNNINGHAM. I think that I am correct that that is the meaning there. Under the "referred"—NRO.

Mr. JENNER. What does that mean?

Mrs. CUNNINGHAM. No referral offered.

Mr. JENNER. What does that mean?

Mrs. CUNNINGHAM. That in trying to fill an order of an employer, the placement interviewer called in a given number of applicants, in trying to find one who would meet his specifications after reviewing application cards (referring to Form E-13; Cunningham Exhibit No. 1), and I would read it that the applicant replied that he came to the placement worker, that in the discussion the placement worker made the decision not to refer him.

Mr. JENNER. Is there a recording there of what the prospective reference would have been?

Mrs. CUNNINGHAM. Yes—employer agency: The Dallas Transit.

Mr. JENNER. For what position?

Mrs. CUNNINGHAM. Messenger, and I cannot read something in parentheses after that—"permanent duration"—I judge it to be \$175 a month.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. There is nothing in the result column.

Mr. JENNER. Whose initials?

Mrs. CUNNINGHAM. I'm sorry, I cannot distinguish them.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. However, there is the date—10-30, and I can't read what is above the date—10-30.

Mr. JENNER. Is that on the same line?

Mrs. CUNNINGHAM. Yes; I think.

Mr. JENNER. Let me see if I can read it—could that first word be "working" and then there is some initial following 10-30, the first of which appears to be "W", the next is "T", and the next is "F".

Mrs. CUNNINGHAM. I wouldn't risk a guess at either one of those, sir, because I am not acquainted with this handwriting and it is not mine.

Mr. JENNER. All right. Go to the next line, please.

Mrs. CUNNINGHAM. The next line—there is a dash under the word "Call", "referred"—there is a date 10-12, there are no other entries on that line.

Mr. JENNER. So, what does that mean to you?

Mrs. CUNNINGHAM. Well, it can mean a number of things.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. There is no indication on the front of the card to indicate that the applicant was in the office at that time. It can be that someone started an entry and never completed it, and I am sorry, I just don't know.

Mr. JENNER. Okay, let's get to the next line.

Mrs. CUNNINGHAM. Under "called"—the change of the year is indicated by 1963 having been written.

Mr. JENNER. Let's—

Mrs. CUNNINGHAM. Under that is May 3 and the letter "M" which indicates a call in by mail. We use a form.

Mr. JENNER. Does that mean the applicant called in?

Mrs. CUNNINGHAM. No, sir.

Mr. JENNER. That means the agency called him in by mail?

Mrs. CUNNINGHAM. Yes, just as the 10-26-62 "TM" meant telephone message.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. There is no entry under "referred". Under "Employer—Agency" is Texas Power & Light Co. The job title or purpose is "Meter reader." The duration is permanent, the pay is \$250. A runover item in the "Results" column is an E-19. That is one of our form numbers which the employment service uses to inform the unemployment compensation office that an applicant who is a claimant was called but did not report or did not accept—or at any rate appears not to be available for referral to jobs.

Mr. JENNER. Could it be that there was no response to the mail notice?

Mrs. CUNNINGHAM. Yes, sir; it does mean that because there is no entry in the referred column, you see.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. Under the remarks are the letters "NR" which means "nonreport"—just what you were asking, and there is a repetition, if I am reading it correctly, of E-19, which is the same entry we just spoke of and the date—

Mr. JENNER. One, which is a similar entry meaning the same thing as the previous one?

Mrs. CUNNINGHAM. Which is a duplicate entry—E-19?

Mr. JENNER. I wanted to make clear that you weren't merely reading the same entry you read before.

Mrs. CUNNINGHAM. No, sir; on the same line is written the date 5-8-63, which is 5 days subsequent to when the card was mailed, wasn't it?

Mr. JENNER. What was the date—May 8, 1963?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. And then in parentheses are written the words "Moved—left no address" and there are two initials there that I cannot decipher.

Mr. JENNER. I don't think I need to ask you to interpret that.

Mrs. CUNNINGHAM. All right.

Mr. JENNER. Is there another line?

Mrs. CUNNINGHAM. Under the word "Called" is 10-7-63—TM, indicating a telephone message under the column headed "Referred" is 10-8-63.

Employer-agency—I read—"Solid State Electric; job title or purpose—sales clerk; duration—permanent; pay—\$350 a month; under "Results"—"NH"—meaning, "Not hired."

Under "Remarks" is printed the word "direct," which I interpret to mean that our staff member did not make an appointment for the applicant but asked him to go directly to see the employer.

Mr. JENNER. The "not hired" entry indicates what to you as to whether the employer rejected the applicant or whether the applicant declined their employment or any other reason. What did that indicate to you in this area?

Mrs. CUNNINGHAM. Ordinarily it means that the employer rejected the applicant and I am seeing that there was an erasure in this "NH" which looks as if it could have been "ARJ".

Mr. JENNER. What does that mean?

Mrs. CUNNINGHAM. That means "Applicant rejected job," and frequently these kind of changes are usual happenings with us because we can always call an employer and check too quickly and he will say one thing, or if you talk

to another person in staff they will say, "No; we didn't hire him." Can you see how that would happen, sir?

Mr. JENNER. Yes; that combination with the erasure leads you to interpret that, that while there was initially a report that the applicant refused the job, on a further check it was ascertained that he was not hired, meaning that the prospective employer did not hire the applicant, rather than that the applicant rejected the position?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Is there another entry?

Mrs. CUNNINGHAM. I think I got into the column under "Remarks" and had explained the word "Direct" before.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. I'm sorry—I cannot read the entry under the word "Direct." I can read the initials "RLA", who is our Mr. Robert Adams.

Mr. JENNER. That is the man I examined this morning?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. That means that Robert Adams handled that particular item?

Mrs. CUNNINGHAM. Yes, sir; and that he saw the applicant on that day and gave the referral.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. In the next line under the word "Called" is a dash, which indicates that the applicant was not called in, but probably appeared at the office and was routed back to the placement interviewer, and the date is the next day—10-9-63; "Employer agency is Burton-Dixie"; job title or purpose is "Clerk Trainee"; the duration is permanent; the pay is \$1.25, the results are "NH", which means "not hired."

Under "Remarks" is "direct" and the initials RLA which is our Mr. Bob Adams.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. Under "Called"—10-15, with a "T," which means that he was called by telephone, under "Referred" is 10-15, which would indicate that he reported the same day, and under "Employer-agency—Trans-Texas"; under "Job Title or Purpose—cargo handler"; under "Duration" is "P"—under "Pay" is \$310.

Mr. JENNER. That's a month?

Mrs. CUNNINGHAM. Yes, sir; "result" is "NR".

Mr. JENNER. What do you mean by that?

Mrs. CUNNINGHAM. "Nonreport."

Mr. JENNER. That in turn means what?

Mrs. CUNNINGHAM. That the applicant accepted the referral, led the placement interviewer to assume that he would see the employer, and that when the placement interviewer checked with the employer, he reported to him that the applicant had not reported. Under "Remarks"—working—I think it is 10:30 a.m., 10-16. There is no indication of where working.

Mr. JENNER. Are there any initials there?

Mrs. CUNNINGHAM. "RLA."

Mr. JENNER. That's the same Mr. Adams?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. That would indicate that when that reference was made, it was found that Mr. Oswald was already working somewhere else?

Mrs. CUNNINGHAM. Yes, sir; it would indicate that Mr. Adams very likely checked the following day in some fashion or it could be that Oswald called Mr. Adams and reported that he was working.

Mr. JENNER. This reference was made on what day, according to that record?

Mrs. CUNNINGHAM. Are you using the word "reference" as we use the word "referral," sir?

Mr. JENNER. Yes.

Mrs. CUNNINGHAM. 10-15.

Mr. JENNER. And then there is an indication that Mr. Adams made a check on that reference the following day or the same day?

Mrs. CUNNINGHAM. I am uncertain which it is referring to, whether he left

the entry there—let me go back—"NR" that he called the employer on the 16th and recorded the "NR," or whether there was a conversation between him and Oswald on 16th, from where he got the information he was working—I do not know whether he ever worked at Trans-Texas from this.

Mr. JENNER. Does this complete the entries under that section of the form?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Now, give me your impression of Lee Harvey Oswald, as you recall him, doing your best to transport yourself back to the time that you had contact with him.

Mrs. CUNNINGHAM. Self-contained, able, perhaps not giving any more information than he was asked for, entirely presentable as far as grooming and appearance was concerned; there was nothing at all that I recall that was argumentative in my contacts with him. The general appearance was of, and what these records indicate to me, was of a young applicant with capability, not any sound or extensive work experience, the longest period of the training and experience was in the Marine Corps—

Mr. JENNER. And a limited education?

Mrs. CUNNINGHAM. A limited education, but he had done something about it before he came to me or he wouldn't have a high school equivalency certificate, if he did have. At least, I had no reason to question that he did not have, after I got the test results from the Fort Worth office.

Mr. JENNER. Mrs. Cunningham, would you tell me, please, your education qualifications for the work you are doing and your experience qualifications and what brought you into this field?

Mrs. CUNNINGHAM. I have a master's degree from the University of Missouri, which was granted in 1938. It is a B.S. in educational and vocational guidance.

Mr. JENNER. You have a master's—and you have a B.S.—did you say?

Mrs. CUNNINGHAM. I have the B.S. and the master's subsequent to it and I have a B.S. in education from Southeast Missouri College in 1928, which you see comes before this master's work.

Mr. JENNER. Yes.

Mrs. CUNNINGHAM. I have taken some subsequent courses at night, classes as I could at a variety of universities, St. Louis University, Washington University, in St. Louis, at SMU—a summer subsequent to the master's at the University of Minnesota.

Mr. JENNER. All in what areas?

Mrs. CUNNINGHAM. The B.S. was education.

Mr. JENNER. That was in 1928?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And at Southeast Missouri, did you say?

Mrs. CUNNINGHAM. Yes; Cape Girardeau. And my undergraduate majors are math and science, I guess I've got one in English, too, that I picked up.

Mr. JENNER. You graduated from college, then what did you do—there's 10 years there I wanted to cover.

Mrs. CUNNINGHAM. I taught school and went to school some summers, I did some social work during the depression days in the Southeast Missouri area.

Mr. JENNER. I remember them—I was practicing law then.

Mrs. CUNNINGHAM. You should have been down where they have good land and poor people, down in the Boot Heel of Missouri.

Mr. JENNER. In the Wood River country?

Mrs. CUNNINGHAM. In the Boot Heel of Missouri where the Mississippi and Ohio come together.

Mr. JENNER. I was down in the area where the Mississippi and Ohio come together forming the tip of Illinois—down at Little Egypt.

Mrs. CUNNINGHAM. In Cairo?

Mr. JENNER. Yes, in Cairo.

Mrs. CUNNINGHAM. And part of the time I was a housewife. In 1938 I went to Jefferson City where my husband was employed—this was Jefferson City, Mo.

Mr. JENNER. That is the State capital?

Mrs. CUNNINGHAM. Yes. I was with the Missouri Employment Commission and I worked in the central office there and he was a teacher in the public

schools of the city and I went from there to the St. Louis metropolitan office in the spring of 1940, I think.

Mr. JENNER. Was that the OPA?

Mrs. CUNNINGHAM. No; that was the War Manpower Commission—really during the war period. You know, we moved from State to Federal and then back to State—it was much easier going in than coming out—with the stroke of a pen—we were in.

I moved with that agency, I guess, from interviewer to labor market analyst for that metropolitan area and then I taught awhile. There may have been a period where I was not employed, because Mr. Cunningham and I have had heavy family responsibilities on the other end of life from 1940 to the death of his mother this past Christmas at 89, the same as Churchill, and in 1951, we came down here.

I have basically worked for A. Harris as an accounting clerk. In 1957 I had qualified under the Texas law and had taken the examinations, and in August 1957—I was employed by the Texas Employment Commission as an interviewer of some variety.

Mr. JENNER. And you have been at it ever since?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Mrs. Cunningham, does anything occur to you that you think might be helpful to the Commission in these areas about which I have inquired of you which, due to my lack of knowledge of the facts or for any other reason I have not brought out, that you would like to volunteer and which you regard as pertinent to our investigation?

Mrs. CUNNINGHAM. I've never really been into the investigation—of course, have never been into any kind which was of such grave importance as this, sir. I couldn't really make a judgment of what would be important to you.

Mr. JENNER. Well, I don't want you to try to make a judgment as to what would be important—all I said, is there anything you think is pertinent?

Mrs. CUNNINGHAM. Yes. I would like to say this: As I said to the gentlemen from the FBI who called me.

I have not been close to the Mellers recently. You see, this acquaintance came through our both working for A. Harris.

Mr. JENNER. For whom?

Mrs. CUNNINGHAM. A. Harris & Co.

Mr. JENNER. What business is A. Harris?

Mrs. CUNNINGHAM. A retail trade—it is now Sanger-Harris, one of the major department stores here, but I have no reason to believe otherwise that the Mellers were good citizens and very grateful for American democracy.

I rather suspect that the records show that I was a sponsor of Mr. Meller for his citizenship, and I think, having been one made me value my own greater, because I came down and sat in the courtroom and saw what it meant to incoming people.

I also recounted to him that one time when we were playing tennis—Mr. Meller came to the court, and he said, "I have a letter I want to show you," in a state of excitement, and I said, "You have?" And he got it out and it was from the U.S. Department of State, saying "You registered as an alien" at such and such address. "We have a request from Australia of a sister or a woman who purports to be your sister, and she is asking for your address. Do we have your permission to give it to her?"

And then Teofil said, "Nowhere else in the world would any Government be this considerate of me. I am only an alien."

Now, I haven't seen him because our paths haven't crossed very much in the recent years, but I think that that incident sticks with me because, again, I'm a stick in the mud—I have been in Missouri and I have been to Texas, and I just have to get some experience by reading and by studying and by talking with people, and other experiences, but when I worked at A. Harris, I talked with some of the displaced people who had been through World War II and through the horrors of that period and it was a broadening of my own experience. There was some gaining of some firsthand knowledge of the Jewish people and their history. I read some in the area. I helped them a bit with their use of

English in the trade and they were all apologetic to me for involving me, you see, and I said—well, I just accepted the boy as another applicant.

Mr. JENNER. It was the normal course, as far as you were concerned?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And you saw nothing that would lead you to believe it was other than the normal course as far as the Mellers were concerned and they were activated by charity in their hearts and desire to help out?

Mrs. CUNNINGHAM. That's right, and out of their own suffering. It is my observation that people who have suffered and who have helped to share, tend to do it a little more, probably, than those who have never known what it is to starve.

Mr. JENNER. Do you ever recall a conversation of whether the subject of Mr. Oswald's loss of these positions arose, and whether he said anything on that subject?

Mrs. CUNNINGHAM. Which positions, please, sir?

Mr. JENNER. You interviewed him 10-10—he had been employed prior thereto by Leslie Welding Co., I think?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Doing sheet metal work, he says, "Made ventilators, cut sheet metal—4 months"?

Mrs. CUNNINGHAM. That is a Fort Worth employer, is it not, sir?

Mr. JENNER. Yes; it is. All I am seeking to do is to stimulate your recollection—if you have one—as to whether the subject ever arose in which he said he was having difficulty obtaining a position or retaining, either way, and whether he made any comments in that area?

Mrs. CUNNINGHAM. No, sir; the entry which is on the application card in "Reason for leaving" is "Laid off." I do not know whose handwriting it is in, and I did not delve into that.

Mr. JENNER. You didn't delve into that?

Mrs. CUNNINGHAM. No, sir—that says, "Dallas" doesn't it—10-62. I was thinking it was a Fort Worth employer—I did not go into that, as I recall, sir.

Mr. JENNER. I think it was a Fort Worth employer, as a matter of fact.

Mrs. CUNNINGHAM. I don't know—why it seemed to stick in my head that that Leslie Welding was Fort Worth, whether he told me he had worked briefly in Fort Worth or how it got there.

Mr. JENNER. You have no entries in any of those papers to refer to the fact that he had been in Russia and that he returned from Russia with his Russian wife—why is that?

Mrs. CUNNINGHAM. I think that in the kind of job we are in, sir; we never know who is sitting beside us. We are, as I say, a public agency and there is a certain amount of information that is supplied us by the applicant, and ours is not an investigative procedure. There is a certain amount of information that one accepts and works from, and I think that I would not have thought this a pertinent entry on this employment.

He was back in the United States. I would work on the assumption that the Federal Government would know why he was back and had given him permission to be back. Sometimes, with noncitizens, we ask for some kind of an emigration card or a visa and make that kind of an inquiry. This young man came to me, presented as an American citizen, the record indicated that; he had served in our Armed Forces and I guess that I would also add, rightly or wrongly, that in my judgment this could have blocked his getting employment here and if the employer learned it by questioning him when he was an applicant, he would make use of the information as he saw fit.

Basically, I try to assume that the other guy is telling me the truth and unless it is apparent that some things don't stack up, I don't probe and say, "Now, what were you doing between so and so and so," or if there is a big gap which could indicate a prison sentence or hospitalization or what have you, I would probe there. If he has his dates befuddled, I may work with him to help him to recall or suggest to him that maybe some home work—he ought to write all this down so that when he is filling an application form out for work so that he can get it accurate.

As you well know, this is not too cosmopolitan an area, with people with a

lot of backgrounds in it, and you see "Oswald" is not again a name that would indicate anything but an American background—the appearance of the American, his speech, and so I just give those two basic reasons.

Mr. JENNER. Did you inquire of him as to whether he spoke Russian with a view in mind possibly of recording that as a job qualification?

Mrs. CUNNINGHAM. No, sir; I did not. If he had been apparently a Russian citizen or of Russian derivation, I could well have done it, as I enter Spanish, or Polish, or German, and I would not think that Russian would be very helpful because all of this background doesn't say—translator—or again any of the rare jobs or professional, does it, and that in our classification is professional work.

Mr. JENNER. I can think of nothing else that has stimulated me to inquire further of you. I appreciate very much your coming over and this has been a helpful interview and at some inconvenience to you, I appreciate. You have been very helpful and very cooperative. Now, you may read your deposition, make any corrections in it you wish, sign it and Miss Oliver will have it ready sometime next week. If you will call Mr. Barefoot Sanders' office and speak with his secretary, she will let you know when it is ready to be read.

Mrs. CUNNINGHAM. Let me make a note as to when and where.

Mr. JENNER. All right—she will have it for you, and thank you again very much.

TESTIMONY OF R. L. ADAMS

The testimony of R. L. Adams was taken at 1:55 p.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, Assistant Attorney General of Texas, was present.

Mr. JENNER. Mr. Adams, would you rise and be sworn, please?

Mr. ADAMS. Surely.

Mr. JENNER. Do you solemnly swear in the testimony which you are about to give on deposition that you will tell the truth, the whole truth, and nothing but the truth?

Mr. ADAMS. I do.

Mr. JENNER. For the record, I am Albert E. Jenner, Jr., one of the members of the legal staff on the President's Commission, which, as I believe you know, was authorized to be created by Senate Joint Resolution 137, and President Johnson added to that legislative authority by an Executive Order 11130 appointing the Commission and fixed its powers and duties. In general its duties are directed towards investigating all of the facts and circumstances surrounding the tragic event of November 22, 1963, the assassination of President John Fitzgerald Kennedy.

This has brought us as members of the staff and the Commission itself to inquire into a rather wide range of circumstances, including running down a lot of things that have arisen by way of rumor and otherwise, to sort out the wheat from the chaff.

One of the people towards whom our particular inquiries have been directed is Lee Harvey Oswald, and we have testimony from a host of people who had some contact with him during his lifetime.

The particular assignment of our division, Mr. Liebel and I and others helping us, is of Mr. Oswald's life from the day he came on this earth until his death on the 24th of November 1963.

If I may ask you some questions—I understand you had some contact with him or in your official capacity in the Texas Employment Commission, you in turn have people under your supervision and direction at least who had contact with him?

Mr. ADAMS. Yes, sir.

Mr. JENNER. You are Mr. R. L. Adams of the Texas Employment Commission, and is that located at 1025 Elm Street?

Mr. ADAMS. Yes, sir.

Mr. JENNER. If you would, would you state your official position with the Texas Employment Commission, please?

Mr. ADAMS. I am employed as a placement interviewer.

Mr. JENNER. And do you have persons under your supervision and direction?

Mr. ADAMS. No; I do not.

Mr. JENNER. Tell me what is the Texas Employment Commission?

Mr. ADAMS. The Texas Employment Commission is the Texas version of the Federal-State Employment Service. As such, it is operated and jointly federal-state funded, and seeks to assist those people who are unemployed primarily through finding employment for them and in the event that we are unable to do so, to provide them with unemployment compensation for such time as they may be eligible.

Mr. JENNER. I happen to be an Illinoian myself. I practice law in Chicago—it's tied in with the Unemployment Compensation Commission?

Mr. ADAMS. Yes, sir.

Mr. JENNER. And those who had suffered unemployment seek the assistance of the Texas Employment Commission to obtain for them new employment?

Mr. ADAMS. Yes, sir.

Mr. JENNER. How does that operate, do you—do the employers register with you or they call you up—I would like to have you give me a normal operation so that we can compare that background on normalcy against what might have occurred with respect to Lee Harvey Oswald.

Mr. ADAMS. Normally, employers in all categories of business and industry will use many avenues to obtain suitable employees. One of them, hopefully used by most of them, is the Texas Employment Commission.

Mr. JENNER. I said to you that my impression from the depositions we have taken is that your commission does have and is held in reasonably high regard by employers and the ones I have interviewed have indicated that they may report to the commission rather frequently.

Mr. ADAMS. I am delighted to hear it. It is a selling job—this is not your main thing, but because it is a State-Federal organization, it has been subjected to a lot of unpleasant publicity which was formerly known as the Texas Unemployment Commission, which did nothing to enhance it.

I worked on the street for a while calling on businesses and more often than not I ran into people who were very dissatisfied with the commission because of previous poor service, or alleged poor service, and in the time that I have been with the commission, 2 years, I think we have striven to improve the quality of service, both to employers and to applicants and so employers do call us. Some of them have standing orders with us. Some of them use us once and they don't get what they want and that's the last we hear from them, but by the same token we hope that all people unemployed would come to us in the course of their efforts to find jobs. I think many people mistakenly assume that TEC exists to find them jobs. This is not true. TEC exists to help them find jobs and in the course of their job seeking, they, I suspect 75 percent of them, will register with TEC and with other agencies.

Mr. JENNER. Other like agencies or private employment agencies?

Mr. ADAMS. Private agencies and, of course, we have the continuing battle of the public versus private activities.

Mr. JENNER. The scope of employment, that is the work, is of great variety, is it, the jobs that are being served?

Mr. ADAMS. Yes; all the way from laborers up through doctors of philosophy in varying fields.

Mr. JENNER. Do you ever seek, for example, let's use a hypothetical day—you mention a doctor of philosophy—let's say he had a Ph. D. in geology, and he came to the commission. You do not have at the moment, let us say, with respect to this hypothetical Ph. D., an inquiry from a prospective employer. Do you mean that the TEC would in that kind of an incident—a man of quite high education, would you seek a position for him by calling possible employers?

Mr. ADAMS. Yes; we would do this and we refer to it either as job development or the projection of a highly qualified applicant to selected employers who might be in need of such a man.

Mr. JENNER. When did you become employed by or connected with the TEC, as you call it?

Mr. ADAMS. Well, I retired from the United States Air Force in January of 1960, and attempted to be a salesman for about a year and thereby losing my hat and shirt, and I decided I had misused the talents that I had mastered in the service and returned to Government service.

Mr. JENNER. That was when?

Mr. ADAMS. I joined TEC on March 9, 1962.

Mr. JENNER. Are you a native of this area?

Mr. ADAMS. No, I am a Chicagoan.

Mr. JENNER. You are—so am I. I think I mentioned that. How old are you?

Mr. ADAMS. I am 47, sir.

Mr. JENNER. Was there an occasion when in your position with TEC you had some contact with Lee Harvey Oswald?

Mr. ADAMS. Yes.

Mr. JENNER. Would you relate that and give all the circumstances as you now recall, in the chronology that you recall?

Mr. ADAMS. I can't, except that my memory was refreshed by my office manager subsequent to the events of November 22.

Mr. JENNER. Having refreshed your recollection, do you now have a recollection?

Mr. ADAMS. Vaguely.

Mr. JENNER. Well, give us your best recollection—your best present recollection of this event and relate it.

Mr. ADAMS. At the time that I—in September, beginning the second week in September of 1963, I was brought in from employment service representative duties, which is going out and calling on businesses to gain some experience on a placement desk.

After I had been there, well, when November the 22d rolled around and a couple of months—when this happened, the following Monday morning when I came to work, I said, "I'll bet that boy is in my files."

I went to check and I couldn't find any record of it and the office manager said, "What are you looking for?" And I said, "You know what I am looking for." And he said, "I've found it."

Mr. JENNER. Who is the office manager?

Mr. ADAMS. Mr. A. K. Sayre [spelling] S-a-y-r-e.

Mr. JENNER. Is he still with the TEC?

Mr. ADAMS. He is still the office manager—yes, sir.

Mr. JENNER. By the way, then, is there a lady there by the name of Louise Latham?

Mr. ADAMS. She resigned from the Texas Employment Commission effective yesterday, but she lives in the local area.

Mr. JENNER. That is Mrs. Louise Latham?

Mr. ADAMS. Yes; but in any event, I was concerned, quite frankly, that I might have referred him on a job, Mr. Oswald, on a job with the Texas Depository and my office manager assured me that I had not, but he said, "You did talk to him several times, what do you remember about it?" "Did I make any written comments, good or bad about him?" And he said, "No, you didn't." And I said, "Then my only recollection about him was he was a nonentity, just another applicant who was neither outstanding or, I mean—inadequate."

Mr. JENNER. He made no impression on you?

Mr. ADAMS. No.

Mr. JENNER. What kind of records are kept with respect to job applicants, those who are seeking positions, and they are placed or not placed, what kind of record would I expect to find if I looked?

Mr. ADAMS. Well, there are several—one a Lindex strip is at the receptionist which purportedly has a listing of all of the applicants who are currently registered with our office. Then, for each applicant there are one or more application cards covering a primary code, an occupational code which is that code in which we feel he is best qualified, the additional cards being for secondary codes for other jobs for which he might be qualified for or which he may have

performed in the past, so that there would be one or more application cards, a Lindex strip, and the counselling records if the individual had been counseled.

Mr. JENNER. Now, assuming Mrs. Latham assisted Lee Oswald in obtaining a position, a record of some kind—some kind of a recordation of that fact would be made?

Mr. ADAMS. Yes, on the application—on the individual's application card, the face gives essential information as to names, address, telephone number, birthdate, height, weight, education, the job code to which he has been assigned, the high school from which he graduated, the college which he attended and/or which he graduated, special skills which he may possess in the use of business machines, and any hobbies which might be job oriented, such as skin diving and things of that sort, and the back side shows the jobs the individual has held, beginning with the most recent and going back to the most significant job he has held.

Inside the folded card, one-half of the upper half is for comments concerning availability of public or private transportation, the minimum salary the individual is willing to accept, any restrictions or qualifications the individual may place on employment.

The other half of the upper portion indicates whether or not the individual has been counseled. It may include pertinent information such as the individual has been under psychiatric care, has a police record, anything which might be necessary in discussing this individual intelligently with an employer.

The bottom half lists the referrals or attempted referrals of this individual for employment.

Each time an attempt is made to contact the individual, an entry will be made indicating the date when the contact is attempted, the method, that is, whether by telephone, by telephone message or by mail, the date on which he was referred, if he was referred, or if he was not referred, whether he refused the job or whether he was found not qualified; if he was referred, whether or not he was hired; if he was a claimant, whether or not—if he rejected the job—that information was sent to the claims office indicating that he had rejected employment or rejected an offer of employment, anything pertaining to this particular job offer is shown on a given line or lines, as it might be.

Mr. JENNER. And are they now in the possession of TEC, records of that character relating to Lee Harvey Oswald?

Mr. ADAMS. I don't know from my own knowledge, sir.

Mr. JENNER. Would Mr. Sayre know that?

Mr. ADAMS. It is my belief that these records are in the hands of the FBI or Secret Service, but he would know.

Mr. JENNER. Were photostatic copies made, do you know?

Mr. ADAMS. That, I don't know, sir. Apparently, I did talk to him on the phone several times, because the card indicates that I had done so and I do not recall.

Mr. JENNER. Well, do you recall when you were interviewed by Mr. Odum of the FBI on the 27th of November 1963?

Mr. ADAMS. Yes, sir.

Mr. JENNER. At that time you appeared to have a recollection of a telephone call from Oswald on October 8, in response to a message of your own of October 7, 1963. Do you recall that incident?

Mr. ADAMS. No, sir; I couldn't say that I positively do. If the record says I did, I did.

Mr. JENNER. Then, I take it, that a record of the transaction was made?

Mr. ADAMS. Yes.

Mr. JENNER. If it occurred?

Mr. ADAMS. Yes.

Mr. JENNER. And you have no recollection independent of that record?

Mr. ADAMS. No, sir—if I might clarify that, sir, by saying that in the case of an applicant with whom one has repeated dealings, whether good or bad, these would stick. Otherwise, one talks to anywhere to 10 to 30 applicants a day, day in and day out, personally and by telephone and with the exception of those applicants with whom I have had extensive dealings either because they are problem cases or because they are really outstanding good applicants,

I don't remember that. If confronted by one, I could be able to say, "Yes; I have talked to that man," but otherwise I couldn't.

Mr. JENNER. You apparently indicated to Mr. Odum, a reference on your part on October 8, to Solid State Electronics Co. of Texas, do you recall referring him to the Solid State Electronics Co. on or about the 8th of October 1963?

Mr. ADAMS. I can recall having had that order because it was unusual in the sense that I had not dealt with an order of that type before from a company engaged in the sale of electronics parts who wanted an individual who had had some knowledge of electronics or electronics parts. Presumably, if I referred to—Mr. Oswald, it was because his military or civilian background indicated he had had training in this field.

Mr. JENNER. Do you recall any more about that incident?

Mr. ADAMS. No; I can't say I do, sir.

Mr. JENNER. Do you recall what the nature of the job was?

Mr. ADAMS. As best I can recall, it was where—it was loosely what we called a parts counterman.

Mr. JENNER. Parts counterman?

Mr. ADAMS. A sales clerk.

Mr. JENNER. A sales clerk?

Mr. ADAMS. Yes; in sales.

Mr. JENNER. Do you recall what the salary was?

Mr. ADAMS. It seems to me it was quite good for the Dallas area. I would guess it was in the neighborhood of in excess of \$75 a week, it seems.

Mr. JENNER. I take it that that reference was made to Oswald then by telephone rather than his coming into your office?

Mr. ADAMS. My policy as a placement interviewer, sir, is this: If I have once met an applicant and then there is not a long lapse until such time as I have an opening to discuss with him, or on which to refer him, I will refer him by telephone if I think he is otherwise qualified.

Mr. JENNER. Do you recall his coming into the office the 8th or the 9th of October?

Mr. ADAMS. I couldn't honestly say that I do; no, sir.

Mr. JENNER. Would this registration card have some entry in that respect, if he came in?

Mr. ADAMS. Well, possibly. The policy in our office is that each month an individual should be contacted either by phone or in person. If a person is contacted more than once, either by phone or in person, only the initial date for that month is shown. It is repetitive and takes up a lot of unnecessary space.

Mr. JENNER. Does Burton-Dixie Co. awaken or refresh your recollection in this connection?

Mr. ADAMS. Only to the extent that they are one of the employers with whom I have dealt.

Mr. JENNER. Yes?

Mr. ADAMS. And, in making these referrals, I have found in my short time with the Commission that it is not too wise to be bound entirely by the employer's stated requirements. I can best explain this by saying that as recently as yesterday I referred a young man on an order which I had had for a week and on which I had made prior referrals of individuals who, in my opinion, were at least as well-qualified and certainly made a better appearance and yet this last individual was the man who was hired. So, when I first determined this, I decided that I would not certainly make wholesale referrals without regard to the employer's requirements, but on the other hand, in any case where I thought the individual was such that the employer might see in him something that I did not see, I wouldn't take a chance. I would refer him if I felt he met any or many of the employer's basic requirements.

Mr. JENNER. Do you recall any incidents of any others in the agency who sought to assist Oswald, of which you have any knowledge?

Mr. ADAMS. Yes, sir; subsequent to these incidents, I am aware that other people in the Commission had talked to Mr. Oswald prior to November 22d.

Mr. JENNER. But what you have stated is the extent of your contact with him?

Mr. ADAMS. Yes, sir; to the best of my knowledge.

Mr. JENNER. I take it, and am I correct, that he was not employed or hired by the Solid State Electronics Co. of Texas on your reference?

Mr. ADAMS. To the best of my knowledge he was not hired on any of the jobs to which I referred him.

Mr. JENNER. And does the name Trans-Texas stimulate your recollection as to any possible reference?

Mr. ADAMS. Yes, sir; about—in late October or early November, Trans-Texas Airways called Mr. Roy—

Mr. JENNER. Who is Mr. Roy?

Mr. ADAMS. He is not the station manager, he is the—I really don't know what his title is, but anyway, he deals with the people who are more concerned with servicing the aircraft than with passengers. Anyway, he advised me that the company was contemplating expansion and he would need possibly as many as 12 or 14 ramp agents and—as they are called by the airline industry—we call them baggage, cargo handlers, and he gave me qualifications, minimum qualifications, to send out those who met the qualifications.

Mr. JENNER. Was Lee Harvey Oswald one of those you sent out?

Mr. ADAMS. If the record indicates, he was.

Mr. JENNER. But here again you have no recollection beyond what the record shows?

Mr. ADAMS. No, sir.

Mr. JENNER. Do you have any recollection as to salary, for example, as compared with that that you mentioned—you mentioned some kind of a figure, with respect to Solid State Electronics Co?

Mr. ADAMS. I think that the going rate of Trans-Texas then was \$210 a month plus overtime.

Mr. JENNER. Did Oswald report on that reference?

Mr. ADAMS. I don't know, sir.

Mr. JENNER. Would it refresh your recollection if I told you that he did not, and that he became employed by the Texas State Book Depository on the 16th of October 1963?

Mr. ADAMS. No, sir.

Mr. JENNER. The incident to which you refer occurred the latter part of October or the first part of November, that is with Trans-Texas?

Mr. ADAMS. As best I recall it; yes.

Mr. JENNER. I would like to talk to Mr. Sayre—what is the telephone number over there?

Mr. ADAMS. It is Riverside 7-2071.

The unfortunate thing about it, as I said, about being a placement interviewer is that unless there is something outstanding about the individual or something appears in the record it is just another applicant.

Mr. JENNER. You interview a good many people every day, day after day, and unless something strikes you out of the ordinary with respect to a particular job applicant or unemployed person, that makes it stand out in your mind, you are unable to sort out or recall specifically?

Mr. ADAMS. Right. I could rattle off the names of half a dozen applicants who are ex-convicts, alcoholics, or either recovered from psychiatric treatment or who are presently undergoing psychiatric treatment, or when I look at their record I see consistent "No hire" or "Failed to accept employment," but these people will stick with me, but if I recall, Mr. Oswald had not been registered too long or, beginning with my contact—my contact with him renewed his relationship with our placement office. In other words, as I try to visualize his card, I don't see a whole card full of entries—just a few up at the top.

Mr. JENNER. There is one card for each job applicant?

Mr. ADAMS. Yes, sir; at least.

Mr. JENNER. And if he has been back and forth a couple of times there might be more than one card?

Mr. ADAMS. If he was coded. For instance, suppose he said, "I have been a truck driver for 2 years." I will say, "Fine, you get an additional code for truck driving," which is a 7 code, and this card, we would either send with him to the industrial office for placing in their files, or we would send it—he might say, "I will accept labor work," and we would say, "Fine, we will send

a card up to Forrest Avenue or to Irving," whichever is the closest to where he lives or to Dallas West.

Or, he might say, "I have a degree in Economics," and we would say, "Good, we will give you an "0" code and send it upstairs to the professional office." So, conceivably, depending on the individual, he could have a half a dozen cards.

In addition, if he had been job counseled, they would have a counseling record.

Fortunately, or unfortunately, the employment commission, the Texas Employment Commission, and presumably, the other 49 states, is not in position to do any checking on people. The only way we get any information, derogatory information, is either through the individual's disclosing it voluntarily, or through an employer saying, "I sent this man down for a truth verification test, and he busted it," and then we would say, "Would you mind telling us what the information was, so that we may not use this against the individual and try to find out what his problem is and see if we can't help him with it." He might say, "No; I don't care to do that," and then we would say, "Does it involve felony or is it a matter of personality, or what?" And they might say, "There is something odd about his personality," and we would say, "Thank you."

This is the only way we get any information and, of course, it sometimes backfires unfortunately. Employers will assume mistakenly that anybody we send is as pure as the driven snow, and they may or may not be.

Mr. JENNER. Do you think of anything else at this time that might be helpful to the Commission in this connection—what I am anxious to get is the history of this man at the Texas Employment Commission.

Mr. ADAMS. Yes; I believe Mrs. Helen Cunningham counseled him. I believed she counseled Mr. Oswald.

Mr. JENNER. Is she still employed by the Commission?

Mr. ADAMS. Yes. Mr. Sayre is also her boss.

Mr. JENNER. Maybe I can get both of them over here this afternoon and take their deposition.

Mr. ADAMS. It is my personal opinion that Mrs. Marguerite Oswald is more to be pitied than censored, because if she had only taken the kid to the psychiatrist when they asked her to—of course, this might still have happened, but then again it might not.

Mr. JENNER. And, of course, in a situation like this, Mr. Adams, there are all kinds of "ifs": if somebody had done this, if only this had been done.

Mr. ADAMS. Well, even the little contact that I had with him, I thought—was there something there I should have noticed and if I start letting this get on my back, I will start examining every applicant who comes in—he may be a potential fiend, "I'll have to watch you," and pretty soon I'll be talking to myself.

Mr. JENNER. Yes; you are always subject to the accusation of being a meddler. It is pretty hard to say just where the scope of your probing should go—a reasonable amount of probing should go and where you have to hold down the gate.

Mr. ADAMS. The first I knew about it was when it came out in the paper that he had been a claimant.

Mr. JENNER. Yes; for unemployment compensation?

Mr. ADAMS. Right, from this district or Fort Worth, I don't know which one exactly.

Mr. JENNER. By the way, do you have an office over in Fort Worth?

Mr. ADAMS. Yes.

Mr. JENNER. Do you have an office similar to this one, that is, that aids persons to obtain employment?

Mr. ADAMS. Yes; the State is divided into districts. The Dallas district is unique in that it encompasses only Dallas County. Out in West Texas, I guess, the districts encompass maybe 20 or 30 counties.

Mr. JENNER. But Fort Worth's district—who is the general manager there?

Mr. ADAMS. I don't know, sir. I have heard his name, but I can't recall it.

Mr. JENNER. Do you recall the telephone number?

Mr. ADAMS. No, sir; I sure don't. Whenever we have dealings with them at

my level it is simply paperwork. You send a notice to them that we have these jobs available and employers ask us to start signing out from Dallas to find—to try to find someone, we'll say, in a 50-mile radius, or in a 100-mile radius, as the case may be—it's all done by paper, you see. I'm sure Mr. Sayre would know the people to contact with them.

Whenever we do uncover any derogatory information, well, anything which leads us to believe that the applicant is not—does not appear to be the type of person that we should refer, we have no way—we are precluded from making any written comment. I would just say, "See Adams before it is turned over."

Mr. JENNER. And that means if an occasion arises to refer this man or he makes an inquiry subsequently, then anybody reading the card realizes that there might be something derogatory or at least something special, and they should come to you and talk to you about it?

Mr. ADAMS. That's right; for instance, an employer will report that he thinks an individual is a sex deviate or something of that sort. Now, in the naivete of the Texas Employment Commission, I have made an entry, "Employer reports that this individual appears to have undesirable traits of character," and they say, "Oh, you can't put that in."

Mr. JENNER. Off the record.

(At this point Counsel Jenner conversed by telephone to Mr. Sayre of the Texas Employment office.)

Mr. JENNER. He said he turned over those records to the district office and he is going to run them down for me this afternoon and call me back.

Mr. ADAMS. I remember reading the paper that on account of his having applied for unemployment compensation, he made a trip to Corpus and then to Mexico and came back—it was none of my business and I never did pursue it with the Commission, but if he had nothing to draw on, he would certainly have applied for his unemployment compensation and it would have been recorded, whether here, Corpus Christi, or Fort Worth or where—the Lord only knows—I don't know.

Mr. JENNER. That's all that occurs to me, sir, and I appreciate your coming in and your help.

Mr. ADAMS. I'm sorry I couldn't be more helpful.

Mr. JENNER. Well, sometimes you people think you are not more helpful, to use your expression, when, as a fact you are.

Mr. ADAMS. I hope so.

Mr. JENNER. It's hard to tell from your vantage point whether you are or aren't, but the fact you appear here and tell us what you know is always helpful. I appreciate it very much.

Mr. ADAMS. I know it is like the intelligence business in the service, you take all the little pieces and piece them together, and you make a picture.

Mr. JENNER. You have a right to read your deposition and to sign it, if you see fit, and you also have the right to waive that privilege if you wish.

Mr. ADAMS. I would like to see it and I will sign it.

Mr. JENNER. We will have it ready toward the end of this week or early next week, and if you will call the U.S. attorney, Barefoot Sanders, he will know whether it is ready for you to read and sign. Thank you very much, sir.

Mr. ADAMS. Thank you.

TESTIMONY OF DONALD E. BROOKS

The testimony of Donald E. Brooks was taken at 2 p.m., on April 2, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Messrs. David W. Belin, Albert E. Jenner, Jr., and Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. JENNER. Would you rise and be sworn, Mr. Brooks. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. BROOKS. I do.

Mr. JENNER. Mr. Brooks, I am Albert E. Jenner, Jr., a member of the legal staff of the Warren Commission.

The Warren Commission was appointed pursuant to Joint Resolution 137, which authorizes the Commission to investigate the circumstances surrounding the assassination of our late President, John Fitzgerald Kennedy, on November 22, 1963, and then President Johnson, pursuant to that resolution and Executive Order 11130, appointed the Commission and outlined its powers and duties and authorities.

We have a legal staff authorized by the Commission to come here, and other places in the nation, and make inquiry of persons who had some direct connection, or indirect, or whatnot, with the events, and also those who did, or might have had, some contact with one Lee Harvey Oswald.

Mr. BROOKS. Yes, sir.

Mr. JENNER. In the performance of their official duties or otherwise, which we think might be relevant or pertinent to the inquiry we are making. It is my understanding that you had such a contact. Do you reside here in Dallas?

Mr. BROOKS. Yes, sir.

Mr. JENNER. What is your address?

Mr. BROOKS. 2836 Dyer.

Mr. JENNER. Are you a native Texan?

Mr. BROOKS. No; I was born in Wichita, Kans.

Mr. JENNER. You came here when?

Mr. BROOKS. When I was about 4 years old.

Mr. JENNER. But since, you have been a resident in and about Dallas?

Mr. BROOKS. I have been a resident of Dallas since 1935.

Mr. JENNER. You are a married man?

Mr. BROOKS. Yes; I am.

Mr. JENNER. Have a family?

Mr. BROOKS. Yes; I have two children.

Mr. JENNER. What is your business, occupation, profession, and with whom are you associated?

Mr. BROOKS. Associated with the Texas Employment Commission, and I am an employment counselor.

Mr. JENNER. Employment counselor?

Mr. BROOKS. Yes.

Mr. JENNER. How long have you held that position?

Mr. BROOKS. About a year. It will be 2 years in July, actually, in this position.

Mr. JENNER. So you became one in July of 1962?

Mr. BROOKS. Yes, sir.

Mr. JENNER. At the Dallas office?

Mr. BROOKS. Yes, sir; I have been in the Dallas office.

Mr. JENNER. Do you function in any particular division of the Dallas office of the Texas Employment Commission?

Mr. BROOKS. Yes; counseling department in the industrial office.

Mr. JENNER. In the industrial office?

Mr. BROOKS. Yes, sir.

Mr. JENNER. Now there are counseling departments, are there not, and divisions or offices other than the industrial?

Mr. BROOKS. There are people assigned to be employment counselors in the other offices.

Mr. JENNER. In the course of that employment, did the occasion arise in which you met officially a man by the name of Lee Harvey Oswald?

Mr. BROOKS. Yes; he was referred to me by the placement division.

Mr. JENNER. Now give us the circumstances, first, so that someone reading the transcript will be able to comprehend the circumstances under which this young man was referred to you.

Mr. BROOKS. As I remember it, he was referred to me because he had shown reluctance to accept employment in the industrial field, and therefore, this is one of the reasons they send a man to the counseling division, and this is how he came to me.

Mr. JENNER. Came to your division?

Mr. BROOKS. Yes.

Mr. JENNER. I take it then that the Texas Employment Commission—let's use a hypothetical now at the moment: Assume there has been an applicant for employment. There appear to be positions open in the industrial field. The applicant indicates some reluctance to accept, to seek, at least, employment in the industrial field, but mentions preference for some other field. The fact that there is a reference to you does not necessarily mean, does it, that the applicant is one who is inclined to "gold brick" and is not really looking for a job?

Mr. BROOKS. Nothing in conference like that.

Mr. JENNER. Tell us what the industrial field is?

Mr. BROOKS. The industrial field, of course, is primarily jobs with factories, actually. That includes skilled and semiskilled jobs, and also in our industrial office, truck driving and service station work is also included in this field. But primarily it is an office where the factory employer calls in for factory laborers, whether they be skilled or unskilled.

Mr. JENNER. All right, now, yesterday Mr. Adams, Mr. Statman, and Mrs. Cunningham provided some records from the Texas Employment Commission, and I notice that on one of them appears your name, Don Brooks, and that is what is referred to generally as an applicant card.

Mr. BROOKS. E-13.

Mr. JENNER. E-13 (Cunningham Exhibit No. 1), and that the other witnesses generally refer to that as an E-13 card?

Mr. BROOKS. Yes, sir.

Mr. JENNER. Now would you please examine that E-13 card, particularly the inside face which bears your signature. By the way, does that bear your signature?

Mr. BROOKS. Yes, sir; that is my signature.

Mr. JENNER. It says interviewer. Where it says interviewer, there is a signature on the card opposite the word interviewer, and that signature in longhand is Don Brooks, and that is the witness' signature. There appears below that signature, the word "Cunningham." She was in yesterday. That is a fellow counselor, also?

Mr. BROOKS. Yes, sir; in the clerical and professional office.

Mr. JENNER. Professional and clerical?

Mr. BROOKS. Yes, sir.

Mr. JENNER. Can you explain to us the coincidence of each of you having signed that form?

Mr. BROOKS. Probably because this card was transferred over to the other office, actually.

Mr. JENNER. From your office back over to Mrs. Cunningham?

Mr. BROOKS. And she signed below because—I wouldn't swear to this but evidently she made some more comments in here.

Mr. JENNER. When an interview is held, do you interviewers make notations on this card?

Mr. BROOKS. What sort of notations?

Mr. JENNER. The sort of notations that appear on the card now?

Mr. BROOKS. Sure. We give applicant's characteristics usually, and then if there is any special information, we put it in on condition that it might affect employment.

Mr. JENNER. Is any of that writing that appears above your signature yours?

Mr. BROOKS. No, sir; I can't see any of my writing.

Mr. JENNER. Now examine—examining the bottom half of that application (Cunningham Exhibit No. 1), is there any writing of yours on it?

Mr. BROOKS. No, sir; I don't recognize any of my writing on this at all in this section, where we send them out on the job. This is where usually the placement interviewer sends them on.

Mr. JENNER. You are not a placement interviewer?

Mr. BROOKS. No, sir.

Mr. JENNER. You are a counselor. So that on the inside of the card when folded, there is nothing in your handwriting on that card other than your signature, is that correct?

Mr. BROOKS. That is all I see, sir. Yes, sir.

Mr. JENNER. Now would you turn the exhibit over. Would that be the top portion when folded that you are now looking at?

Mr. BROOKS. Yes; this is the face.

Mr. JENNER. Now on the face, which is the bottom half of the exhibit, is there any handwriting of yours?

Mr. BROOKS. Yes, sir; I see some. Looks like up in the left corner: I see high school, 8 years in the area. Service dates also. Also a date over here, 10-9-62.

Mr. JENNER. 10-9-62?

Mr. BROOKS. Yes, sir.

Mr. JENNER. What does that indicate?

Mr. BROOKS. That means that he was in on that date, October 9, 1962.

Mr. JENNER. And that you interviewed him?

Mr. BROOKS. Me; yes.

Mr. JENNER. These notations that you have now identified, was that information he furnished you on that occasion?

Mr. BROOKS. Yes; this is usually the primary interview. First day, actually.

Mr. JENNER. Now does this refresh your recollection as to what occurred after the interview of October 9, as to whether you had further contact with him, for example?

Mr. BROOKS. This evidently—I wouldn't want to swear to this.

Mr. JENNER. You aren't certain? Go ahead, but you say you aren't certain?

Mr. BROOKS. I know that he was referred to me, and that is all. I was the one that changed his occupation code.

Mr. JENNER. Would you explain that?

Mr. BROOKS. We assign an occupational code to our applicants, and these occupational codes refer to specific work, whether it is a trainee job or a semiskilled job or skilled job. And he had a previous code, I don't know what it is now, but this 1-X4.9.

Mr. JENNER. Now that is written in whose handwriting?

Mr. BROOKS. That is not my handwriting.

Mr. JENNER. That looks like Mrs. Cunningham's. I think I can tell you that is Mrs. Cunningham's writing. That was an assignment of code made by whom?

Mr. BROOKS. I don't recognize her number. It was made by someone else other than me, actually. I had thought I gave him a code number but that is not my handwriting there. I am not sure about what code, I know I put him in the other office, which was our clerical.

Mr. JENNER. After interviewing him you determined he should be classified in the clerical?

Mr. BROOKS. Yes, sir; because he was interested.

Mr. JENNER. And not classified in the industrial division?

Mr. BROOKS. Yes; this was because of interests, primarily?

Mr. JENNER. Whose interests, his?

Mr. BROOKS. Yes; his interests.

Mr. JENNER. Did you determine his interests after you had examined him and your judgment as to where best he might be able to obtain employment, having in mind those interests?

Mr. BROOKS. Was not in the industrial office; yes, sir.

Mr. JENNER. Did he express an aversion to factory work?

Mr. BROOKS. I can't tell you the words, but I got this general impression, as far as I remember; yes, sir; and he did not want to do factory work. Of course, we try to place an individual where he wants—will be exposed to his job.

Mr. JENNER. Do you have any recollection of who put on that same side of the folded card, the face, "Lee Oswald, 2515 West Fifth Street, Irving, Tex.?"

Mr. BROOKS. Right here, this Lee Oswald is, as far as I can tell, my handwriting, his name. 2515 West Fifth Street is someone else's handwriting. Just like Irving, Tex. Blackburn 3-1628 is somebody else's handwriting. 433-54-3937.

Mr. JENNER. That is the social security number?

Mr. BROOKS. Yes; as far as I can determine. This carbon makes it a little difficult. And the service date, and this where it says none, referring to driver's license. And car, no. Those two are my handwriting, I am sure.

Mr. JENNER. Could I stop you there. The word "none," opposite or to the left of the word, "license," before which there also appears a square, directing your attention to that, is that "none," in your handwriting?

Mr. BROOKS. Yes, sir.

Mr. JENNER. What does that signify?

Mr. BROOKS. That he didn't have a driver's license.

Mr. JENNER. That he didn't have a driver's license?

Mr. BROOKS. Yes.

Mr. JENNER. Is that a square that you make normally?

Mr. BROOKS. Yes. This is of importance especially in the industrial office because a lot of times a person working in a factory office might be required to sub in as perhaps a driver of machinery, and we always ask—pay attention to this, not because of Texas, but because of commercial operator's license.

Mr. JENNER. Let me inquire of you a little further on that. Does your inquiry go beyond asking whether he has a driver's license? That is, do you go on and ask whether he is able to operate a motor vehicle?

Mr. BROOKS. Yes, sir. Well, not necessarily. I mean, if he doesn't have a driver's license, he is not supposed to be driving, actually.

Mr. JENNER. But he could get one the next day, couldn't he?

Mr. BROOKS. Yes. Sometimes I have gone further and asked, are you able to drive a car. I have done this on occasion.

Mr. JENNER. Do you have any recollection of whether you did that on this occasion?

Mr. BROOKS. No, sir; I might have and I might not have. I wouldn't want to swear that I did either one.

Mr. JENNER. But your entry does indicate for certain that he did not have a driver's license, and you made inquiry on that subject?

Mr. BROOKS. Yes.

Mr. JENNER. All right, go on. Maybe there is something else that you have written there to stimulate me to ask you something.

Mr. BROOKS. We have not covered my handwriting. Unfortunately, my handwriting is pretty easy to see. I write big. Now this—I am on the back of the card now. Now this Leslie Welding Co. in Dallas, 4 months, 10-62, \$1.25 an hour, sheet metal worker, mild ventilators, is in my handwriting.

Mr. JENNER. Is that something he told you?

Mr. BROOKS. Yes.

Mr. JENNER. By the way, was this form E-13, made up in your office or made up in some other office?

Mr. BROOKS. The original must have been made up in my office. That is usually the procedure, actually.

Mr. JENNER. Do you recall whether you made inquiry of the Fort Worth office as to whether they had what you call this ATB?

Mr. BROOKS. This is something—oh, you mean, test records?

Mr. JENNER. Yes.

Mr. BROOKS. No, sir; I didn't, I am sure of this. The other office, Mrs. Cunningham, might have, but I didn't.

Mr. JENNER. Do you have a Mrs. Louise Latham?

Mr. BROOKS. Yes. She works for the commission. She works in C&S. I am not too familiar. I believe she is a placement interviewer.

Mr. JENNER. I notice on the bottom below your signature the last two lines appear the initials RLA. Is that probably Mr. Adams, the RLA?

Mr. BROOKS. It might be and might not be. I am not too familiar with the person. I know who is over there.

Mr. JENNER. Do you recall anything about this young man?

Mr. BROOKS. No; I wouldn't want to say. The only thing I recall vaguely now—at the time when I was asked, I was surprised that I had taken his application. I had not remembered it at the time, actually. I had vaguely remembered the name Oswald, but then—when I saw about it, I remembered that vaguely he was somebody referred to me from the placement, actually, and he didn't want, evidently did not want industrial work and he had an interest in clerical, and I gave him a clerical code, although the code number is not in my handwriting.

Mr. JENNER. It is the classification you gave him?

Mr. BROOKS. I think that is the one I gave him. I am not certain, but I think that is the one I gave him; yes. I mean, to say anything further, I would have to perhaps look in the E-41.

Mr. JENNER. In whose handwriting are the entries appearing on the back of the card in the squares relating to summary of other work experience. Shoe salesman, 4 months, New Orleans, La. General office work, 1 year, New Orleans, La., 1961.

Mr. BROOKS. This is my handwriting. Shoe salesman, 4 months, Louisiana, central office. General—excuse me, 1 year, New Orleans, 1961. That is my handwriting.

Mr. JENNER. Did he supply that information?

Mr. BROOKS. Yes; probably on the initial interview.

Mr. JENNER. Do you recall conversing with him or going back into his history when he was in the service or was married and where he had been?

Mr. BROOKS. I would not want to say if I did. I usually do. But, of course, I inquired evidently about the service or I have—I wouldn't have put the service date.

Mr. JENNER. Those service dates, where are they?

Mr. BROOKS. They are on the front of the card here; right here.

Mr. JENNER. Oh, yes. Under the heading "Entry on Active Service," October 23, 1956. "Released from Active Service," September 11, 1959.

But you do recall, or you wouldn't have made the entry "General office work, 1 year, New Orleans, La., 1961"?

Mr. BROOKS. That is my handwriting.

Mr. JENNER. That was made in the usual regular course of your business and in having an interview with this man?

Mr. BROOKS. Yes; that is right. I put those dates there.

Mr. JENNER. The back of the card, which is Exhibit E-13 (Cunningham Exhibit No. 1), when we look at that address, that is, Lee Oswald, 2515 West Fifth Street, Irving, Tex., that appears to have been written over something that had been erased first.

Mr. BROOKS. This is probably due to the fact that he probably moved.

Mr. JENNER. Moved?

Mr. BROOKS. Yes, sir. We have to keep, we try to keep up our address dates as current as possible, because if we don't, there was no way to get in contact with the applicant.

Mr. JENNER. I see another entry of 10-9-62, and then Mrs. Cunningham of 10-10-62, and then an entry or series of entries in October 1963.

Would I be correct in supposing that when you interviewed him on the 9th of October 1962, and put in whatever address he had at that time, and then later on in October 1963, when he was again interviewed, he had a new address, and the old address was erased and the new address put in?

Mr. BROOKS. Yes; that is the way it usually happens.

Mr. JENNER. I will have to get the original to bring out that latent address.

Mr. Brooks, you have been very helpful to us.

Mr. BROOKS. I wish I could remember more, actually.

Mr. JENNER. You have added to our fund of knowledge, so don't you be regretful. There are one or two things here that neither Mr. Statman nor Mr. Adams nor Mrs. Cunningham could enlighten us about and you have done so, so you have been helpful and I appreciate it.

I know you are anxious to be more helpful as we all are, but all we can do is get the basic facts.

Mr. BROOKS. I want to be certain if I say something. But I wish I could remember more about the applicant Oswald, himself, but it is hard to do, actually.

I was surprised actually at the time, of course, when they had told me I had taken his application. Actually, I didn't remember it at the time, but I thought about it.

And the Marine Corps probably brought in back a little, and like everyone else, I read the papers a lot.

But I can't remember anything specific about him, just general things.

Mr. JENNER. By the way, Mr. Brooks, you have a right to read over your deposition if you so desire. And you have a right to sign it if you so desire. And you also have a right to waive that if you wish. It is your choice, one way or the other. If you desire to read it and sign it—

Mr. BROOKS. Did you want me to sign it?

Mr. JENNER. Well, as a matter of fact, it would be more convenient for us to have the reporter certify the accuracy in transcribing and just send it to Washington so we don't have to go to the trouble of calling you in and asking you to read it, but it is your option.

Mr. BROOKS. No; if you don't want me to, I won't.

Mr. JENNER. I would just as soon be relieved of it, but I don't want to press you on it.

Mr. BROOKS. To the best of my knowledge, that is all I remember. I could have been confused about some issues, but I don't think so.

Mr. JENNER. As far as you are concerned, you waive the signing of the deposition?

Mr. BROOKS. Yes.

Mr. JENNER. If you think of anything hereafter, there will be members of the legal staff here next week, and if they are not, call Barefoot Sanders and he will relay the information to us. Thanks for coming over. We appreciate it.

TESTIMONY OF IRVING STATMAN

The testimony of Irving Statman was taken at 4:20 p.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Mr. Statman, would you rise and be sworn, please?

Do you solemnly swear that in the deposition you are about to give, you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STATMAN. I do.

Mr. JENNER. I'm Albert E. Jenner, Jr., of the legal staff of the Warren Commission. The Commission was authorized by Senate Joint Resolution to provide a body to investigate the assassination of our late President, John Fitzgerald Kennedy, and pursuant to that legislation, the President, Lyndon B. Johnson, appointed the Commission under Executive Order 11130, and we of the staff are enjoined by the Commission and the Commission itself to inquire into all the circumstances, especially that we find pertinent data, regarding Lee Harvey Oswald, to investigate his life and a good many people, you included, either in an official capacity or friends with other people who touched his life in some fashion or other.

Your employment is what?

Mr. STATMAN. The assistant district director of the Dallas district of the Texas Employment Commission.

Mr. JENNER. And just tell us generally what your duties are in that respect?

Mr. STATMAN. Well, we have the unemployment compensation of this and the placement office, and research and statistical branch, and an office in Garland and in Grand Prairie. They are separate entities and it is my duty to assist the district director in any functions there are, and to assist in any problems that there are in any of the offices.

Mr. JENNER. Is there any office of the Commission in Fort Worth?

Mr. STATMAN. Yes. We are the Dallas district. Now, also, he was registered in the Fort Worth district too.

Mr. JENNER. He was?

Mr. STATMAN. Yes; but our connection with him was in actually three capacities—number one, as an applicant for a job, and as an applicant for a job, we had him counseled. In other words, if there are any reasons to believe that

employment might be difficult for a person to obtain due to, maybe inexperience or due to change in occupation or some problem, we have a counseling setup that will counsel this person to the point where we feel we can help place him.

In other words, now, we are not equipped to give him psychological counseling or give him home therapy. Our job is placement counseling and we are trying to counsel them to the point where we can facilitate placing him onto a job and counseling duties then are through.

He was also referred to the counselor due to some apparent counseling needs, and he also filed a claim for unemployment insurance, so those are the three areas that he touched in the Dallas district.

Mr. JENNER. You learned of those three areas—his touching those areas from books, records and documents of the Commission?

Mr. STATMAN. Well, that's true. When this FBI man came in, and I can't think of his name—I've got his card, but I probably cleaned my nails with it, but anyway, he came in and asked for a copy of, or the actual documents, and we told him that we had a certain amount of documents here and there were others in Austin, due to that interstate claim situation, and so we gave him all of our records, and also he contacted an FBI agent in Austin, and our Austin State office gave him some records.

Now, in preparing these records, then, I saw the documents that we had on him. Now, what I have with me here is a copy of his application card.

Mr. JENNER. Could I describe that on the record first?

Mr. STATMAN. Yes; I think it is an E-13, let me make sure what this number is, and—it is his application card.

Mr. JENNER. Excuse me, sir, Mr. Statman has handed me a form entitled—what?

Mr. STATMAN. It's an E-13—it's an E-13 application.

Mr. JENNER. Now, you have handed me two sheets.

Mr. STATMAN. Now, this represents the front.

Mr. JENNER. The top sheet I have is the front of the card and the second sheet is the inside or reverse side?

Mr. STATMAN. No; the inside—this is a folded affair and, let me me fold it for you properly. In other words, this is the way the card would look.

Mr. JENNER. It's a foldover card.

Mr. STATMAN. Right—like this. Now, this is an exact replica.

Mr. JENNER. It is letter size when opened fully, and it is folded in half.

The bottom of the top sheet reads, "Application card E-13" (1261) and for purposes of identification of the record what would be the back of the card when folded, but which is the top of the sheet as I hold it in my hand, it reads, "Describe your longest and most important jobs, including Military Service, beginning with your most recent job."

The second sheet which would form the reverse side of the card, portions of which I have read and which in turn would be the inside of the card when folded, has no form number on it, but it reads at the top, "Do not write below this line," and then in the next line in printing, "Conditions affecting employment," in the left-hand side, and "Handicap description," on the right-hand side.

Mr. STATMAN. Do you want me to interpret on that?

Mr. JENNER. Yes; I do. [The Exhibit is Cunningham Exhibit No. 1.] Now, this card—I will turn it now back to the front or top of the folded card. Will you state for the record what this is and does it relate to Lee Oswald, first?

Mr. STATMAN. This is his application card.

Mr. JENNER. Now, folding it in half, so that I understand it, as folded in half—what now is facing us with the form number at the bottom, would be top of the folded card. [The original card, of which Cunningham Exhibit No. 1 is a copy, is in evidence as Cunningham Exhibit No. 1-A.]

Mr. STATMAN. Right.

Mr. JENNER. That means that Lee Oswald had a contact with the Texas Employment Commission and this is a record made.

Mr. STATMAN. On 10-9-62. This card indicates that he came in.

Mr. JENNER. That he came in on the 9th of October 1962?

Mr. STATMAN. That was his first contact with us.

Mr. JENNER. And what is done, then, in the normal course of this sort of thing, when an applicant comes in for the first time?

Mr. STATMAN. The first is—this card is filled out, and the number one thing is to get the pertinent facts, and do you want me to give what we have on him?

Mr. JENNER. Yes.

Mr. STATMAN. We have his name and his address.

Mr. JENNER. And what address is that?

Mr. STATMAN. 2515 West Fifth Street, Irving, Tex., and a telephone number that indicates an Irving number—BL-3-1628, social security number was given—433-54-3937. Now, under this is his military service to ascertain if he is a veteran, because veterans get preference. In other words, I don't know if you need to know that, but that pink card indicates a veteran, and by law we are to give veterans preference, and the information here is to again ascertain if he is to get veterans preference. In this he listed the entry of his service date—10-23-56, and he was released from active service 9-11-59.

Then, underneath—another category, "If needed for work, do you have—" and it indicates "License, trucks, uniforms, car, tools," and he stated that he had none of these. In other words, some companies before they will hire you, like a mechanic has to have his own tools and some don't.

Mr. JENNER. He answered he had none of those; is that correct?

Mr. STATMAN. Yes—none. Now, he gave his educational background—do you want to go into that?

Mr. JENNER. Yes.

Mr. STATMAN. He stated that he went to Arlington Heights, Fort Worth, 2 years, 5/56 and in that—

Mr. JENNER. What is 5/56?

Mr. STATMAN. Apparently, that is when he left school—I don't know—I'm guessing at that.

Mr. JENNER. But that card does indicate that he told the interviewing official of the Commission that he attended Arlington Heights High School in Fort Worth for 2 years, terminating in May 1956.

Mr. STATMAN. I think you can figure out, if that would be the start—let me see—in 1956, how old would he have been—he would have been 17 years old, so it seems more plausible that he left in 1956 than he started, wouldn't it to you?

Mr. JENNER. Yes.

Mr. STATMAN. All right. He indicated courses that he took—2 years English, 1 year general math, 1 year algebra, 1 year general science.

Now, he indicates he has gotten a high school equivalency. That could have been obtained either through taking a G.E.D.—

Mr. JENNER. What is that?

Mr. STATMAN. General education—something—anyway, you can take a test here and they will give you what is know as a high school equivalency, or he might have obtained that in the Army or in the Marine Corps, but this is tantamount to having a high school education without completing the 4 years.

Mr. JENNER. But indicating he did not complete 4 years?

Mr. STATMAN. Not 4 years formal education. He is, as the name indicates, it is an equivalent—it's a certification that the man has an equivalency of a high school education.

Mr. JENNER. All right.

Mr. STATMAN. Then, he had 2½ months of electronic fundamentals, 2½ months radar operator.

Mr. JENNER. Does he have some dates?

Mr. STATMAN. That's 1957—that was prior to when he was in the Marine Corps. Now, I can't tell you whether those dates run concurrently or not.

He might have had a training first and then the radar operation next.

Mr. JENNER. By the way, in whose handwriting or hand printing is that document?

Mr. STATMAN. I can't be sure—some of these are self applicants. In other words, they take it themselves, and others are prepared by the interviewer. Now, this Don Brooks could tell you. Here is his signature.

Mr. JENNER. Here is whose signature?

Mr. STATMAN. Lee Harvey Oswald's. This is on a different document.

Mr. JENNER. We will get to that in a minute.

Mr. STATMAN. I would guess that Don Brooks did this, because it is fairly consistent, I mean, you don't see a change of handwriting. Usually the applicant, if he is making the application will show a different handwriting.

Mr. JENNER. Is Mr. Don Brooks still employed by the Commission?

Mr. STATMAN. Yes. Usually, if the applicant makes the application and the interviewer completes it, you can see a change in the handwritings and you don't here. Again, I am guessing that this was prepared by Don Brooks.

Now, up on the top is identifying information.

Mr. JENNER. Now, this is up on top of the exhibit as folded in half?

Mr. STATMAN. Yes, adjacent to the identifying information—there is a block—marital status, widow, single, and divorced, and he has checked "Marital status." Underneath that is a block for number of dependents, and he has indicated that he has two dependents.

Mr. JENNER. That would indicate a wife and child?

Mr. STATMAN. Not necessarily—it would just indicate he has two dependents. I couldn't say he had a wife and child—knowing a little bit about him you could say that.

Birthday 10-15-39.

Mr. JENNER. Is that 10-15 or 10-18-39?

Mr. STATMAN. I'm sorry, you are right, it is 10-18-39. Height 5 feet 9 inches, weight, 150 pounds, education—he has listed high school with an asterisk, and the asterisk indicates he has a high school equivalent as opposed to 4 years formal education.

Now, in the block showing his test results, which refer to this general aptitude test battery and which I have a document on that, and if you want to wait, we will come to that later.

Mr. JENNER. I do want to go into it and we will hold that off.

Mr. STATMAN. That indicates—no, let's do go into this. In the general aptitude battery—you have certain cutoff scores, and these scores indicate a propensity or an aptitude in the certain occupational areas, which are totaled by numbers.

Now, the aptitudes that he has proficiency in or propensity in has been indicated in the test results.

Mr. JENNER. And those in turn you will discuss in connection with another document?

Mr. STATMAN. Well, you've got Helen Cunningham, who is a counselor and she can give you a lot better information on that.

Mr. JENNER. All right.

Mr. STATMAN. Now, on the front in the date column—we do not always indicate when an individual is in, only when we see his card might become inactive, we will put it, so this doesn't necessarily mean that these are the only times he has been in, but this does indicate, as we previously stated, that he originally came in 10-9-62, he was in on 10-10-62, and he was in on 4-8-63, he was in on 4-12-63, he was in on 10-3-63. This R.I. indicates a reinterview. That means that he has been previously registered and we are reinterviewing him to bring his card up to date.

Mr. JENNER. And the R.I. appears to the left of the entry—October 8, 1963; correct?

Mr. STATMAN. Yes, sir.

Now, there is just one more bit of information on this. Is your wife employed—and he indicated "no".

Now, we are turning this document on the back.

Mr. JENNER. That is—it would be the back when folded?

Mr. STATMAN. Right. Now, this is the information on the back—this is the job history, the chronological job history, including military service, and we are starting chronologically backwards, with the latest job first.

On this is indicated that he worked for Leslie Welding Co., length of job—4 months; date ended—10/62; rate of pay, \$1.25; the duties—he has sheet metal works, and I think it says, "Made ventilators and cut sheet metal."

Mr. JENNER. That's correct.

Mr. STATMAN. Okay. The next job chronologically was [reading] the William B. Rilly Co. Do you want that address?

Mr. JENNER. If you please.

Mr. STATMAN (reading). 640 Magazine Street, New Orleans, La. This Rilly is R-i-l-l-y (spelling), William B. Rilly, and this was typographical and that was the nature of the business; length of job—4 months; date ended—7/63; rate of pay—\$1.50.

As far as job descriptions, he just said "Photography."

Now, the reason for leaving on both of these jobs was, "laid off."

Then, he gives the U.S. Marine Corps, radar—April—2 years—1959. That was his discharge.

Then, also, we have a summary of other work history. But this is a work history that might be pertinent, but he hasn't spent too much time on.

Let's go back up on the fold, under "identifying information," and there is an occupational title and a code. The occupational title listed, "Routine clerical work." The code is 1X49.

This "X" indicates that he has not had any experience, and this type of work is an entry work. In other words, it is work that he might be interested in and proficient in if he could get training in it. In other words, they deemed that he was not really qualified for anything, and when you have somebody without any apparent qualifications you try to determine some sort of entry job.

Mr. JENNER. Therefore, I conclude—do I correctly—that from this, the interviewer concluded this man had no particular skills or qualifications.

Mr. STATMAN. No; this interviewer ascertained that this individual did not have a definitive type occupation, so he was sent to the counselor and after the counselor counseled and tested Oswald, then it was ascertained that this area of work would probably be the most conducive for him.

You see, that's why he was sent to the counselor, because the interviewer could not make a definitive description or a judgment on his work. That's where our counselor comes in.

Now, we are on the back. Under "miscellaneous" we had—shoe salesman, 4 months, New Orleans, La.; general office work—1 year, New Orleans, La., 1961.

That concludes the information on the back.

Mr. JENNER. Now, we turn to the inside.

Mr. STATMAN. Right. On the inside are his "conditions affecting employment?" That would be anything that in any way could, as the statement says, affect employment adversely or benignly. On this is first listed, "Bus transportation." It indicates that if a job required a car, he couldn't go.

Mr. JENNER. Now, I am interested in that—that is a normal inquiry made, is it, of persons seeking employment?

Mr. STATMAN. Yes; because there are certain geographical areas in Dallas that are not accessible by bus transportation, so when we get an order in this area we know that the applicant has to have his own transportation or he wouldn't be readily available for the job.

Mr. JENNER. Does it mean not only that he does not have an automobile to drive, but that he is unable to drive one, even if one is furnished?

Mr. STATMAN. No.

Mr. JENNER. It means only that he does not have that type of transportation available?

Mr. STATMAN. No; this bus transportation means only that in the event that he would get a job, he would have to get to the job by bus transportation.

Mr. JENNER. All right.

Mr. STATMAN. There is no indication that he can't get a car at a later date?

Mr. JENNER. There is no indication by that in what I am interested, of whether he is able or not able to drive an automobile.

Mr. STATMAN. No; it just describes the motor transportation that he would have to employ in commuting to his work.

Now, the next remark is "Outstanding verbal and clerical work." Now, that was taken off of the G.A.T.B., which we will get into in a minute.

In other words, it indicated that he had a great aptitude for vocabulary and also for clerical type work. This is ascertained off of his tests.

Mr. JENNER. All right.

Mr. STATMAN. The next is "financial position necessitates immediate employment."

In other words, that would indicate that even though he might be qualified for a certain level of work, financially exigencies would force him into taking the first thing that came along.

Mr. JENNER. The important thing then was to get a job right away?

Mr. STATMAN. Right.

Mr. JENNER. And after he has gotten it, he might be able to entertain getting some other job?

Mr. STATMAN. Right—in other words, I might be a civil engineer, but I've just come into town and I will wash dishes until I can get enough money to get my immediate needs taken care of so I can hunt for a job.

Underneath here, "Brother, junior executive, Acme Brick Co.; brother—Staff Sergeant, Air Force," and the initials of the interviewer that talked to him—it is 10-10-62 and it has H.P.C., which is Helen P. Cunningham.

Mr. JENNER. That is the lady I am about to interview?

Mr. STATMAN. That's right. Now, as I say, this document was prepared by two people, by Don Brooks, acting as the initial application taker, and by Helen Cunningham in her capacity as a counselor.

"Applicant's characteristics," this is just a word picture of the interviewer's or counselor's idea on this applicant. We use that in order to, when we are looking through to call in somebody for jobs, you can kind get an idea of what impression they have made on our personnel. Now, their impression was "well groomed and business suit"—something.

Mr. JENNER. I think it reads, "Well groomed and spoken, business suit, alert replies—expressed self extremely well."

Mr. STATMAN. Right.

Mr. JENNER. In whose handwriting is that?

Mr. STATMAN. Well, I don't know; it's either Don Brook's or Helen Cunningham's, so Helen can verify that. Now, the lower half of this inside card indicates any placement action we have taken with this person.

Mr. JENNER. All right.

Mr. STATMAN. Now, we referred him on 10/10 to Harrel Huntington—I can't read this.

Mr. JENNER. Let me give it a try—H-a-r-r-e-l [spelling] and H-a-r-r-i-n-g-t-o-n [spelling].

Mr. STATMAN. You are better at that; you must have had hieroglyphics in school. The job was a messenger job.

Mr. JENNER. Yes; it looks like they are architects—that Harrel and Harrington—it looks like Exchange "Exch"; is that correct?

Mr. STATMAN. That's probably where the job was—at Exchange Park, the job was messenger at \$1.50 an hour, and no indication of what disposition was made. They should have posted probably "not hired" in there and then they called him in about a job for Dallas Transit as messenger and no referral was offered.

Mr. JENNER. What does that mean?

Mr. STATMAN. That means that after he got there, either the job was filled or they decided that maybe he wasn't qualified for it.

Mr. JENNER. What is the date of that?

Mr. STATMAN. He was called in 10-26-62 by telephone message, so apparently they talked to him on the phone and decided not to refer him. Then a call-in card was sent to him—this was a message card by mail 5-3-63.

Mr. JENNER. That would be May 3, 1963?

Mr. STATMAN. Yes. Now, he didn't respond to this, so we issued an E-19, which inactivated his card. In other words, after 3 working days, if he doesn't respond, we deem this person not available. Then, a telephone message on 10-7-63 was sent and then on 10-8-63 he was referred to Solid State Electronics.

Mr. JENNER. Does it indicate the kind of job?

Mr. STATMAN. Yes; as a sales clerk and it paid \$350 a month and he was not hired. On 10-9-63 he was referred to Burton-Dixie as a clerk trainee at \$1.25 an hour. He was not hired. On 10-15 he was called on the phone and referred direct on the same day to Trans-Texas as a cargo handler, and he

did not report. In other words, he just didn't show up, and then they have a notation here that looks like—it says, "Working 10-16 R.L.A." In other words, Robert Adams in some manner of fashion——

Mr. JENNER. Ascertained that he was working?

Mr. STATMAN. Ascertained or received word that he was working. Now, our next document—let's take the easiest one—E-40(A) (961), which is the test record card, and that indicates the different types of tests we give.

Mr. JENNER. Is that on a 2-sided card?

Mr. STATMAN. Yes, sir.

Mr. JENNER. It does not fold?

Mr. STATMAN. Yes, sir; I'm sorry; it's like this.

Mr. JENNER. It is 2-sided but just one sheet?

Mr. STATMAN. Right, and then on the front is also the individual——

Mr. JENNER. It is half the size of a letter-size sheet of paper?

Mr. STATMAN. Right; it is the information on the individual aptitude profile.

Mr. JENNER. All right, may I identify it a little further for the record? It is marked as Cunningham Exhibit No. 2. [The original of Cunningham Exhibit No. 2 is in evidence as Cunningham Exhibit No. 2-A.]

Mr. STATMAN. Yes; start it this way [indicating].

Mr. JENNER. All right. Looking at the face of the card at the top there is a blank for "name," which is not filled in. At the bottom of the card, an aptitude score appears the figures sequentially: 109, 127, 99, 97, 117, 120, 97, 116, 127.

Mr. STATMAN. Those indicate his scores in his tests.

Mr. JENNER. On the face of the card appears in bold face caps "Individual aptitude profile."

Mr. STATMAN. Okay. Now, again, as I say, a complete battery of tests is given to make up this G.A.T.B., which stands for General Aptitude Test Batteries.

Now, certain parts of these tests when converted, give you scores in general intelligence, verbal, numbers, special conception, perception, clerical, motor coordination, finger dexterity, and manual dexterity.

Now, by a combination of some of these parts of tests, it will give you an occupational aptitude in certain areas, which are numbered and circled.

Now, these occupational aptitudes or proficiencies are circled, and these are used——

Mr. JENNER. The ones that are circled are what?

Mr. STATMAN. Are the ones he has some proficiency in. In other words, "2" means he had some writing ability. Now, I'm not that conversant with these cards.

Mr. JENNER. Will Mrs. Cunningham know that?

Mr. STATMAN. She will know and she can tell you, and also he has taken some other tests—a B-400 and a B-49.

Mr. JENNER. What are those?

Mr. STATMAN. I think they are clerical; you better ask her for sure. I'm fairly sure they are clerical. Now, that's all this is.

Mr. JENNER. What is that bottom line there that I read before?

Mr. STATMAN. Those are the scores he made in these different parts.

Mr. JENNER. I see.

Mr. STATMAN. In other words, you see, he made 109 in general intelligence, 127 in verbal; you remember she indicated he did good on verbal and you remember she did indicate that he did good on clerical.

Now, they have a cut-off sheet with certain numbers and you run this down, let's say, in order to be good in occupational pattern "2," you have to have 100 on your G, and 100 on your P, and 100 on your F, which he did.

Let's say, to be good—he missed five. Let's say you have to have a 100, 100, and 100. He only has 99 on this and 97 on this, so he wouldn't pass this pattern. So, actually, the different cut-off scores would indicate which patterns you pass, and the patterns you pass indicate an aptitude or propensity in certain occupational patterns.

Mr. JENNER. Mrs. Cunningham will be able to give us that?

Mr. STATMAN. Yes; I have been away from this a while, but they go into automobile mechanics and maybe clerical, and the first one is literary, art, design, and so forth and so on. As you go down, it takes less proficiency or less mental acuity to pass a test.

Mr. JENNER. While I am thinking about it, who is in charge of the Fort Worth office. I can call on there tomorrow?

Mr. STATMAN. Krizan, he is the District Director, K-r-i-z-a-n [spelling]. That is his last name. Wayland is his first name. Now we might have the same thing in Fort Worth that we are doing here. I think we had some dealings with him in Fort Worth.

Now, along with this should be his counseling card, which would indicate the type of counseling and any responses. I can't find that; I don't know—I know the FBI man has it. We might not have made a picture of it or it might have gotten lost, but again, Helen remembers enough about it to give you the pertinent details of it. Ask her about the E-41 or the counseling card. All right, now, here is where it gets a little complicated.

Mr. JENNER. Now, we are going to a third document?

Mr. STATMAN. The third document is—

Mr. JENNER. Is that a card also?

Mr. STATMAN. Yes; this a card.

Mr. JENNER. It is a folded card?

Mr. STATMAN. Yes; it folds.

Mr. JENNER. It is a letter-size sheet. It is marked Cunningham Exhibit No. 3. Would you put the two sheets in the position they would be in with the card? [The original card, of which Cunningham Exhibit No. 3 is a copy, is in evidence as Cunningham Exhibit No. 3-A.]

Mr. STATMAN. I'm trying to. This isn't one of our normal documents, as I said, this is an interstate document. You know, there is a different address on the test-record card than on the application card and you may want to bring that out.

Mr. JENNER. I do want to bring that out; the address on the aptitude test card, I see, is 3519 Fairmount in Dallas.

Mr. STATMAN. Okay. I'm sorry; I should have mentioned that to you before.

Mr. JENNER. Opposite the word "comments" on the face of the card—

Mr. STATMAN. That's G.A.T.B. in Fort Worth, June 1962, so that indicates that he had had this complete G.A.T.B. given in Fort Worth in 1962, and maybe in order not to be redundant, they might have sent and gotten; yes, in fact, I know they did because you see—you don't have any indication here of the make-up, so these scores and patterns were obtained from the Fort Worth office.

Mr. JENNER. The date, October 10, 1962, appearing on the reverse of the card lettered "individual aptitude tests" would, I take it, in view of what you have now said, be the date on which the information was obtained from the Fort Worth office?

Mr. STATMAN. Well, no; the G.A.T.B. in Fort Worth, June 1962—that's when he took it.

Mr. JENNER. There is another date below that.

Mr. STATMAN. No; you see, all this dealings has been in 1963, hasn't it? This 1962 would probably indicate the Fort Worth action, wouldn't it?

Mr. JENNER. Well, what I was trying to attempt to do was bring it out.

Mr. STATMAN. Well, everything else we have done is in 1963, so we would have to ascertain here or assume that this 10-10-62 was the date that the G.A.T.B. was administered to him in Fort Worth. No; that couldn't be right either, because June wouldn't be 1962.

Mr. JENNER. He came to this country on June 12, 1962.

Mr. STATMAN. Well, maybe this is a mistake and it should have been 10-10-63. That would be more than likely the dates, wouldn't it?

Mr. JENNER. Possibly.

Mr. STATMAN. You see, everything else we have on the application that indicates 10-10-63, wouldn't it? In other words, we have had no dealings with him back in 1962, have we?

Mr. JENNER. Not in the Dallas office.

Mr. STATMAN. No, no; again, I guess you would have to postulate that that should be 10-10-63. In other words, on 10-10-63, they recorded this information from the Fort Worth records.

Mr. JENNER. Taking you back to the previous exhibit, I direct your attention to a date of 10-10-62, appearing—

Mr. STATMAN. No; you are right—okay—they contacted Fort Worth on 10-10-62, and received this information from them.

Mr. JENNER. This aptitude information from them?

Mr. STATMAN. Right. In other words, the test was not administered in the Dallas office, it was administered in Fort Worth. Have I got you confused, finally?

Mr. JENNER. No; you don't have me confused; you are doing splendidly. You are very helpful.

Mr. STATMAN. Now, this document [Cunningham Exhibit No. 3] is a claim document, B-3(a).

Mr. JENNER. Excuse me, may I have this described a little more for the record?

Mr. STATMAN. Well, I want you to note that there is an original date on there indicating a New Orleans address and then a Dallas address.

Mr. JENNER. You are going to explain that—all I'm going to do at the moment is to identify the document for the record.

Mr. STATMAN. It is a B-3(a), Cunningham Exhibit No. 3.

Mr. JENNER. It is a document in typing opposite the printed designation—the name is "L. H. Oswald" and to the right of that in printing is "SS Number," which I take it is his social security number?

Mr. STATMAN. Right.

Mr. JENNER. It is 433-54-3937. In longhand above that line, I have just read, appears P.O. Box 30061.

Mr. STATMAN. All right—now, to go on with that and also in longhand is the Irving address, 2515 West Fifth, Irving.

Mr. JENNER. I see there are some strike-outs.

Mr. STATMAN. Right. Now, the original document was typed giving L. H. Oswald, 757 France Street, New Orleans, La.

Mr. JENNER. Is it French?

Mr. STATMAN. France—it looks like France.

Mr. JENNER. French, F-r-e-n-c-h [spelling].

Mr. STATMAN. It looks like "a" to me.

Mr. JENNER. F-r-a-n-c-e [spelling]. We'll let Mr. Davis look at it.

Mr. DAVIS. I think it is French, F-r-e-n-c-h [spelling]. It's French in the writing.

Mr. STATMAN. I'm talking about the typing now—the typing is "a."

Mr. DAVIS. Well, the typing is "a," but it looks like the writing is French.

Mr. STATMAN. I was just talking about the typing. I'm just discussing the typing with you now.

Mr. JENNER. Okay, it is 757 France Street in typing. Following that is French Street, stricken out, that is in longhand, and above the strike-out is 2515 West Fifth, in longhand, and below that is "Irving, Texas."

Mr. STATMAN. The reason I am making a differentiation between that, is that the typing of it was done in New Orleans because that is where this document was originally issued.

Mr. JENNER. Why was it originally issued in New Orleans?

Mr. STATMAN. Because he was in New Orleans filing an interstate claim against Texas.

Mr. JENNER. The interstate claim being a claim of an applicant who has been residing in a State other than Texas and he is making a claim against the State of Texas.

Mr. STATMAN. Well, it is a claim where a person has earned his wages in one State and is filing in another State against the State in which he has earned his wage credits. So, he has earned his wage credits in Texas. He was filing in New Orleans against the State of Texas. That's where this original document was made.

Mr. JENNER. Does it appear from this document as to when that claim was filed in New Orleans?

Mr. STATMAN. I am just trying to figure out something here—the initial claim in New Orleans was filed on 4-29-63.

Mr. JENNER. That's the 29th day of May, 1963, when he filed the claim in New Orleans?

Mr. STATMAN. Then, in Texas on 5-8-63 it was determined that he was entitled to \$33.00 a week.

Mr. JENNER. On 5-8-63 or 6-8-63—he filed a claim May 29.

Mr. STATMAN. No; 4-29-63.

Mr. JENNER. Oh; 4-29-63—the date of filing the claim was April 29, 1963, and action was taken on that claim by the Texas Employment Commission on—

Mr. STATMAN. They made a monetary determination on it on 5-8-63.

Mr. JENNER. On what date?

Mr. STATMAN. On May 8, 1963. In other words, what they do is check his wage credits, and then ascertain how much weekly amount he is entitled to; that is, the weekly benefit amount, and how much total amounts he is entitled to.

Mr. JENNER. And what was the total?

Mr. STATMAN. The weekly benefit amount was \$33 a week, a total of \$369; in other words, he could draw for about 11 weeks. His BYE that's the Benefit Year Ends on 5-28-64. All that means is that the claim is in force to this date.

Mr. JENNER. He would receive that amount of money per week until that date?

Mr. STATMAN. No; until he received a total of \$369, but he had that whole year to draw that money. Let's say he went to work for 6 months and let's say he drew 10 checks—that would be \$330, and then he went to work for 6 months; well, between the 6 months and this 4-28-64, he would still be entitled to draw, if he were unemployed, \$69 more.

Now, for some reason or other, he was filing in New Orleans—on these dates, and that is indicated by the I-B-2, that means he is filing an interstate correspondence. This information is sent to Texas and Texas posts it on its card. Do you want all these dates that he filed?

Mr. JENNER. Well, they are on the record.

Mr. STATMAN. Yes.

Mr. JENNER. But what I do want to know is—he filed claims when in New Orleans on the dates listed.

Mr. STATMAN. Up until this point.

Mr. JENNER. He filed those up to and including line 11, is that correct?

Mr. STATMAN. Yes.

Mr. JENNER. So, that would mean he filed claims on 11 separate occasions?

Mr. STATMAN. Yes; in New Orleans. That is indicated by the I-B-1 and I-B-2 symbols, indicating that that is an interstate claim. In other words, he is residing in one State and filing against another.

Mr. JENNER. Excuse me, for the record, those 11 claims—the first is on May 7, 1963, and the 11th is on September 17, 1963, am I correct?

Mr. STATMAN. Right. Now, the last two claims, if you will notice—

Mr. JENNER. Those are on lines what?

Mr. STATMAN. Lines 13 and 14, so he filed through line 12.

Mr. JENNER. Through line 12 rather than through line 11?

Mr. STATMAN. Yes.

Mr. JENNER. And line 12, the date is September 24, 1963?

Mr. STATMAN. Now, on the last two dates that he filed a claim—10-3-63 and 10-10-63, the symbol changes to C.C., which indicates "Continued Claim," which in turn indicates that it is an intrastate claim. In other words, he is now filing in Texas against Texas.

Mr. JENNER. Now, if he had not exhausted his interstate claim, that is the amount due him, and he returned to Dallas—

Mr. STATMAN. He didn't exhaust his interstate claim—you know, once you set up a claim, that's all the money you get, regardless of which State you are in. He just happened to return to the State in which he had earned his wage credits, so his claim reverted from an interstate claim to an intrastate only due to geographical location, not due to any monetary consideration.

Mr. JENNER. Then, the explanation is—although the classifications changed from interstate to intrastate, it was the same claim.

Mr. STATMAN. Right—it was the same claim, it's just a matter of changing geographical locations.

Mr. JENNER. Of the claimant?

Mr. STATMAN. Yes.

Mr. JENNER. Back to the State of Texas?

Mr. STATMAN. Back to the State of Texas. You see, he could have started his claim in Texas and moved to New Orleans and that would have gone from an intrastate claim to an interstate claim. I had trouble with that FBI man on that.

Mr. JENNER. You did?

Mr. STATMAN. Well, I mean, it can be confusing, because each State has their own set of regulations, and actually, we have an interstate unit in Austin that pays claims from people outside of Texas who are filing against Texas, and we also have interstate claims the other way. We have people who have earned their wage credits in New York and are living here in Dallas, so, when they file a claim, they are filing an interstate claim against New York. You see, what has happened, this originated—this interstate claim filed against Texas, and when he returned to Texas it became an intrastate.

Mr. JENNER. Does that cover that side of the card?

Mr. STATMAN. That covers everything. So, according to this, it would indicate that he filed, now, you notice he had no signatures here. We have these individuals, when they come to our office, sign their names once, because they sign their individual cards, and we want to compare their each weekly signature with a card here to make sure that the person who is signing this claim for unemployment insurance is the one that filed the card.

Mr. JENNER. Whose signature appears on the inside of the card when folded?

Mr. STATMAN. Right; you see, here we had not his signature because he was in New Orleans.

Mr. JENNER. Now, when you say "here" you are referring to lines 1 through 12, isn't that correct?

Mr. STATMAN. 1 through 13. In other words, in the space for remarks, 1 through 13, his signature does not appear.

Mr. JENNER. If he were here in Texas when those claims were made, his signature would appear on each of those lines?

Mr. STATMAN. No; just one time.

Mr. JENNER. At the top—meaning line 1?

Mr. STATMAN. No; at different offices—some offices make them sign it every time he goes in. Again, it's redundant. Actually, all you want is a true signature to compare the continued claim card he signs each week, to make sure this individual's signature checks. Then, when he came in on 10-10-63 he signed this card in our office, to establish a signature for us to be able to check future documents with.

Mr. JENNER. All right, and to pay him any balance due on his claim, or had it been paid out by that time?

Mr. STATMAN. Well, he drew, actually, I can't tell you how much money he drew, because of a lot of times an individual might file for his unemployment and for some reason or another he might be ineligible so he won't get any money. These records do not indicate the amount of money he has collected. You will have to get that out of Austin—the chief of the insurance claims.

Mr. JENNER. Mr. Davis is an expert at that and anyhow it is his home town. Is that right, Mr. Davis?

Mr. DAVIS. That's right.

Mr. STATMAN. In other words, I could go in and file for my unemployment and they might have phoned me for a job Wednesday and I said, "My wife is working and I have got to stay here with my kids," and I wasn't able and available for work that week. So, even though I filed for a claim that week, I would be ineligible, so just the mere signing of these cards would not indicate the payment to an individual.

Mr. JENNER. You have been extremely helpful.

Mr. STATMAN. I hope so. I hope I didn't confuse you too much.

Mr. JENNER. You didn't confuse us at all.

Mr. STATMAN. Now, do you want to keep all of those records?

Mr. JENNER. Oh, yes; very much so. I offer the three documents in evidence as Cunningham Exhibits Nos. 1, 2, and 3, respectively. [The original copies of the cards marked Cunningham Exhibits Nos. 1, 2, and 3 are in evidence as Cunningham Exhibits Nos. 1-A, 2-A, and 3-A.]

Mr. STATMAN. Okay, I guess that's all right—I don't know. Actually, our records are supposed to be confidential and we are supposed to have a court order before we release them, but I will just leave them with you and if I get in trouble I'll come to see you.

Mr. JENNER. If you get in any trouble about them, we will see that they are returned and we will make copies for you, but, of course, you can see they are hard to duplicate.

Mr. STATMAN. Are you going to be in town for a few days?

Mr. JENNER. I'll be in town tomorrow and I'll be back next week. There will be members of the legal staff here all the time.

Mr. STATMAN. Fine. All right, I'm just going to leave these with you. If something comes up I might have to solicit your aid.

Mr. JENNER. You've got a certified record of the fact you left them here.

Mr. STATMAN. No; I don't mean that. I might should not have released these to you without authorization from Austin, but if that comes up, you look like a pretty good lawyer and you might be able to bring us out of it.

Mr. DAVIS. Yes; if you get locked up, we will spring you out.

Mr. JENNER. Mr. Davis is from the Texas attorney general's office.

Mr. STATMAN. I'm not trying to be negative about this, but you know, when you deal with the State, sometimes if you don't follow the protocol there is difficulty.

Mr. DAVIS. If you have any question on it I would be glad to talk with them and tell them that we have made a formal request of you to leave them with us.

Mr. STATMAN. All right, fine. Is that all?

Mr. JENNER. That's all. Thank you very much. If you want to read this over, you may.

Mr. STATMAN. No; that's all right.

Mr. JENNER. And you waive signature too?

Mr. STATMAN. Right.

Mr. JENNER. All right, thank you very much. You have been very helpful.

Mr. DAVIS. Thank you very much.

Mr. STATMAN. All right, I'm glad I could help.

TESTIMONY OF TOMMY BARGAS

The testimony of Tommy Bargas was taken at 11:35 a.m., on March 30, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Mr. Bargas, do you swear that in the deposition I am about to take of you that you will tell the truth, the whole truth, and nothing but the truth?

Mr. BARGAS. Yes, sir.

Mr. JENNER. Will you state your name, please?

Mr. BARGAS. Tommy Bargas, B-a-r-g-a-s [spelling].

Mr. JENNER. And where do you live?

Mr. BARGAS. 301 East Drew, Fort Worth, Tex.

Mr. JENNER. Mr. Bargas, did you receive recently a letter from Mr. Rankin, the general counsel for the Commission?

Mr. BARGAS. Yes, sir.

Mr. JENNER. Is the letter asking you if you would appear and permit your deposition to be taken, with which was enclosed copies of Executive Order 11130, creating the Commission, and of Senate Joint Resolution 137, authorizing the President to appoint and create the Commission, and also a copy of the rules of procedure of the Commission for the questioning of witnesses by members of the staff of the Commission?

Mr. BARGAS. Yes.

Mr. JENNER. I am Albert E. Jenner, Jr., one of the counsel on the legal staff of the Commission, and Mr. Robert Davis is here, who is a special assistant attorney general of the State of Texas, and is cooperating with us and we with him and the attorney general, in the investigation that the State of Texas is carrying on. Now, you appear voluntarily?

Mr. BARGAS. Yes, sir.

Mr. JENNER. And the Commission, as you know, from these papers enclosed is investigating the tragedy of the assassination of President John F. Kennedy, and many people have had some contact with various circumstances and incidents involving persons who may or could have been involved in turn in that assassination, and we have information that you had some contact with a man known as Lee Harvey Oswald, and we would like to inquire of you about that contact. You live in Fort Worth—how long have you resided in Fort Worth?

Mr. BARGAS. I have lived in Fort Worth all my life.

Mr. JENNER. All of your life?

Mr. BARGAS. Yes.

Mr. JENNER. You are a native Texan?

Mr. BARGAS. Yes.

Mr. JENNER. And born and reared in Texas?

Mr. BARGAS. Yes.

Mr. JENNER. And did you, during his lifetime, come to know a man by the name of Lee Harvey Oswald?

Mr. BARGAS. I only knew him when he went to work for Louv-R-Pak Weather Co.

Mr. JENNER. But you did have a contact—you came to know him?

Mr. BARGAS. Yes; I did.

Mr. JENNER. At some contact you came to know him, whatever the case might be?

Mr. BARGAS. Yes, sir.

Mr. JENNER. How long have you been employed by Leslie Welding Co.?

Mr. BARGAS. I been employed with them ever since 1962.

Mr. JENNER. And does that include the year 1962?

Mr. BARGAS. Yes, sir.

Mr. JENNER. By whom were you employed during the year prior thereto?

Mr. BARGAS. Louv-R-Pak.

Mr. JENNER. L-o-u-v-R-P-a-k [spelling]. I take it, then, that somewhere along the line a company known as Louv-R-Pak merged into or associated with Leslie Welding Co.?

Mr. BARGAS. That's right.

Mr. JENNER. And you, as an employee of Louv-R-Pak then became automatically an employee of Leslie Welding Co.?

Mr. BARGAS. Yes, sir.

Mr. JENNER. Is Louv-R-Pak a division of the Leslie Welding Co.?

Mr. BARGAS. Yes.

Mr. JENNER. And tell us, at least in general, what is the business of Leslie Welding Co.?

Mr. BARGAS. Leslie Welding Co. manufactures louvers and ventilators for attics, houses—commercial and residential.

Mr. JENNER. What was the business of Louv-R-Pak?

Mr. BARGAS. Louv-R-Pak is the same line.

Mr. JENNER. It was the same line?

Mr. BARGAS. Yes.

Mr. JENNER. I use the present tense when I refer to Leslie Welding Co., that is, what is its business—was that that you have described its business in 1962?

Mr. BARGAS. Yes, sir.

Mr. JENNER. And thereafter as well, to the present time?

Mr. BARGAS. Yes, sir.

Mr. JENNER. Now, tell me, if you will, your particular connection with first—Louv-R-Pak and then Leslie Welding Co.?

Mr. BARGAS. Well, I was at Louv-R-Pak just a regular employee, and then in Leslie Welding, after it was purchased by Leslie Welding Co.—Louv-R-Pak was—then, after a short time I became foreman down there.

Mr. JENNER. Foreman in the Louv-R-Pak division of the Leslie Welding Co.?

Mr. BARGAS. Right, sir.

Mr. JENNER. What kind of work was under your supervision and direction as a foreman?

Mr. BARGAS. As a foreman it was total supervision of the plant. In other words—assign men to their jobs and see that they carried them out.

Mr. JENNER. Did you do any hiring of people?

Mr. BARGAS. Yes, sir.

Mr. JENNER. And discharging of people?

Mr. BARGAS. Yes, sir.

Mr. JENNER. I take it that the making of these louvers involves welding and sheet metal work?

Mr. BARGAS. Yes, sir.

Mr. JENNER. What kind of work is that—is that forming, and cutting and stripping and punching?

Mr. BARGAS. Spot welding and resistance welding was all they use.

Mr. JENNER. Spot welding and resistance welding?

Mr. BARGAS. Resistance welding and spot welding is the same thing.

Mr. JENNER. Does the sheet metal come in size or do you have to form it in some fashion?

Mr. BARGAS. We have to form it in various different sizes to specifications called for.

Mr. JENNER. And then, the louvers are spot welded and placed—they are moved up and down in various directions, are they?

Mr. BARGAS. Yes, sir.

Mr. JENNER. Does Leslie Welding Co. have any plants other than in Fort Worth?

Mr. BARGAS. It has one in Atlanta, Ga.

Mr. JENNER. Is its home office located here or in Atlanta, Ga.?

Mr. BARGAS. No, sir; it is located in Chicago.

Mr. JENNER. In Chicago proper or some suburb of Chicago?

Mr. BARGAS. In a suburb.

Mr. JENNER. Is that Melrose Park or Franklin Park?

Mr. BARGAS. Franklin Park.

Mr. JENNER. Have you ever been up there?

Mr. BARGAS. Yes, sir.

Mr. JENNER. Are there any production facilities there at Franklin Park?

Mr. BARGAS. Yes, sir.

Mr. JENNER. That's near O'Hare Field?

Mr. BARGAS. It is near to O'Hare Field.

Mr. JENNER. And, near Mannheim Road—I think Mannheim Road bisects Franklin Park, doesn't it?

Mr. BARGAS. I'm not too familiar with it, but I did travel on Mannheim Road. I remember that, but I'm not too familiar with the area.

Mr. JENNER. Did someone by the name of Lee Harvey Oswald ever work for Leslie Welding Co. here in Fort Worth?

Mr. BARGAS. Yes, sir.

Mr. JENNER. Did you have anything to do with that?

Mr. BARGAS. In what manner? In what respect?

Mr. JENNER. Well, did you hire him, for example?

Mr. BARGAS. Well, he came down—we called in for men at the Texas employment office and they sent him down and naturally he was interviewed.

Mr. JENNER. Did you do the calling in?

Mr. BARGAS. I don't do the calling in, no.

Mr. JENNER. You told somebody working for you or under your direction to call the Texas Employment Agency?

Mr. BARGAS. Well, the secretary called.

Mr. JENNER. At your direction, however?

Mr. BARGAS. Right.

Mr. JENNER. And what did you tell her you wanted in the way of an employee?

Mr. BARGAS. I wanted a suitable employee that we could train that had some sheet metal experience, that we could train—that was willing to learn, starting at a low grade.

Mr. JENNER. When was this?

Mr. BARGAS. I do not know exactly the date.

Mr. JENNER. I have a date in my notes of July 17, 1962, does that approximate it?

Mr. BARGAS. That's approximately right.

Mr. JENNER. It was in 1962?

Mr. BARGAS. I believe it was.

Mr. JENNER. And it was in July sometime?

Mr. BARGAS. Sometime in July.

Mr. JENNER. Along about the middle of July? Is that correct?

Mr. BARGAS. Yes; somewhere around in there.

Mr. JENNER. In response to this message that had been transmitted to the Texas State Employment Agency, somebody by the name of Lee Oswald came to your place of business, to the factory, and you had made it clear through your secretary, who called on your behalf, that you were seeking somebody who was going to start at the bottom, to be trained, that if he had some sheet metal experience that would be fine?

Mr. BARGAS. That's right.

Mr. JENNER. But, whoever this employee or prospective employee would be, would start at a low rate and it would be contemplated that he would be trained?

Mr. BARGAS. Yes, sir.

Mr. JENNER. Now, Lee Oswald came on the scene—do you recall your meeting with him?

Mr. BARGAS. No—not very distinctly—no.

Mr. JENNER. Do you relatively frequently have occasion to seek new employees?

Mr. BARGAS. Yes, sir.

Mr. JENNER. This was not out of the ordinary?

Mr. BARGAS. No, sir.

Mr. JENNER. It was just in the regular course of business?

Mr. BARGAS. Right.

Mr. JENNER. And neither the nature of the employment, nor the man himself in either respect—was there anything unusual or particular about it?

Mr. BARGAS. No—none whatever.

Mr. JENNER. And tell us about that meeting, to the extent you can recall it.

Mr. BARGAS. Well, it's pretty hard because I meet so many people that's come in and out.

Mr. JENNER. I appreciate that—it may be important to us, Mr. Bargas, that your recollection is exactly what it is, that this employment was just the usual, ordinary sort of thing and that he didn't impress you greatly—don't you be embarrassed at all—all we want to find out from you is what your personal recollection is and what you remember, that's all.

It may be just as important to us that you remember very little, because it was not extraordinary, as your remembering something particular about it. Give us what you now recall took place.

Mr. BARGAS. Well, the only thing that I remember taking place was him coming into the plant.

Mr. JENNER. And he came to see you—or he was directed to you?

Mr. BARGAS. He was directed to me, and he came in and I gave him an application to fill out and we talked and I gave him instructions of what I expected of the men when he came to be employed there.

Mr. JENNER. Would you tell us as best you can now recall that conversation—what you told him—what did you expect, what did you say to him that you expected?

Mr. BARGAS. Well, I have three basic rules that I go by—one, is that I expect a man to be there on time and I expect him, when he punches in in the morning to be prepared to work, and if he is going to be absent for any reason at all, I expect him to call in in the morning before 10 o'clock which is one of our com-

pany rules, and then I went along stating what he would be doing, where he would be working—

Mr. JENNER. All right, tell us what you said to him, in substance.

Mr. BARGAS. What I said to him in substance probably was—I usually tell them, “You will be working in this department,” and—

Mr. JENNER. Which department?

Mr. BARGAS. The turbine department.

Mr. JENNER. The turbine department?

Mr. BARGAS. The turbine department, and that’s another ventilator which we make, and this ventilator requires a little cutting to do with the shears, and he told me that he had had sheet metal experience while he was in the service.

Mr. JENNER. All right, go ahead.

Mr. BARGAS. And so—

Mr. JENNER. What kind of cutting—you say with the shears—is it a power-operated shears?

Mr. BARGAS. A power-operated shears.

Mr. JENNER. Go ahead.

Mr. BARGAS. And then after that, I put him to work.

Mr. JENNER. Now, I would like to stick to that beginning a little bit—do you recall what inquiries you made of him as to his immediate history, that is, did you inquire of him as to past positions, if any, he had held?

Mr. BARGAS. No.

Mr. JENNER. When you talked with him, I take it from your answer that you did inquire of him as to what sheet metal work experience he had had, if any?

Mr. BARGAS. If any.

Mr. JENNER. And his response was—what did he say?

Mr. BARGAS. Well, he said he had had some when he was in the service and that’s all, and he didn’t give no full detail as to what he was doing or how he was doing it.

Mr. JENNER. And you didn’t inquire?

Mr. BARGAS. No; I didn’t.

Mr. JENNER. I take it, then, at that stage of the game it was your impression or your thought, since this was to be a low hourly rated employee, that you would soon find out if he had any experience?

Mr. BARGAS. Right, sir.

Mr. JENNER. And you intended to train him in any event?

Mr. BARGAS. Right.

Mr. JENNER. Now, do you have any recollection of his appearance on that occasion, how he was attired with respect to cleanliness, did he have a suit coat on, a jacket, or a T-shirt, or if you have no recollection, then just say you don’t?

Mr. BARGAS. No.

Mr. JENNER. This was just an employment in the ordinary course of business that you do frequently?

Mr. BARGAS. Yes.

Mr. JENNER. And nothing with respect to this man impressed you or now stands out?

Mr. BARGAS. No.

Mr. JENNER. At this initial interview?

Mr. BARGAS. No.

Mr. JENNER. Do you recall inquiring of him as to where he lived?

Mr. BARGAS. No.

Mr. JENNER. As to whether he had a telephone or not?

Mr. BARGAS. No.

Mr. JENNER. Was he married—did he have a family?

Mr. BARGAS. The only thing—he was married but he never stated—he never said what nationality his wife was or anything like that. As a matter of fact, he never—we never communicated that much. In other words, we didn’t talk—we didn’t communicate between each other that much.

Once or twice I tried to talk with him, you know, we usually try to find out how the employees are getting along, whether they like their jobs they are

working at and if not, then we try to place them in a different position, and I make them satisfactory and that way I feel that a man can put out more.

Mr. JENNER. That's right.

Mr. BARGAS. And so, I tried to talk to him once or twice and all I would get "yes", "no", and that was it, and as long as I gave him the job he went and done it as everybody else in the plant, so I didn't have no grudge on him or nothing at all. I assigned him a job and he done it and I was satisfied.

Mr. JENNER. He was a somewhat uncommunicative person?

Mr. BARGAS. Yes, sir.

Mr. JENNER. But this did not interfere with his work?

Mr. BARGAS. No, sir.

Mr. JENNER. As far as you were concerned, even though he was uncommunicative, he was doing his work and he wasn't causing any trouble, so as far as his personality was concerned, you let that pass?

Mr. BARGAS. It was satisfactory with me.

Mr. JENNER. What kind of an employee was he, or what is your impression and present recollection?

Mr. BARGAS. Well, as much as I can remember of the short time he was there, it was a very short time he was there—he was a good employee. I imagine if he pursued that trade, he might have come out to be a pretty good sheet metal man—I don't know.

Mr. JENNER. But at least that's your impression?

Mr. BARGAS. That's my impression.

Mr. JENNER. I take it he did not volunteer anything with respect to his past or his family or his current activities outside the plant?

Mr. BARGAS. No.

Mr. JENNER. What were his relations, if any, with respect to other employees?

Mr. BARGAS. None whatever.

Mr. JENNER. Do you mean by that that he kept to himself?

Mr. BARGAS. Totally.

Mr. JENNER. Totally—what about lunch times—employees usually get together at lunch time?

Mr. BARGAS. Well, everybody used to get together over there except himself. He would take his lunch and move over to the side there and eat his lunch by himself and he didn't talk to nobody about nothing, so nobody ever even messed with him, I mean as far as that's concerned.

Mr. JENNER. What impression did you have as to whether he was indifferent to his work, happy with his work—what impression do you have as to his reaction to his work?

Mr. BARGAS. None that I can remember.

Mr. JENNER. Nothing stands out?

Mr. BARGAS. No.

Mr. JENNER. Do you have any impression as to whether he ever sought to be particularly industrious or tried to impress you?

Mr. BARGAS. No; the only thing I can remember—he just done his job—that's all.

Mr. JENNER. He was prompt, was he, in the mornings?

Mr. BARGAS. As far as I can remember he was there every day.

Mr. JENNER. And he had a good attendance record, as far as you can recall?

Mr. BARGAS. Yes.

Mr. JENNER. Do you have any recollection of anybody employed at the plant with whom Oswald did or might have associated after work hours or on weekends?

Mr. BARGAS. No.

Mr. JENNER. And as far as you observed, during the days of employment, he kept pretty much to himself anyhow?

Mr. BARGAS. That's right.

Mr. JENNER. Did you ever observe anything with respect to his temperament—was he quick tempered, was there any incident that occurred that would give you a basis for an opinion?

Mr. BARGAS. No.

Mr. JENNER. How long did he work there, to the best of your recollection?

Mr. BARGAS. I believe it was up until September, if I'm not mistaken, somewhere right along in there.

Mr. JENNER. Would this serve to refresh your recollection, that he worked until on or about October 8th, 1962?

Mr. BARGAS. No; I don't remember.

Mr. JENNER. Could he have worked until October 8th?

Mr. BARGAS. It is possible.

Mr. JENNER. But your present recollection is more like sometime in the course of September when his employment was terminated?

Mr. BARGAS. Yes.

Mr. JENNER. What were the circumstances respecting the termination of his employment?

Mr. BARGAS. Well, what happened is—he went home one day, not during working hours, but it was right after the regular working hours.

Mr. JENNER. After the regular quitting time?

Mr. BARGAS. After quitting time at 4:30, and he went home and he didn't give any indication of whether he was going to quit or he was going to leave or anything like that.

Mr. JENNER. You expected him back the next day?

Mr. BARGAS. I expected him back the next morning and if I'm not mistaken, it was Friday, and Monday he didn't show up, I believe it was; if I'm not mistaken—I can't place it, and so he didn't call in and he didn't have a phone, as far as I can remember, so I never tried to get in contact with him or anything like that, and I figured he may have someone to call in or something like that, so I just let it ride, and then he didn't show up the second day after that, so all I said then was, "Well, I imagine he quit because a line of guys had done the same thing."

In other words, a lot of them just never did show up and that's all that happened. They would come back on the following Friday or something like that and say, "I quit, I've got another job." That's what the other guys would say.

Well, he was different—when he left the only thing he done was he wrote in to the plant and told us where to send his check to. He said he was up there in Irving somewhere—I don't remember the address or exactly what place it was, but as far as I know that was it. I never had seen him since then and the last time I heard of him was when his name sounded off on the radio.

Mr. JENNER. Where were you then?

Mr. BARGAS. I was there at the plant.

Mr. JENNER. This was in the afternoon of November 22d?

Mr. BARGAS. Right.

Mr. JENNER. Of 1963?

Mr. BARGAS. Right.

Mr. JENNER. And you heard his name broadcast on the radio?

Mr. BARGAS. Yes.

Mr. JENNER. And that awakened your memory?

Mr. BARGAS. Well, it come to me—in other words—the name right there, it rang a bell—in other words, because I remember some of the names—in other words, when they say them, I can more or less remember them, and then I even said to myself, well, I wasn't too sure of it then, you know, because there are so many Oswalds, so when I got home that afternoon, I was watching the television and there they came with a flash picture of him and I remembered him.

Mr. JENNER. On the television?

Mr. BARGAS. Yes.

Mr. JENNER. And the flash picture you saw was Lee Harvey Oswald who had been an employee under your supervision and direction?

Mr. BARGAS. Yes—he was the one that had been employed there.

Mr. JENNER. You recognized him?

Mr. BARGAS. I recognized him.

Mr. JENNER. And, did that excite you to look at other television showings to confirm your recollection that the man under arrest by the Dallas City Police was Lee Harvey Oswald, a former employee of Leslie Welding Company?

Mr. BARGAS. Well, I followed the whole thing pretty well. I mean—it wasn't that I was interested in knowing whether I knew the man, because it didn't im-

press me very much of having known the man that done the deed that he did, but I did follow it pretty close and as I said, as I followed him more and more, I remembered him more and more.

Mr. JENNER. During the period of his employment, that was approximately a couple of months or a little more—more or less—did he evidence any disposition toward physical violence, quick temper, arguments with fellow employees, or anything of that nature?

Mr. BARGAS. None that I can remember.

Mr. JENNER. I show you Commission Exhibits 451 and 453 through 456, inclusive, and ask you to examine those photographs and tell me if the man depicted on those photographs, in your opinion, bears any resemblance to Lee Harvey Oswald?

Mr. BARGAS. [Examining exhibits referred to.] None of them.

Mr. JENNER. He does not?

Mr. BARGAS. No.

Mr. JENNER. What about his skills, did he do a reasonably satisfactory job?

Mr. BARGAS. Yes.

Mr. JENNER. Mr. Bargas, I think that's about all the questions I have. I would like to ask you, however, this general question as to whether anything has occurred to you, any incident or anything else that has come to your mind that you think might be helpful to the Commission in its investigation of the assassination of President Kennedy?

Mr. BARGAS. No.

Mr. JENNER. All right. You are privileged to read your deposition, if you wish to, and to sign it, if you wish to. It isn't required and you may waive it if you see fit—that is—forego it.

Miss Oliver will have it ready sometime during the week if you want to call in to Mr. Sanders' office, the United States Attorney's office, and come in and read it, you have a right to have a copy of your deposition if you wish to purchase one, and Miss Oliver will be quite willing to sell you one at whatever her rates are.

Do you have any preferences in this connection?

Mr. BARGAS. I would like to have one of those depositions—yes.

Mr. JENNER. When you call into Mr. Sanders and he will put you in touch with Miss Oliver and you can make arrangements with her for a copy, and I appreciate your coming in and regret any inconvenience to you, but you have been helpful to us.

Mr. BARGAS. Well, I'm glad I have. As far as I know—I don't know—as much as I knew about the man, I don't think I can tell you enough—as much as I thought I knew the man. If I had known anything like that about the man, he would have never been employed there.

Mr. JENNER. Well, so say we all.

Mr. BARGAS. But it's just one of those things.

Mr. JENNER. Thank you very much. I appreciate it.

Mr. BARGAS. All right.

TESTIMONY OF ROBERT L. STOVALL

The testimony of Robert L. Stovall was taken at 3:30 p.m., on March 30, 1964, in the office of the U.S. Attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Mr. Stovall, would you please rise and be sworn.

Do you swear in your testimony that you will tell the truth, the whole truth, and nothing but the truth?

Mr. STOVALL. Yes; I do.

Mr. JENNER. You are Robert L. Stovall?

Mr. STOVALL. Yes.

Mr. JENNER. That's [spelling] S-t-o-v-a-l-l?

Mr. STOVALL. Yes.

Mr. JENNER. You are president of Jaggars-Chiles-Stovall, 525 Browder, here in Dallas, is that right?

Mr. STOVALL. Right.

Mr. JENNER. Mr. Stovall, my name is [spelling] J-e-n-n-e-r, Albert E. Jenner, Jr., and I am a member of the legal staff of the Commission appointed to investigate the assassination of President Kennedy. You received from Mr. Rankin, the general counsel of the Commission, a letter in which he enclosed, three documents—Joint Resolution 137 authorizing the creation of the Commission, Executive Order 11130 of President Johnson, creating the Commission, and then the Rules of Procedure of the Commission itself.

Mr. STOVALL. Right.

Mr. JENNER. And you appear voluntarily in an effort to assist the Commission in its work?

Mr. STOVALL. Yes.

Mr. JENNER. We are investigating as you notice in those papers all the possible pertinent facts and circumstances surrounding that horrible event, to see if we can enlighten the citizenry of the country and at least get all of the facts recorded, and in the main, as a matter of fact, get rid of a lot of rumors that keep cropping up here and there, and since Lee Oswald was employed by your company, we would like to make some inquiries of your company, if we may.

Mr. STOVALL. Yes.

Mr. JENNER. Are you a native of Dallas, Texas?

Mr. STOVALL. Dallas; yes.

Mr. JENNER. How old are you, by the way?

Mr. STOVALL. Forty-three.

Mr. JENNER. And is this your company—is it a corporation or a partnership?

Mr. STOVALL. It is a corporation.

Mr. JENNER. Are you the principal shareholder?

Mr. STOVALL. Yes.

Mr. JENNER. Did you organize the company?

Mr. STOVALL. No; this is the second generation of the company. The original founders disposed of their holdings about 3½ years ago.

Mr. JENNER. Disposed of them to you and your family?

Mr. STOVALL. And several of our employees.

Mr. JENNER. And you have been with the company how long?

Mr. STOVALL. Twenty-five years.

Mr. JENNER. That has been, I gather then, considering your age—your entire business career has been spent with Jaggars-Chiles-Stovall?

Mr. STOVALL. Well, except while I was in the Navy and I worked summers while I was going to college.

Mr. JENNER. Where did you attend the university, by the way?

Mr. STOVALL. I went to Texas Tech and SMU. I attended SMU at night and worked in the day.

Mr. JENNER. What does your company do?

Mr. STOVALL. We are in the typographic services. We serve advertising agencies, advertising departments, and the graphic arts industry as a middle supplier for type services. We also produce newspaper mats for duplication throughout the United States.

Mr. JENNER. Do you do any work for any federal agency?

Mr. STOVALL. Yes, sir.

Mr. JENNER. Is it secret or confidential work or classified work of any kind?

Mr. STOVALL. On occasion we do. Most of it is not, but we do on occasion. We are cleared through the Navy Bureau Materiel here, although I believe it now has been incorporated under the Department of Defense as a single unit.

Mr. JENNER. Without disclosing any secrets in that connection or classifications, what is the nature of that work?

Mr. STOVALL. Generally speaking, the nature of the work is charting and

mapping, and actually all we do is set words, letters, and figures. We have no correlation of what they refer to.

Mr. JENNER. It's charting of coastal areas, sea bottoms, and some land areas or what?

Mr. STOVALL. Yes; and some foreign areas, too.

Mr. JENNER. That is, other than continental United States?

Mr. STOVALL. Yes; right.

Mr. JENNER. Was any of this work done in the department or area to which Lee Oswald had access while he was employed by your company?

Mr. STOVALL. Not in the department at all. Whatever secret work we might have been performing, we do it with the persons who had been cleared by the regular procedures and they are the only eyes who view this.

Mr. JENNER. So, anything that is classified is done only by employees of yours who have been cleared by an appropriate Federal agency?

Mr. STOVALL. Yes, sir.

Mr. JENNER. And then, I gather that as far as Lee Harvey Oswald is concerned, he had no part in it nor access to any of this work?

Mr. STOVALL. This is correct.

Mr. JENNER. And that your company is at pains to see that no one other than those who are cleared have access to it?

Mr. STOVALL. That is correct.

Mr. JENNER. And that was true while he was working for you?

Mr. STOVALL. Yes. In fact, at such times as we have any secret work going, even at the point of being rude, we see that no one has access to any of this material. I won't say—rude—but we strictly enforce it.

Mr. JENNER. Well, you make it pretty firm, which is right?

Mr. STOVALL. Right.

Mr. JENNER. Do you do any lithography work?

Mr. STOVALL. No.

Mr. JENNER. Do you do any printing of advertisements, papers, newspapers, periodicals?

Mr. STOVALL. No.

Mr. JENNER. You set type, of course?

Mr. STOVALL. We set type. The only printing we do is a proving process, and that should we do an ad, let's say some of the Savings Bond Committee and ship one hundred mats, we would also ship one hundred proofs.

Mr. JENNER. You pull off proofs but your presses are proof presses, and that's all?

Mr. STOVALL. Right; we have no printing presses in this regard.

Mr. JENNER. I take it you do a lot of camera work?

Mr. STOVALL. Considerable; yes.

Mr. JENNER. But it is commercial camera work?

Mr. STOVALL. Right; it isn't even photography. It is only the part of reducing and enlarging printed material that we set in our type shop. It has to be re-sized and we also make screen veloxes.

Mr. JENNER. Explain for the record what that is.

Mr. STOVALL. A velox is a photographic print that has been screened by a dot press to separate the tone values in order that a camera can shoot them in black and white or in any group of colors, but it breaks it down into minute units that a camera will recognize.

Mr. JENNER. That's like half tones for newspaper printing?

Mr. STOVALL. Right.

Mr. JENNER. Do you do any plate work other than the mats?

Mr. STOVALL. No.

Mr. JENNER. Is the term "microdot printing" or lithographing familiar to you?

Mr. STOVALL. Lithography is—microdot printing is not.

Mr. JENNER. And you don't do any work of that nature and character?

Mr. STOVALL. No.

Mr. JENNER. Other than the preparation of or use of dot work as you have already described it?

Mr. STOVALL. Yes.

Mr. JENNER. You personally have no familiarity with microdot reduction of some image?

Mr. STOVALL. No; we have no equipment and I have no experience in that. I am familiar with the microfilm as to the advantages of it from the standpoint of storage and so forth, but as to participating in any microfilming operation, we don't.

Mr. JENNER. Or any microdot in printing?

Mr. STOVALL. No, sir.

Mr. JENNER. For example, taking a 24 by 24 printed sheet and microdot reducing it to less than the area of a postage stamp.

Mr. STOVALL. There are several specialty houses here and this is all done by Recordak and it is a specialty with them and they have the equipment.

Mr. JENNER. But you have none and you have never done it?

Mr. STOVALL. No.

Mr. JENNER. Do you recall the circumstances under which Lee Harvey Oswald was employed by your company?

Mr. STOVALL. I know the circumstances only from the statement made by John Graef, the fellow you interviewed this morning. He made the interview himself. We were in the market for a trainee to learn this simple photoprint process. He has had a connection with the Employment Commission and the State Employment Commission for a quite a few years in that we use their services. That's what they are for.

Mr. JENNER. You personally had nothing to do with Oswald's initial employment?

Mr. STOVALL. No.

Mr. JENNER. That was Mr. Graef?

Mr. STOVALL. Yes; he is the head of that department.

Mr. JENNER. Were you aware of his progress or lack of it?

Mr. STOVALL. Yes—through their information.

Mr. JENNER. Through reports from Mr. Graef?

Mr. STOVALL. Right.

Mr. JENNER. And he kept you advised from time to time?

Mr. STOVALL. Yes.

Mr. JENNER. And you were personally aware of Oswald's progress or lack of it?

Mr. STOVALL. Right.

Mr. JENNER. And were there any incidents that came to your attention with respect to Oswald's relations with other employees?

Mr. STOVALL. Not that I personally know of—on occasion one or two fellows would mention that they didn't have any real liking for him because he was such an oddball, but as far as I'm concerned, I never spoke to the fellow.

Mr. JENNER. You saw him in and about the premises, however?

Mr. STOVALL. Yes, sir; I have seen him in and about the premises.

Mr. JENNER. Did any occasion arise in which the subject of his conversation or his talking about Russia arose or was reported to you?

Mr. STOVALL. Only after he left our employ was any mention made of it.

Mr. JENNER. Tell us about that.

Mr. STOVALL. He sought employment at another company here in town, a printing company.

Mr. JENNER. Do you recall the name of that company?

Mr. STOVALL. Padgett Printing Co.—Padgett Printing and Lithographing Co., and the superintendent over there called me and he gave us as a reference.

Mr. JENNER. Do you know the superintendent's name?

Mr. STOVALL. Ted Gangel.

Mr. JENNER. Would you spell it, please?

Mr. STOVALL. G-a-n-g-e-l [spelling], or G-a-n-g-l—I won't be sure.

Mr. JENNER. They are here in Dallas?

Mr. STOVALL. Yes—he's their superintendent. He called me and asked me and I told him I did not know, but I would check, so I asked John Graef and they said this fellow was kind of an oddball, and he was kinda peculiar sometimes and that he had had some knowledge of the Russian language, which—this is all I knew, so I told Ted, I said, "Ted, I don't know, this guy may be a damn Com-

munist. I can't tell you. If I was you, I wouldn't hire him." So, he didn't, but he did come out of the Marines and supposedly he had a discharge that was satisfactory but I did not ever see this discharge.

Mr. JENNER. Was anything said in connection with your inquiries at that time about his having had a Russian language newspaper around your place of employment?

Mr. STOVALL. One of the fellows mentioned that he thought he might have, but in further discussion he was unable to pinpoint whether he was positive of this or whether he just thought it was. This fellow Ofstein—I think he made mention of it, the fact that he thought he might have seen one.

Mr. JENNER. Well, he said not only did he see it, but that he read it. He had some command of the Russian language himself. He was a student at the Service Language School in Monterey, Calif., when he was in the service.

Mr. STOVALL. Actually, when I was talking to this fellow Padgett, I was really just shooting off my mouth, but it seemed the way it turned out, that maybe there was a little bit of founding to it.

Mr. JENNER. Was there anything that came to your attention about his discharge from the Marines?

Mr. STOVALL. No; I really didn't know any particulars on it until this incident happened.

Mr. JENNER. It was subsequent to November 22, 1963?

Mr. STOVALL. No, previous to that.

Mr. JENNER. Did it ever come to your attention of Oswald having any contact with any of your employees subsequent to the termination of his employment?

Mr. STOVALL. Not that I know of.

Mr. JENNER. I have here Commission Exhibit 427, which purports to be the original of an employee identification questionnaire of your company, with respect to Lee Harvey Oswald, and would you look at it, please?

Mr. STOVALL. (Examining instrument referred to.)

Mr. JENNER. And are you familiar in fact with what it purports to be?

Mr. STOVALL. Yes; this is the employment card that we had on him.

Mr. JENNER. And that is part of your original books and records of your company, kept in the usual and regular course of business?

Mr. STOVALL. Right—this was picked up by the Secret Service and somewhere I have a receipt from them, well, there is a negative—I destroyed the positive.

Mr. JENNER. Now, you are showing me a receipt and if I could read backwards, I would be able to read this.

Mr. STOVALL. If you have a mirror, you can look at it and read it.

Mr. JENNER. Off the record.

(Discussion between Counsel Jenner and the witness, Mr. Stovall, off the record.)

Mr. JENNER. Are you able to tell me whose handwriting that is in the extreme upper right-hand corner of Exhibit 427?

Mr. STOVALL. That is one of the personnel—in our bookkeeping and payroll department, and I could not tell you who it would be, but it would be one of three people.

Mr. JENNER. But it is an entry by an employee of your company made in the usual and regular course of business, is it?

Mr. STOVALL. Yes.

Mr. JENNER. And it records the date of termination of Oswald's employment?

Mr. STOVALL. Right.

Mr. JENNER. The sixth day of April 1963?

Mr. STOVALL. He was given notice the latter part of March, and our company's procedure is to give a fellow a week or 10 days notice prior to the termination.

Mr. JENNER. Was his termination prospectively or otherwise discussed with you prior to it?

Mr. STOVALL. Oh, probably it was—I would not say for sure whether it was or wasn't. I'm pretty much of a dog around there when things don't go right I'm the one that has to do all the yelling, and if a guy doesn't produce, I say, "Let's do something," and from this basis I feel the responsibility to say that I probably had something to do with this termination, not as an individual, but only on his performance as far as the work standards were concerned.

Mr. JENNER. What was this man's skill to the extent that you recall, in these areas in which you sought to train him?

Mr. STOVALL. He had no skill. He had no training whatsoever. You see, we employed him only as a trainee and I think we probably started him at \$1.25 or \$1.35, or something like that, and automatically we give a youngster a 10- or 15-cent raise quarterly, but within 6 months, if they have shown no aptitude, we give up on them and have a parting of the ways.

Mr. JENNER. And that is what happened here?

Mr. STOVALL. Yes; because we give them a raise doesn't mean that the person is competent, it means that it is just a system of employment we have when we start someone on minimum, or generally a 90-day basis, and we give them a nickel or dime, and then within a maximum of 6 months, if they have shown no aptitude, we just have to terminate them.

Mr. JENNER. That's in fairness to them as well as to your company?

Mr. STOVALL. Right.

Mr. JENNER. You also turned over to the Secret Service the application for employment that Oswald made with Padgett Printing Co.?

Mr. STOVALL. Yes. I do not have that receipt with Padgett.

Mr. JENNER. How did you come to have that, by the way?

Mr. STOVALL. The Secret Service on Saturday—I made contact with them—Mr. DePrato—this is his signature and I don't recall the other gentleman's name, and in our discussion, I mentioned the fact that I thought this fellow had sought employment with another company, but I didn't know what disposition had been made of it, and they asked would I call there, so while they were in my office I called, but there was no one there and I knew this fellow and I called his home and he is an astronomer as a hobby and he was giving a lecture to some students, so I made a contact with the person who was on the phone out here at the Astronomy Auditorium at the Fair, and he called me and I asked him could I get hold of this application for the Secret Service and he said "Yes," he would get it and bring it by, and in the meantime these fellows had gone somewhere else and I told them I would meet them Sunday in my office, so I did and gave it to them. The reason I had it—they asked me to secure it for them.

Mr. JENNER. And you did?

Mr. STOVALL. And I did.

Mr. JENNER. The expression "microdots" does that mean anything to you?

Mr. STOVALL. No; we have never gotten any microfilming processes whatsoever.

Mr. JENNER. Mr. Stovall, your able employee, Mr. Graef, has given me a good deal of detail and has been very helpful and likewise you have been. Is there anything that I have failed to bring out here because I don't know about it or haven't been stimulated to do so that you think might be helpful to the Commission in its investigation?

Mr. STOVALL. I don't believe so. There was such a short period of time this fellow worked for us and he was a constant source of irritation because of his lack of productive ability, that—

Mr. JENNER. Would you elaborate on that, please?

Mr. STOVALL. We would ask him to reduce a line to 4 inches in width, that happened to be 6, and he might make it $4\frac{1}{4}$ or $3\frac{3}{8}$, and this was a loss in labor and materials both, and it had to be redone.

Mr. JENNER. Did this occur with greater frequency than you thought—than your people thought was permissible, having in mind the progress which you would expect of him or a man in his position to have attained?

Mr. STOVALL. Yes; that's true.

Mr. JENNER. What about his relations with others in the company—other employees—how did he get along, or did that come to your attention?

Mr. STOVALL. I don't think anyone liked him or disliked him either one. He was just one of those people you don't know. If you don't know a guy, you can't know if you don't like him. That's probably the main reason we don't like him. Someone made mention in one instance that he bumped them in a dark room, which is a walkway area, and if a guy's bent over a tray and somebody else is coming by—he will get bumped, and it depends on who is doing the bumping, whether you get upset about it or not.

Mr. JENNER. Well, it can be done without taking offense to one another?

Mr. STOVALL. There's nothing at all wrong in it. There's no pain at all in saying "Excuse me."

Mr. JENNER. Yes; and apparently he was not inclined to do that.

Mr. STOVALL. It seems that that's so—yes.

Mr. JENNER. Have you had an impression as to whether he was an outgoing person or a reserved person—keeping to himself?

Mr. STOVALL. I think he must have been reserved, because the fellows who worked right with him, no one seems to have had any particular conversation with him. One guy invited him to go to church and he had such an unpleasant reception to it that that was the end of that.

Mr. JENNER. What incident was that—tell us about that.

Mr. STOVALL. Well, the fellow asked him what his religion was, and he asked him if he would like to go to church and I don't know what he said, but that was the end of that.

Mr. JENNER. He made it pretty clear he didn't want to go?

Mr. STOVALL. It seems that's the way it was.

Mr. JENNER. And he didn't want to be bothered by anyone?

Mr. STOVALL. He didn't want to discuss it either.

Mr. JENNER. All right; does anything else occur to you?

Mr. STOVALL. Not that I know of—the fellow had a good record of being on the job, I mean, he didn't have any absenteeism.

Mr. JENNER. He was prompt and worked every day and had little in the way of absenteeism?

Mr. STOVALL. Yes.

Mr. JENNER. Mr. Graef said that he sought overtime employment; do you recall that?

Mr. STOVALL. Only by his statements that he made it known that he was available to work on Saturday and he simply had a wife and kid and needed the money and I'm sure that he did, as far as that goes, because of the rate of pay he was working, living in these times, it didn't go very far.

Mr. JENNER. Your overall impression is that he was an industrious person?

Mr. STOVALL. He was inefficient—I wouldn't say he was industrious—if he would have maybe applied himself at least—he was inept in this particular craft.

Mr. JENNER. All right. We appreciate this very much. Now, you have the right to read your deposition, and make any corrections in it you wish and to sign it.

Miss Oliver ought to have it ready sometime this week, if you wish to do that. You may obtain a copy if you wish by arrangement with her and she charges 35 cents a page.

Mr. STOVALL. Well, is it part of your procedure that I sign your copy?

Mr. JENNER. No; you may waive it.

Mr. STOVALL. I don't have any use for it.

Mr. JENNER. You don't have any use for it and you don't care to come back and read it for purposes of correction, at least your curiosity might bring you to read it sometime—other than that you have no desire to come back?

Mr. STOVALL. I suppose it is for the corporation—I should put it with our papers. That is my only reason for wanting it. That—the same as we are keeping these.

Mr. JENNER. You have two employees here—Mr. Graef and Mr. Ofstein—do you want her to write all three depositions or just your own?

Mr. STOVALL. Well, is the writing she does—is this the only reason it is for us?

Mr. JENNER. No; we have it written up for ourselves and that is why you can obtain a copy at 35 cents a page.

Mr. STOVALL. If there is some means of getting a copy of it—the only reason I was wanting it is for the record. I don't care anything about it otherwise—I suppose it might be of use. If this is out of order or anything, as far as I am concerned—that's all right.

Mr. JENNER. It's nothing out of order at all—all she does is for the small price of 35 cents a page is just a matter of preparing an extra copy, so, you go ahead and prepare a set, then, and I would suggest that you deliver it under seal to Mr. Stovall. Do you want all three or just your own?

Mr. STOVALL. If you don't mind I would just put the others in there, too.

Mr. JENNER. Yes, I understand; some people under the circumstances you are in do obtain copies, so that they can keep them in the corporate records.

Mr. STOVALL. Well, it's from the standpoint of corporate records of all the interviews and questions and so forth that we have been through on this—we have nothing other than three receipts and somewhere down the line in the years to come I would like to have it.

Mr. JENNER. You will find along the line in these depositions that they have covered everything that has been covered before and some more. We are able to probe a little more than those boys. They knew what they were after but they didn't have all the information that we have now.

Mr. STOVALL. Well, the men whom I have been in contact with have been nothing but nice.

Mr. JENNER. Oh, yes; the Secret Service men are always nice.

Mr. STOVALL. They are gentlemen of the first degree.

Mr. JENNER. Well, I can certify to that—they are very fine and very helpful, and greatly grieved over this as everybody else is.

That's all and thank you very much for coming.

Mr. STOVALL. All right. Thank you.

TESTIMONY OF JOHN G. GRAEF

The testimony of John G. Graef was taken at 9:20 a.m., on March 30, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryn and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Would you rise and be sworn, please, Mr. Graef?

Mr. GRAEF. Certainly.

Mr. JENNER. Do you solemnly swear in your testimony to tell the truth, the whole truth, and nothing but the truth?

Mr. GRAEF. I do.

Mr. JENNER. Mr. Graef, I am Albert E. Jenner, Jr., and I am a member of the legal staff of the Commission appointed to investigate the assassination of President Kennedy, our President, and I think Mr. Rankin of the Commission sent you, or you have received from Mr. Rankin, a letter together with copies of the Senate Joint Resolution 137, creating the Commission, authorizing its creation, and President Johnson's Executive Order 11130, appointing the Commission and fixing its power and also a copy of the procedural regulations adopted by the Commission with respect to the taking of testimony.

Mr. GRAEF. That's correct.

Mr. JENNER. And you appear here voluntarily?

Mr. GRAEF. Yes; I do.

Mr. JENNER. The Commission, as you know from those documents, is appointed to investigate the circumstances surrounding the assassination of President Kennedy, and particularly any facts and circumstances respecting the involvement of Lee Harvey Oswald, and that tragic event, and seeks to gain information from those who had some touch with his life, and we understand you had some connection with him with respect to an early employment, in 1962, by Mr. Oswald, in your company—Jaggars, J-a-g-g-a-r-s [spelling], Chiles, C-h-i-l-e-s [spelling], Stovall, S-t-o-v-a-l-l [spelling].

Mr. JENNER. Off the record.

(Discussion between Counsel Jenner and the witness, Graef, off the record.)

Mr. JENNER. Our information is that Lee Oswald was an employee of Jaggars-Chiles-Stovall in October 1962; is that correct?

Mr. GRAEF. That's correct.

Mr. JENNER. Now, you lived at 522, Browder, B-r-o-w-d-e-r [spelling]?

Mr. GRAEF. No; that is the address of the firm—Jaggars-Chiles-Stovall.

Mr. JENNER. You reside where?

Mr. GRAEF. At 7304 Turtle Creek.

Mr. JENNER. Here in Dallas?

Mr. GRAEF. That is correct.

Mr. JENNER. And you have been a resident here in Dallas for about how long?

Mr. GRAEF. Approximately 18 years.

Mr. JENNER. And you are a married man and have a family, I assume?

Mr. GRAEF. That's correct.

Mr. JENNER. And how long have you been employed or associated with Jaggars-Chiles-Stovall?

Mr. GRAEF. About 10 or 11 years; perhaps a little longer.

Mr. JENNER. Since your earlier answer that Oswald was employed at one time in October 1962, by this company, do you have knowledge or reasonably direct information as to the circumstances leading up to his employment, and what kind of an employee he was?

Mr. GRAEF. Yes; I do.

Mr. JENNER. Would you, in your own words, just tell us about it?

Mr. GRAEF. Certainly.

Mr. JENNER. Start at the very beginning, as best you can, so I can get the whole story of the matter.

Mr. GRAEF. Fine. About that time—it was, I believe, October, I don't have any written information in front of me that I recall——

Mr. JENNER. This is 1962?

Mr. GRAEF. That's correct—I'll have to recall as best I can.

In about October 1962, as director of our photographic department we found ourselves in need of another man, so at this time I called the Texas Employment Commission and spoke to them about sending me someone having as close as possible the abilities that might work out in our photographic department.

Mr. JENNER. Would you tell us what you told her in that connection, as best as you can reconstruct it, giving us her name—it was a her?

Mr. GRAEF. I believe I remember—yes—Louise Latham.

Mr. JENNER. What your normal practice is in that respect?

Mr. GRAEF. Yes.

Mr. JENNER. And, particularly what you did on this occasion?

Mr. GRAEF. Being the director of the photographic department for some time, on numerous occasions it has been necessary for me to call and ask the Texas Employment and other sources for help in the normal turnover of employees that come up in any business.

Mr. JENNER. Could you tell me something about those normal sources, because we may wish to look to them and see if we can find anybody else who had any possible contact with this man?

Mr. GRAEF. Surely. I can't name other employment agencies, but I will say, private employment agencies who occasionally have called us and told us that they had someone they thought had ability along our line, but this hadn't been as successful to us as the Texas Employment Commission. They seem to have a bigger repertoire of personnel needing jobs.

Mr. JENNER. Is that a public agency?

Mr. GRAEF. Yes; it is.

Mr. JENNER. State or local?

Mr. GRAEF. State; it is a State agency.

Mr. JENNER. It is here in Dallas?

Mr. GRAEF. It is here in Dallas.

Mr. JENNER. The office you called?

Mr. GRAEF. The office I called—that's correct.

Mr. JENNER. I assume it has offices in other cities in Texas?

Mr. GRAEF. I believe so; so I called—but to reiterate—mainly our best source of employees has been the Texas Employment Commission. They have a larger pool to draw from, so I called—in the course of my dealing with them—they have various departments and in the course of dealing with them, I became familiar with one person.

Our particular photographic department is not one that we find experienced personnel readily, and the work we do is, I would say, quite different in various

ways from ordinary photography, as most people know it. I will enlarge on that slightly by saying we do many, many things with letters. For example, we can take a straight line of type and we can curve it or bend it or twist it or put it in a circle, for example, and so, rather than just taking pictures of people as ordinary photographers do, this work which we perform for advertising agencies and artists in this area is a matter of training, learning first to use the equipment we have which takes some time, and then the differences in the material that we use.

For example, the characteristics of photographic paper, the characteristics of chemicals that we use, and it is only after learning and becoming familiar with the equipment and the materials that then you find out whether an employee will produce the work properly, on time, and well, and so, it is usually some time before an employee develops into or either becomes the kind of employee you want.

In other words, after this training period, and you have spent time with him teaching him the equipment and the material, perhaps at this late date, many months by now may have gone by—perhaps he can't—he isn't careful enough in the job—he begins producing, but perhaps we will say he doesn't work as hard as you would like, so quite often we spend a great deal of time teaching someone, only to find out after some months have passed that he isn't a desirable employee, but is just one of those things.

We must, of course, in order to find out if they will do the job, go through the process of teaching him the equipment and about the materials, so I've gone into this because it will help later on in explaining the termination of Lee Oswald with us, but because of these various facts that I have mentioned, I became familiar with one person in particular down at the employment office, the Texas Employment Commission—the agency.

I, of course, had never met this person, but through phone conversations I explained after many times what I needed, the type person I was looking for—perhaps with an artistic background, perhaps with photographic experience somewhere, in the Army or elsewhere, and I told her the various attributes that I thought a person should have in order to make a success of our work.

Mr. JENNER. Would you try to reconstruct this now—just assume you are on the telephone now.

Mr. GRAEF. Okay.

Mr. JENNER. And carry yourself back out there to a year and a half ago?

Mr. GRAEF. Yes; I'll try to do that. So, I called this person repeatedly—after the first call or two—this has gone on now over several years and she knew the type person I was looking for and the type of experience that I was looking for, so I called her, and her name was Louise Latham.

Mr. JENNER. Is she still employed by the Texas Employment Agency, do you know?

Mr. GRAEF. I don't know—I really don't know—a very charming person over the phone.

Mr. JENNER. And, had you put in this call, let's say—how long before she sent, if she did, Lee Harvey Oswald over to see you—when did you start out to seek this employee, is what I am getting at?

Mr. GRAEF. Let me refer to this employee questionnaire.

Mr. JENNER. Does that have an exhibit number on it?

Mr. GRAEF. Yes, No. 427.

Mr. JENNER. Commission Exhibit No. 427.

Mr. GRAEF. Now, it says here he was employed October 12, 1962, so I would say probably 2 weeks prior to that time, roughly about the 1st of October was when I placed the call.

Mr. JENNER. Do you recall whether anybody other than or in addition to Lee Oswald had been sent you before he came?

Mr. GRAEF. Yes. I don't remember the sequence—whether Lee was first or whether Lee was last. As I recall, there were about two or three—all of them young men, average young men—Lee Oswald was average.

Mr. JENNER. Would you have in your files—what do you call that that is marked "Commission Exhibit 427"?

Mr. GRAEF. I am holding in my hand this same Commission Exhibit No. 427,

and it's an employee identification questionnaire, of our firm Jaggars-Chiles-Stovall.

Mr. JENNER. Would you have had a card, would it still be retained in your files for the other people you might have interviewed?

Mr. GRAEF. No. No—I wouldn't. Normally, when the Texas Employment Commission sends someone over for an interview, I meet them and we sit down, of course, and discuss their past history, employment history, and the various personal histories of that person. The Texas Employment Commission sends a card over from them, telling who the bearer is and it also has a space on it that says "Was this employee hired?", which you will mail back to them and "Not hired," and the reason why you didn't hire them, and in every case, as I recall, the people whom I did not hire, I would just mark it in the appropriate space and drop it in the mail and it is returned to them.

So, of these two or three young men who came to me after—at this period, about October 1, Lee was one of them and seemed to me to be the most serious and a shade—I'm searching for the right word—when I say "serious" and just a shade more determined, perhaps—he seemed like he had had a slight edge on the other one or two fellows that came there, and I thought—well—

Mr. JENNER. I take it that you personally did the interviewing of all of these?

Mr. GRAEF. That's correct.

Mr. JENNER. Including Lee Harvey Oswald?

Mr. GRAEF. That's correct. I had talked with this Mrs. Louise Latham, it's Mrs.—also—each time she would call. Of course, I would notify her that I could use another employee and perhaps 3 or 4 days would go by until she saw, knowing these various things that I needed—she would call me and say, "I believe I have a young man who looks like a pretty good prospect," and so I would say, "Thank you." And she would send him over.

Mr. JENNER. Have you now recited all of the things you indicated to her in connection with this particular employment or in employment need?

Mr. GRAEF. I—

Mr. JENNER. As to what you were looking for.

Mr. GRAEF. Yes; I believe so.

Mr. JENNER. Right.

Mr. GRAEF. So, Lee came over and I met him in the outer office. He handed me the employment card from the Texas Employment Commission. This, as I remember, just has a name and address and who sent him, and then was he hired or was he not hired.

Mr. JENNER. Do you recall how he looked—how he was attired, for example, on that occasion—that's a pretty big order?

Mr. GRAEF. Yes—my memory fails me a little here, but it seems to me he wore a suit, a dark gray suit, modestly dressed and he was very businesslike and likeable.

Mr. JENNER. You say your recollection doesn't serve you well as to his attire on this particular occasion?

Mr. GRAEF. That's correct.

Mr. JENNER. It could be that he did not have a suit—gray? A collar, or otherwise?

Mr. GRAEF. It could have been, yes, but that's just an impression that hits my mind, but I could very easily be wrong.

Mr. JENNER. Could he have had a white T-shirt and one of these lightweight zipper jackets on?

Mr. GRAEF. No—no, definitely not.

Mr. JENNER. Definitely not?

Mr. GRAEF. No.

Mr. JENNER. You have a definite recollection that he had a suit coat on?

Mr. GRAEF. Yes, his appearance was as most young men would appear in applying for a job—tend to look nice and he made a nice appearance.

Mr. JENNER. All right.

Mr. GRAEF. So, he came in—

Mr. JENNER. Excuse me, did he have a tie?

Mr. GRAEF. Yes.

Mr. JENNER. He did have a tie?

Mr. GRAEF. Yes; I'm pretty certain he had a tie.

Mr. JENNER. He gave you a reasonably fair impression?

Mr. GRAEF. That's correct.

Mr. JENNER. At first blush?

Mr. GRAEF. That's correct—he came in and I met him in the outer office, and we sat down in the outer office.

Mr. JENNER. I take it you had never seen this man before?

Mr. GRAEF. No; that's correct.

Mr. JENNER. Had you ever heard of him before?

Mr. GRAEF. No.

Mr. JENNER. Did anything occur during the course of that interview which triggered any thought in your mind that you might have, or could have heard about him before?

Mr. GRAEF. No.

Mr. JENNER. As an individual?

Mr. GRAEF. No.

Mr. JENNER. He remained throughout a complete stranger except to the extent of your questioning, which elicited some knowledge of him?

Mr. GRAEF. That's right. He was at that time a complete stranger. I had never seen him before or heard of him before. He was just another applicant for a job, is what it amounted to.

Mr. JENNER. All right. Go ahead.

Mr. GRAEF. So, we sat down and he gave me the card and he told me his name was Lee Harvey Oswald, and we went through the normal job interview that we give most young men. I know—I don't, of course, remember—because of the time it has been, the exact extent of our whole conversation, but I do remember various phases of it.

Mr. JENNER. Reconstruct it to the extent that you can and avoid to the extent you can assumption—that something must have happened and finally give us, to the best of your ability, what you do recall, even though you don't recall it on the button, so to speak.

Mr. GRAEF. Well, certain parts of it I remember almost word for word, and then, of course, other, I think less important parts, I have forgotten completely. I do remember that—I believe that Mrs. Latham in the Texas Employment Agency—at the time that she called me, she said that he had recently been discharged from the Marines.

When he came in, I found this—that I was just slightly embarrassed that I had forgotten it, and among the other duties, of course—these things will happen, and when he sat down and introduced himself as Lee Harvey Oswald, I asked him where his last position was, and he said, "The Marines," and I recovered slightly, remembering that I had already been told this and, to cover up my embarrassment slightly, I laughed and I said, "Oh, yes."

I said, "Honorably discharged, of course," as a joke, and he said, "Oh, yes," and we went on with other facts of the interview. I remember him—I don't believe he gave me an address. I think he said it was just temporary where he was staying, or something to that effect. I also believe at the time he told me he had a wife and a child or a child coming. I don't remember exactly about that, because I, of course—any employer is looking for someone dependable and a family man offers perhaps a little more dependability, needing a position, than a single person.

So, that I think is about—I think I did ask him where—when he mentioned the Marines, where he had served, and I believe he told me Korea, and I didn't go into it any further. I felt reasonably sure because he had come through the Texas Employment Commission—I didn't even think of checking on his honorable discharge—honorable or dishonorable or questionable discharge. I somehow had just assumed being through a State agency, that they perhaps had a much larger file on him, that my going into various details would just be going over—plowing up ground again, so I just figured—I never even thought about checking into his discharge or when he had been discharged. I think he had been discharged sometime prior to this—I don't at the moment remember

exactly when he got out of the Marines or was discharged, but the impression that was left with me and I suppose he told this to Mrs. Latham—was that it had been a very recent thing, because I recall that that's what she told me, and that's what he told me when he came to me—when I asked him.

Mr. JENNER. That it had been very recent?

Mr. GRAEF. Oh, yes; it had been very recent, because when I asked him about his last employment he said, "The Marines," he had just gotten out of the Marines, and then I recovered, you know, and said, "Oh, yes," because Louise Latham had already told me this. At any rate, he seemed the applicant with the best chance of success that had been sent over.

Mr. JENNER. Would you go back a little bit?

Mr. GRAEF. Certainly.

Mr. JENNER. What inquiries did you make of him with respect to your qualifications for this position—his prior experience, if any?

Mr. GRAEF. None—none. I assumed that—now, he was sent over, if I remember right—I was also told by this Mrs. Latham, something about that he had perhaps some photographic experience in the Marines or there was some—there was some quality there that helped. And I believe it was that he had had a little bit of photograph experience in the Marines that might be helpful. In other words, he was a little familiar with the processing of film and so forth and, of course, this would add a little weight to his becoming a successful employee.

Mr. JENNER. I take it from your recital up to this moment that you are primarily interested at this point, having in mind the nature of the business, that this man would embrace ultimately what you were looking more for—let's say—general character, whether he seemed like a man who was going to be in this community a while?

Mr. GRAEF. Yes.

Mr. JENNER. Whether he was sincerely interested in obtaining employment that you expected to rely upon your teaching—I mean your company—under your supervision and direction—the teaching and training of this man for the position which you ultimately would seek to fill.

Mr. GRAEF. Yes; very well put.

Mr. JENNER. And it might even have been that if this man had no photographic experience whatsoever, but seemed—well, let's say clean cut and eager and intelligent, just out of the Marines and seeking to obtain employment and settle down, that that might have been sufficient qualifications for you?

Mr. GRAEF. Yes—if, of course, there was no one with any better promise that came along.

Mr. JENNER. Yes.

Mr. GRAEF. There have been several times when we have needed someone, when they would send two or three people over, and it was necessary for us to pick someone who had practically no experience in this work because you don't find anyone who is experienced in the type work we do. It is a very highly specialized trade.

The best you can hope to find is perhaps, and I'll tell you as I told this Mrs. Latham, the person that stands the best chance of success is perhaps someone who is industrious, willing to work, and not afraid of work, who perhaps has some artistic ability, because the area is opaquing of negatives with brushes and so forth, and possibly has some photographic experience, where they may know about paper and at least there will be some processes that they may have already learned or become familiar with and we won't have to begin from the very beginning.

Mr. JENNER. You are talking about photographic paper?

Mr. GRAEF. Yes.

Mr. JENNER. For example, some young man who has had an abiding interest in amateur photography, in developing his own film—

Mr. GRAEF. That's correct, and so you see he would become familiar with quite a few things in his hobby that he would know about when he came to work for us. We wouldn't have to start from the very beginning and say, "Now, this is film, and this is paper," and the difference between the two and start from the very beginning. So, to explain a little bit about why I didn't make any inquiries, I didn't frankly feel that any were necessary.

The fact that he had—that the employment agency had said—told me—that he had recently been discharged from the Marines, or had gotten out of the Marines, and the fact that he had backed up that statement immediately when he came over and said that he had been recently discharged from the Marines, and I asked him if he had been honorably discharged, more as a joke, and he said “Yes,” he had. To me, what background was there to check into? Was I going to go through his commanding officer or his sergeant, for example?

Mr. JENNER. Well, it was a half truth—he had been honorably discharged and then dishonorably discharged.

Mr. GRAEF. I wish I had—but the whole thing, of course, seemed so on the level that I just hoped that he would be a person that could fill the job.

Mr. JENNER. Was this interview in the ordinary course of business?

Mr. GRAEF. Oh, yes.

Mr. JENNER. And having in mind the particular position you desired to train the man for whom you were looking, and having in mind the work—the background of work of the Texas Employment Agency, you made, I take it, the inquiries you would normally make under the circumstances?

Mr. GRAEF. Yes.

Mr. JENNER. There was nothing extraordinary about this?

Mr. GRAEF. No.

Mr. JENNER. Out of the ordinary pattern?

Mr. GRAEF. No—he came in for this interview sometime in the morning, 10:30 or 11:00, and we perhaps talked for 15 minutes. Of course, I took down his name and whatever information I could get on a piece of paper, just for my own record, as I did with the other two or three boys that had come previously or after him, and finally there was no one else, and so then I had to make a decision, and, of course, I think I threw this piece of paper away because they were just personal notes that I had made about the interview, so that I could look back and remind myself who was who. So, I believe, in fact I am very certain that Lee called me back—I told him—at the time I interviewed him, I thought I knew that he had the best chance of the other fellows of doing the job, and usually I call them and would tell them that they are hired, but I think in this case that there was no phone and that when I asked him could I call him and let him know whether he had been hired or whether he had not been hired—he said, “No, there is no phone” where I could call him, and I said, “Well, I’ll be making a decision perhaps tomorrow and if you would care to call, I can let you know then.”

Mr. JENNER. Didn’t that excite any wonder on your part that there was no telephone at which he could be reached?

Mr. GRAEF. No, not really. It’s surprising how many of the young men are in transit or moving—in many, many cases the people that have applied for the job—it may just be circumstantial, but the people that have applied for work with me don’t have phones. They may have a neighbor somewhere who they might give, but usually that’s reluctant because the neighbor doesn’t want to be bothered and many, many of them won’t have phones, and many, many of them have very temporary addresses. I mean, it may be a room somewhere where they are residing for 2 or 3 or 4 days and they are in the process of finding some other place to live, so this didn’t excite any curiosity at all on my part. The fact that he had again said he had been discharged recently from the Marines—it seemed entirely plausible that he was trying to find—he said he had a wife and either a baby—like I say, I don’t remember whether the baby was coming or already here—I think she was here at that time. I think he said he had a wife and baby. I could easily see how he would be looking or could have been looking for a few weeks for better quarters and would not have a phone and would not have a permanent address. So, this didn’t excite any particular curiosity on my part and I was intent, of course, on finding a dependable employee. That was my main concern, so, I at this interview felt that he had the best chance of making a go of this than the other applicants and so I told him, “I’ll be deciding definitely in a day or two. Call me back,” which he did and I said, “Okay, come on in to work.”

Mr. JENNER. So that you were not looking for any special skill. If the gentleman whom you were interviewing had it, that would be a plus factor?

Mr. GRAEF. Correct—correct.

Mr. JENNER. Do you recall inquiring of him the extent, if any, of his skills with respect to photography and his experience in that connection, if any?

Mr. GRAEF. I don't recall; no. I believe I may have—because this would be one of the normal things I would do in an interview. I think that he exhibited enough, as I recall—I think he exhibited enough knowledge that there again—about photography, that there was no curiosity raised on my part that he didn't know about it.

I'm almost certain that I generally just asked him one or two things about it and he answered them satisfactorily, or I would have, because that's the usual thing—I asked them about these things—artistic ability, any photographic experience, are you handy with your hands—they work with their hands a good deal, and all these things combined, would combine to make a topnotch man provided he worked.

Mr. JENNER. Yes.

Mr. GRAEF. Provided he was industrious and wanted to do a good job. We'll say he wasn't lazy—at the same time—so the various qualities I'm looking for in our type of work, in our department, are pretty hard to find all of them in one man. So, Lee came to work for us—I don't remember the exact salary; but it was about, oh, somewhere, I think about \$1.35 or \$1.50 an hour; somewhere in there.

Mr. JENNER. Was that for a 40-hour week?

Mr. GRAEF. Yes.

Mr. JENNER. Looking at Commission Exhibit No. 427 again, would you identify the handwriting and block printing on this Exhibit 427, if you can?

There appears the word "terminated" with the date 4-6-63, which I assume is April 6, 1963?

Mr. GRAEF. Yes.

Mr. JENNER. In whose handwriting is that notation; do you know?

Mr. GRAEF. I don't know; I don't know. Now, this is my handwriting—the date employed—October 12, 1962. I am almost positive that this is Lee's block printing.

Mr. JENNER. That is the name "Lee Harvey Oswald"?

Mr. GRAEF. "Lee Harvey Oswald," and the various data on this card—the social security number and the phone number.

Mr. JENNER. In view of your testimony, I'd like to ask you about that. Now, there is a phone number there—is that LA-1-0692?

Mr. GRAEF. That's correct.

Mr. JENNER. In view of what you said that he responded to your inquiry that he didn't have a phone number, how do you account for how that phone number got into the blocks there?

Mr. GRAEF. Into this box here—at the time that I interviewed him, it was probably—then, I—after this card was written, he may have been employed here at our place, oh, perhaps a week or two before this card was brought in to him to sign.

Mr. JENNER. I see.

Mr. GRAEF. In other words, I think because of the busy way the department runs, sometimes days will elapse before we get around to getting one of these to him and getting his social security number and so forth. In other words, he came to work and some days may have elapsed from the time, for example, that we had the interviews, there may have been some days passed before he actually came to work. Now, at this time, when I took this information down on my notes, my personal notes of the interview, there was no phone number, as I recall.

Mr. JENNER. Yes.

Mr. GRAEF. Now, at the time I didn't notice this at all, but at the time that this was written, of course—here the phone number is, so he obviously had a phone number at this time, but he didn't, as I remember, he didn't, because I didn't call him—I don't believe.

Mr. JENNER. Now, do you recognize the handwriting in which that phone number and the social security number are?

Mr. GRAEF. Yes; I am pretty sure that that is Lee's printing.

Mr. JENNER. Then, to the left under the heading "Name in full," and above that is Lee Harvey Oswald, you have testified to that, and the next line is "Present address."

Mr. GRAEF. Yes.

Mr. JENNER. There appears immediately above those printed words "3519 Fairmount," and that is lined out. Do you recognize that handwriting?

Mr. GRAEF. The "3519 Fairmount," I am certain is Lee's also.

Mr. JENNER. And above that is 602 Elsbeth Street?

Mr. GRAEF. Yes; now, I don't recognize that handwriting. Now, this card would ordinarily be kept in the front office; it would not be in my possession, and so for some reason this is probably one of the office personnel who wrote this and crossed that—Lee's writing—out and wrote in this at the top for some reason or other.

Mr. JENNER. Wrote in 602 Elsbeth Street?

Mr. GRAEF. That's correct.

Mr. JENNER. And the next line there appears the word "permanent home address," and above that is P.O. Box 2915.

Mr. GRAEF. Yes.

Mr. JENNER. You don't know that handwriting?

Mr. GRAEF. I don't know that handwriting; I don't recognize that.

Mr. JENNER. You don't recall his having advised you that he had a post office box?

Mr. GRAEF. No—no.

Mr. JENNER. You were about to refer to a figure number, "Number of dependents."

There appears to have been a "2" written in there, and an overlay on top of that is a "3"?

Mr. GRAEF. The "3" is mine. Now, I don't know why—I can almost remember writing that "3" but whether he changed his mind and wanted it put "3"—that sometimes happens with income tax the way it is—that may have happened because he first was going to take two dependents and then decided to change it to a "3"—it was probably about the time that this was brought in. It looks like my "3" but I'm not sure about it. I've looked at it and it looks like a "3" that I might make over it, but I can't recall. I thought I might help a little there but I don't think I can. Whether he wrote down "2" on the number of dependents and then decided—when the card was in my possession, when I was going to turn it into the front office to make it "3", and then I changed it—that may have happened, but I do not recall.

Mr. JENNER. Well, it is obviously either a different handwriting or certainly a different instrument.

Mr. GRAEF. Yes.

Mr. JENNER. That's a different signature.

Mr. GRAEF. I was just comparing the pen I used to—used up here and this may be pencil. No, I believe it is a ballpoint pen.

Mr. JENNER. Now, that card is signed "Lee Harvey Oswald." Do you recall whether the card was signed in your presence?

Mr. GRAEF. No; it may not have been. In other words, generally, we hand this card to an employee and he fills out the whole card and then I would take it and turn it up to the front office, so I could have been back in the department working when he filled the whole thing out and signed it.

Mr. JENNER. Now, is Commission Exhibit 427 part of the books and records of Jaggars-Chiles-Stovall kept in the usual and regular course of business?

Mr. GRAEF. Yes.

Mr. JENNER. And prepared in part by you and the remaining part under your general supervision and direction?

Mr. GRAEF. Yes; I would say. In other words, I turned the card over to the employee and asked him to fill it out with the information it has on the card. He returns it to me and I turn it into the front office.

Mr. JENNER. And this particular card, with respect to Lee Harvey Oswald, to the best of your recollection was made and thereafter maintained among other books, files, and records and documents of Jaggars-Chiles-Stovall as they ordinarily are?

Mr. GRAEF. Yes; they are.

Mr. JENNER. There is nothing unusual, extraordinary or out of line?

Mr. GRAEF. No.

Mr. JENNER. With respect to the manner in which and the circumstances under which Commission Exhibit 427 came into existence and was maintained?

Mr. GRAEF. That's correct.

Mr. JENNER. And to the best of your knowledge, information and belief, is this card now in the same condition it was as of the date of termination of employment of Lee Harvey Oswald, except for the pencil notation in the extreme bottom right hand portion of the card on its face and in which appeared in an encirclement, the letter "D" and the figure "11"?

Mr. GRAEF. To the best of my knowledge, it is. I haven't seen the card since I turned it into the office at the time that he was employed, so the handwriting that says, "Terminated," there, and that date—I haven't seen—I mean whether the card has been altered or not I don't know, because, of course, I didn't see it at any time after that date.

Mr. JENNER. You mean after the date terminated 4-6-63?

Mr. GRAEF. Yes; after "terminated" was written there. I haven't actually seen the card since the time that he was employed, roughly, since he wrote the card out and handed it to me and I turned it into the front office. To the best of my recollection that's the last time I have seen that.

Mr. JENNER. Now, you do recall that this card, at least to the extent of the name, Lee Harvey Oswald, in block printing and your handwriting of the date October 12, 1962—that was filled out to that extent at least in your presence?

Mr. GRAEF. Mainly, yes. I mean, I may have been in the department and doing some other tasks, but he sat down and filled it out. I gave it to him and he sat down somewhere and filled it out and I may have been moving around somewhere. I didn't actually watch him write it out word for word and line for line. The reason this October 12 is in my handwriting—ordinarily the employee fills that out.

Mr. JENNER. That appears opposite the printed words, "Date Employed"?

Mr. GRAEF. Yes; ordinarily, the employee will go ahead and fill that date in also, but he had forgotten to and this was probably filled out a few days after he was employed.

Mr. JENNER. But that is in your handwriting?

Mr. GRAEF. But that is in my handwriting. I vaguely recall that he had not filled that in and I said something, "I'll save you the trouble," and then I wrote that in.

Mr. JENNER. All right. I offer in evidence as Commission Exhibit No. 427, the employee identification questionnaire of Jaggars-Chiles-Stovall Co. which has now been identified.

How long have you been employed by Jaggars-Chiles-Stovall?

Mr. GRAEF. Approximately 11 or 12—I've almost forgotten—it seems it was either 1952 or 1953, I came with them.

Mr. JENNER. Is this an old Dallas firm?

Mr. GRAEF. Yes.

Mr. JENNER. By reputation, how long has it been around here?

Mr. GRAEF. I believe about since 1922.

Mr. JENNER. Does this company do any lithography?

Mr. GRAEF. No.

Mr. JENNER. Tell us in general, apart from your particular interests and work in the company, what in general does the company do?

Mr. GRAEF. We set type. We have an enormous inventory of all kinds of type faces, all designs, for example, scripts—roman letters, sans serif faces—an enormous repertoire of styles from which advertising agencies and artists can choose to make up advertisements for headlines or body copy. This basically is our biggest function. We don't do any printing.

Mr. JENNER. Do you make mats?

Mr. GRAEF. Yes; it's a rather complete service. We can take an advertisement from the very beginning and actually carry it all the way through to the end, to the point where we mail the mats to the newspapers for insertion, but we don't do any printing as such, of any kind.

Mr. JENNER. Are you a native of Dallas?
Mr. GRAEF. No.
Mr. JENNER. Just tell me in a few words something about yourself?
Mr. GRAEF. Oh, golly—I was born in Chicago, Ill.
Mr. JENNER. So was I.
Mr. GRAEF. I went to Lane Tech.
Mr. JENNER. I went to Lindblom High School, and that's where I practiced law and have done for 30 years.
Mr. GRAEF. Well, I haven't been back there for quite some time. I left there about 1940, after graduating from high school, took commercial art at Lane Tech, and I went down to Tennessee and worked at the Kingsport Press designing book covers and also the Holston ordnance works, and during the very beginning of the war, this was the last—the Second World War—then I was drafted into the service and served as an airborne engineer for 3 years.
Mr. JENNER. In the Army?
Mr. GRAEF. Yes; I spent 2 years overseas and came back to Kingsport, Tenn., and then the wife and I decided to head west, and while I was away, she had written various chambers of commerce around the country and the Dallas Chamber of Commerce did the best job, so we decided to take a short vacation here and see if I could find work, which I did, and which we did and I did, and this was in 1946, so we have been here ever since.
Mr. JENNER. You were each native born Americans?
Mr. GRAEF. That's correct.
And honorably discharged—period.
Mr. JENNER. Now, this man is employed—carry on.
Mr. GRAEF. Yes.
Mr. JENNER. Was he regular in his arrival at work?
Mr. GRAEF. Yes.
Mr. JENNER. Were his work habits in that connection satisfactory?
Mr. GRAEF. Yes. I would say he was very punctual in his arrival to work. He began working under me and I began the process of teaching him how to use our equipment.
Mr. JENNER. All right. Now, he worked directly with you or under you or under your supervision and direction?
Mr. GRAEF. That's correct—that's correct. He was with me a great part of the time. Of course, there are various times when I couldn't be with him, but for the better part of the first 3 or 4 months of his employment—he worked for us approximately 6 months.
Mr. JENNER. Tell us what you taught him and how you attempted to train him and in what, and give me also, when you are doing that, his skills and aptitudes, as you recall them at the beginning?
Mr. GRAEF. Well, as I have explained, the most we hope for in a person is that perhaps any past skills they have will help them in learning our work, but basically our work is so different that there is no experienced help, and every one who comes into the department is automatically a trainee.
Mr. JENNER. And he fell into that category?
Mr. GRAEF. That's correct. All our cameras are different from the ordinary cameras you find in commercial printing shops or printing establishments.
Mr. JENNER. Are these portable cameras or fixed cameras?
Mr. GRAEF. No, fixed cameras—dark room cameras.
Mr. JENNER. When I used the expression "fixed," I had in my own mind that they would be these large-size cameras, fixed in the sense that they would be adjacent to a wall or a bench or a table.
Mr. GRAEF. Or the floor?
Mr. JENNER. Or the floor.
Mr. GRAEF. Yes.
Mr. JENNER. And be so heavy as not to be portable or so firmly secured as not to be removable?
Mr. GRAEF. Yes; that's right.
Mr. JENNER. Would you indicate their size?
Mr. GRAEF. I would say approximately 8 feet long total length, with 6 or 7 feet of the front of the camera projecting through a wall, which on the outside of

that wall have the exposure lights to light whatever you are going to shoot. Then, the back of the camera sticks through the wall in the darkroom and on the back of the camera, of course, you place your light-sensitive film and make your exposure this way.

Mr. JENNER. And do you use light-sensitive film plates?

Mr. GRAEF. No; ordinary commercial Litho film or Ortho film that are generally available from large companies.

Mr. JENNER. Indicate the size of the frames?

Mr. GRAEF. Approximately 20 by 24 inches. The difference in these cameras—they are commonly known as modification cameras. As I said previously, you could take a line of type and twist it or curve it or stretch it out of proportion. As they are different compared with ordinary cameras that are used in most places throughout the country in that they do not have any scales on them. Ordinarily you measure a piece of copy and you set the cameras on a certain number, and for example, the same size—if you wanted to make the same size shot, you would set your copy board on No. 1, and you would set your film carrier on No. 1, put your film in and make your exposure, and you get a same size shot, but our cameras have no scales and you have to find visually and manually your sizes, everything is flexible on the camera. The boards move—

Mr. JENNER. What boards?

Mr. GRAEF. The copy boards can twist. The film carrier can twist.

Mr. JENNER. When you say "twist" do you mean twist the image?

Mr. GRAEF. On its axis—actually twist on its axis.

Mr. JENNER. You mean "twist" as distinguished from "turn"?

Mr. GRAEF. Well, let me say "turn"—then. Can turn on its axis. The lens camera can be shifted up or down or to the right or left. There are various devices that are supplied with the camera, consisting of prisms through which you can make distortions, various other forms which can be used to make various complicated bends and waves in type or illustrations, or what have you.

Mr. JENNER. Now, the bends or waves—when you say bends or waves in type, you mean you do not bend or twist the copy itself—that is, the thing to be photographed, but by use of prisms and other distortion devices, the image implanted on the film is a twist or distortion of the copy or photograph?

Mr. GRAEF. Yes; except we do both.

Mr. JENNER. You do straight photographing as well as distortion photography?

Mr. GRAEF. Well, many times, we will take the actual copy and twist it. Anything goes to get the final results, whatever has to be done, for example if we want to make a curved shot of a label, a flat two-dimensional label, a printed label, and we wanted to curve that label, we might take an empty tin can and paste that on the tin can and tip the tin can so that the lens looking at it would pickup the curve. We would tilt the can to such a degree that the lens in its position would pickup this curve of the label, and, of course, we would make an exposure, so anything goes in camera modification.

You start with the fundamentals of learning film and paper; the characteristics of them—we have many grades of paper, many contrasts of paper; we have several different varieties of film; the time developing these various papers—all of these have to be learned by an applicant before he can go on to beginning the camera, so it is a progression of a trade that takes time.

Mr. JENNER. Does this include color work?

Mr. GRAEF. No; all black and white.

Mr. JENNER. Oh, all black and white?

Mr. GRAEF. All black and white. We shoot color copy occasionally, but we don't do color work.

Mr. JENNER. That is, when I say color work, I intended two things—first, color film and secondly, colored ultimate product.

Mr. GRAEF. Colored film, no; we do not develop colored film and we don't shoot colored film. We might, in black and white, make a two-color a set of two-color negatives or something, for example, we might shoot part of a label and furnish a negative that would print the black on something and we might furnish an additional negative that would register with the first, that would print a color. For example, a colored border around the black copy and we

would furnish these two negatives to a customer and he might print it in two colors, choosing whatever colors he wanted.

Mr. JENNER. Yes; he could use whatever ink he wished to employ on the mat?

Mr. GRAEF. That's correct.

Mr. JENNER. Or, do you sometimes use lead slugs?

Mr. GRAEF. Never.

Mr. JENNER. Of course, the customer would make a lead slug from the mat and then print it?

Mr. GRAEF. Yes. Or, have a plate made, for example, in offset printing from our negatives—he could burn in plates and which would run two colors. He could burn his black plate and he could burn his red plate, for example.

Mr. JENNER. Well, I got you to digress a little bit from telling us your teaching of Mr. Oswald from his gradual development or undevelopment?

Mr. GRAEF. Of course, Oswald was not the first one that has come into our department, because his wasn't an unusual case. He was just another employee among many whom I have trained during these years—through these years.

Mr. JENNER. Were there others you were training at this time?

Mr. GRAEF. No.

Mr. JENNER. Of substantially like experience?

Mr. GRAEF. No. There were others in various stages of training, but none who was starting from the very beginning, we'll say, so, of course, even though he had had—he said he had had experience in photography, we started from the very beginning because the papers that you ordinarily use in amateur photography are somewhat different from the papers that we use in our work. The film that you would use in amateur photography is different than the film that we use in our work, so we start from the beginning in every case and this was the situation with Lee Oswald.

I began—we'll say for the first 3 or 4 days—he probably followed me around just to see what went on, learned how to make a print on the contact frame the way that our customers require, and became familiar with the routine of the department and little by little he was allowed to do various things to begin his training.

This period is rather indistinct because all this was going on—it isn't a case of being able to devote all of one's time to a training, at the same time that he was being trained, there was other work that had to be produced, so he didn't receive—the full benefit, shall I say, of all of my time. I would say rather, he received just the time that I could allow him, which I always wanted to give him more time but never seemed to find that time, so little by little, as I say, this period is very indistinct, but little by little he learned to handle the various papers and the films and then we began teaching him how to work the modification cameras beginning with straight shooting.

In other words—normal sizing of flax copy and also how to build jobs. Each man is more or less an integrated supply of the work. The normal thing in our department is for a man to pick up a job or jobs, go back and shoot them, develop them, print them, dry them, bring them back up, cut them out, and bring them back up to the front of the department.

Mr. JENNER. When you say "print them," you mean make prints from the negatives?

Mr. GRAEF. Make prints from the negatives on photographic paper, bring them back up to the front, reorganize them with their proper job tickets, and then take those finished jobs up to the front delivery desk. So, Lee began straight shooting—normal enlargement and reduction of straight copy.

Mr. JENNER. Now, you mean by straight copy—do you distinguish that from the—*from distortion photographing?*

Mr. GRAEF. Distortion work; yes. Now, the time that it took to bring him up to this point may have been 2 or 3 months, at any rate. It was at this time that we began, or he began to make a few mistakes on sizing. He would take a job back and it might be that his orders were to make it 4 inches wide and when the final print came up it might be $4\frac{1}{4}$ inches wide or $4\frac{1}{8}$ inches wide and this would have to be done over.

Mr. JENNER. Now, as much a difference as one-eighth of an inch on sizing as against an order for, let's say, exactly 4 inches or for one-eighth of an inch, as the case might be, would make that particular work unusable?

Mr. GRAEF. Correct.

Mr. JENNER. This has to be exactitude?

Mr. GRAEF. Right. This didn't mean that every job was wrong, but little by little as the days passed and we got into—we'll say—into the fourth and fifth month of his employment, more and more he was being relied upon to produce this exact work and there were too many times—it was his mistakes were above normal—he was making too many mistakes. Of course, we helped him as much as we could to do a better job.

Mr. JENNER. Was it your impression along about this area that the errors were ones of lack of skill, or do you have a recollection now of any attributing on your part of those errors to lack of interest, lack of industry, dissatisfaction with the position—would you give me your impression in this connection, please?

Mr. GRAEF. Well, my impression of his mistakes were somehow that he just couldn't manage to avoid them. It wasn't that he lacked industry or didn't try. Whenever he was asked to do a job over, he would do it willingly for me, with no—he would be more perturbed at himself that he had made an error, so I think he just couldn't—he somehow couldn't manage to handle work that was that exact. It wasn't that he wasn't trying or didn't work hard to do the job, but somehow he just couldn't make it, and now, like I said, it wasn't every job that this happened, but it was too frequent to allow. There were too many times that these things had to be made over and they added to the final reason for dismissing him.

Mr. JENNER. You carry on—I want this in your own words without prompting on my part.

Mr. GRAEF. Sure. Now, this was approximately the fourth month that he began to be given the responsibility for making these jobs, and it began to become evident then that he was making these mistakes. We kept, of course, trying to train him—now, by this time he was working under other people, and many times he was going through the processes of doing these jobs by himself and carrying the whole job through as I have outlined previously.

Mr. JENNER. This work didn't, I take it, require his creating any copies?

Mr. GRAEF. I beg your pardon?

Mr. JENNER. Did you prepare copy—I'm talking about you personally?

Mr. GRAEF. No; very, very seldom.

Mr. JENNER. Do you have a department in which advertising copy is prepared?

Mr. GRAEF. If you mean by that—like pasting up advertisements?

Mr. JENNER. No; I mean preparing them.

Mr. GRAEF. Actually working on layouts and ideas to be used—creative ideas and things like that?

Mr. JENNER. Yes; the body of copy.

Mr. GRAEF. No; we do for our own firm create small ads and so forth.

Mr. JENNER. What I am getting at, he never reached the point which he had to do any creating of copy in the sense that I am talking about, which would then lead you to have some experience with him as to his use of grammar?

Mr. GRAEF. No.

Mr. JENNER. Or his skills along those lines?

Mr. GRAEF. No; now, in the course of his carrying these jobs through and back in the darkroom, I began to hear vague rumors of friction between him and the other employees. The nature of our business is such that we are under pressure a good deal of the time to meet deadlines.

Mr. JENNER. Time pressures?

Mr. GRAEF. Yes; in the interest of teamwork and getting a job out, we try to tend to overlook things like that.

Mr. JENNER. Things like what?

Mr. GRAEF. Flareups of temper or an ugly word or something like that that someone who may be under particular pressure at the time, and someone says the wrong thing—it might set them off a little bit, so I began to hear rumors of some of these things happening with Lee, but it has happened with other fellows also, but little by little, I mean other fellows who have had these flare-

ups—I have had them myself—something will happen that will just be the straw that broke the camel's back, and you will spout off, you know, but this began happening—I began to hear rumors—I began, and of course, sometimes the boss is the last to know, and I began hearing that—or began noticing—that very few people liked him. He was very difficult to get along with. Other people that worked with him, with whom I had conversations and Lee's name came up or something came up about Lee, they wouldn't speak kindly toward him, to say the very least, and something might have happened between them and Lee that they hadn't mentioned it to anyone—some word that had been said in an unfriendly way, that they just overlooked or passed off, but it didn't leave a good impression with them from then on. Lee was not one to make friends. I never had any words with him at all. He never countered any order that I gave him, he always did what I told him to do the way I told him to do it. It might have been wrong sometimes, but he never was antagonistic.

Mr. JENNER. In other words, he might not have been able to carry out your directions, but he tried to do so?

Mr. GRAEF. That's so.

Mr. JENNER. You didn't mean your directions to him might have been wrong?

Mr. GRAEF. No; he was not belligerent to me. Anything that I told him to do, he did, or tried to do to the best of his ability.

Mr. JENNER. But you began having the impression, with the increased intensity, that he was not getting along with employees at his level?

Mr. GRAEF. Right. I was a witness to one of these flareups which I had, up to this time, taken not lightly, but passed it off as one of those things that happen in our department quite frequently, but I was quite close to one of Lee's flareups. I don't know who was responsible—whether it was Lee or one of the other workers, so at the time I couldn't actually reprimand anyone, so I didn't, but tried to pacify and laugh the whole thing off and make some remark that "Well, we are all under pressure. Let's get down and let's get on with the job." Something to that effect.

Then, the two people went their separate ways but it was quite a flareup, a sudden flareup of temper—a quick chip on the shoulder thing that I don't know—I have a hard time understanding people that lose their temper so quickly.

Mr. JENNER. Is that the impression you had of him?

Mr. GRAEF. Yes; at that time—from that time on I did have that impression.

Mr. JENNER. Now, was this more an impression you gained from several incidents rather than one isolated incident?

Mr. GRAEF. No; of course, I have to take into account the evidence of all the other people—some of the things that they said and the way they didn't get along with him and then I saw the way he acted at this particular time, and I had never been particularly close enough to the boy so that I knew his personality. He was strictly a worker who was training and he did the job, or tried to do the job, and so I wasn't very close to his personality at all until this particular incident. It was only when he began—after, we'll say, he got out from under my wing as a trainer and began up to that time—he was following me around and was doing what I told him and there was very little chance for him to be alone with anyone and we didn't have any friction for about the first 2 or 3 months that he was employed, but he then began to be given the responsibility of doing these jobs himself.

Mr. JENNER. Himself and with others?

Mr. GRAEF. And with others.

Mr. JENNER. But not under your very immediate supervision?

Mr. GRAEF. Not under my immediate supervision; no.

Mr. JENNER. Did this call for him, then, to work and cooperate with others?

Mr. GRAEF. Right.

Mr. JENNER. And this was really the first time—

Mr. GRAEF. Then, we'll say his personality began to come out. In the moving around the darkroom, the way you have to be congenial, cooperative in turning the light on and off as the various stages of the work progress, you may be developing film and someone may be coming out of one of our rooms and need the light on and there has to be a certain amount of give and take in these

relationships and it began to become evident—some of the passages—passage-ways through our darkroom aren't particularly wide and everyone has learned to manage. You can't—you can pass one another, but not without each of you sort of squeezing by a little bit as you go, and it began to be evident that he wasn't congenial or cooperative in working with the rest of the people and moving about the darkroom and so forth.

Let me see, there was an incident about a Russian newspaper deal—I was working at my desk one time and I looked over and it was probably a slack time in our business, and I looked over and Lee was reading a newspaper, and I could see—it was from a distance of about 8 to 10 feet, I suppose, something like that, and it was just far enough away that I could see it was not a usual newspaper, and I asked him what he was reading, and he said, "A Russian newspaper." I said, "A what?" And he said, "A Russian newspaper." I said, "Let's see it, and he brought it over and I said something like "What is the action on this?" And he said, "I studied Russian in Korea." This fit in with his previous statement when we employed him about being in Korea, when he was a marine, and he said, "I like to keep up—keep in practice being able to read the Russian language and study it or something to that effect, and I said, "Well, Lee, I wouldn't bring anything like that down here again, because some people might not take kindly to your reading anything like that."

Mr. JENNER. Did you ask him the source of this newspaper?

Mr. GRAEF. No; no.

Mr. JENNER. Whether it was printed in Russia or whether he had subscribed to it?

Mr. GRAEF. It seems to me it was the "Crocodile." Now, it might not have been, but it just seems to me at the time that it was, but, of course, that too didn't seem particularly odd to me because a great many people in the country are studying that language these days and the fact that he had been a marine and been in Korea, according to the report, it seemed reasonably plausible that he would have learned that language, or studied it and to me, certainly, of course, I know how people are and that there might be some—he might be making trouble for himself by causing suspicion and so forth, by having that newspaper or at least running around with it, flaunting it, we'll say.

Mr. JENNER. When did this occur with respect to his period of employment—this incident?

Mr. GRAEF. I can't really say for sure, but it must have been about the fourth or fifth month that he was there.

Mr. JENNER. Was it a factor in his ultimate discharge?

Mr. GRAEF. Let me say that didn't help. Taken with the other—his personality, his not being able to do the job the way he should—when I say, "His personality," I mean the friction between the other employees. I didn't—it didn't actually weigh heavily, but it didn't do his case any good, let's put it that way. I didn't fire him specifically because he had the newspaper in his hand.

Mr. JENNER. Now, I put words in your mouth that he was discharged?

Mr. GRAEF. Yes; he was discharged.

Mr. JENNER. Did you discuss this with him?

Mr. GRAEF. I did.

Mr. JENNER. Would you tell us about that, please?

Mr. GRAEF. His record, as all this has brought out was—adding up to where he was not a desirable employee. His relationships with other employees had reached the point where no one that I know of was really friendly or liked him. His work as we progressed into the more intricate details of our production, didn't improve and it began to be evident after all the training that we had given up to this point that now that he was in a position where he should be able to produce jobs, actually he was not able to do so, and after a reasonable—

Mr. JENNER. Was there ever any thought in your mind as to his ability ultimately to be able to do so?

Mr. GRAEF. Yes; I reached the opinion that he would not have—he would never be the kind of an employee that I was looking for, giving him every

chance, you can make a mistake on one job or two jobs, and you always feel like you must—"Let's try it one more time," and this was my thought, because after all, there had been several months passed where we had brought him up to this point and I feel we gave him every chance or tried to give him every chance to make a success, and still he was falling down and making these mistakes—sizing errors—and camerawork.

When he had to make these things over, he would be mad at himself. He would go back and shoot it again, but it is obvious that he was taking twice as long when these things happened to produce one job because he was having to do the whole thing over again to get it right, that it couldn't be tolerated for much longer.

About this time, I think it was in April, we had a fluctuation in business—it dropped and I thought, "Well, this is the time to let Lee Harvey Oswald—to let him go," so I called him back into the darkroom one day and I said, "Lee, business is"—

Mr. JENNER. When you say this conversation took place in the darkroom, was the room dark?

Mr. GRAEF. There were dim red lights.

Mr. JENNER. Why did you call him back in the darkroom rather than some other place?

Mr. GRAEF. At the time it was the—I didn't want to embarrass the boy.

Mr. JENNER. This was a private talk?

Mr. GRAEF. Yes.

Mr. JENNER. Out of the presence of anyone other than yourself and Oswald?

Mr. GRAEF. Out of the presence of anyone else—yes.

Mr. JENNER. And that was one of the reasons for your calling him back there?

Mr. GRAEF. Yes. I don't have a private office. My desk is with the other people in the production of work, and I don't have any private facilities where I can talk to someone, and back in the corner of the darkroom, it is illuminated by red lights.

Mr. JENNER. Are these infrared lights? Is that what you mean?

Mr. GRAEF. No; they are just red neon lights that provide dim illumination, but at this particular spot in the darkroom, I can see when anyone is within 15 or 20 feet of me, and, of course, I could lower my voice and not embarrass him when I released him, so I said, "Lee, come on back, I would like to talk to you." So, we went back, and I said, "Lee, I think this is as good a time as any to cut it short." I said, "Business is pretty slow at this time, but the point is that you haven't been turning the work out like you should. There has been friction with other people," and so on.

Mr. JENNER. What did he say when you said that?

Mr. GRAEF. Nothing. And I said, "This is, I think, the best time to just make a break of it." I believe I gave him a few days, and I said, "Feel free, of course, to make any calls of the Texas Employment Commission where you came from originally," and I told him, "I think you tried to do the work, but I just don't think that you have the qualities for doing the work that we need."

And, there was no outburst on his part. He took this the whole time looking at the floor, I believe, and after I was through, he said, "Well, thank you." And he turned around and walked off.

Mr. JENNER. Have you had occasion in your career to discharge other employees?

Mr. GRAEF. Yes.

Mr. JENNER. And recalling the reaction of other employees, could you tell us your present view or opinion as to your experience—comparing your experience with the discharge of Lee Harvey Oswald with the discharge of other employees—was it usual and normal?

Mr. GRAEF. Yes; I think it was just about the usual. He might have been perhaps a shade more quiet. There were no questions asked about why I thought he wasn't qualified.

Mr. JENNER. Do you think he was aware of it?

Mr. GRAEF. I think he was aware of it; yes.

Mr. JENNER. No outbursts of any kind?

Mr. GRAEF. No.

Mr. JENNER. Anything said about what might happen if he sought references in any future employment?

Mr. GRAEF. Yes; I told him—I volunteered the information. I said, "Lee, if there is another job that you find, I'll be glad to give you a recommendation, a good recommendation," because—I told him, "I think you have tried," and I think he had. It would have been, of course, with reservations—any new employer that had called me for a recommendation, I would have had to say something about his relations with other employees.

Mr. JENNER. And that would have been somewhat negative?

Mr. GRAEF. That's correct; but he did try to become a worker. It wasn't that he wasn't industrious—he was not lazy. He, to the best of his ability, tried but the ability was not there.

Mr. JENNER. Now, I take it then from your recital that his discharge was for the reasons you have given and not because of any past history that you discovered with respect to him?

Mr. GRAEF. No.

Mr. JENNER. And, throughout all of this employment, you had no information with regard to his past history other than you have related to us?

Mr. GRAEF. No.

Mr. JENNER. Does Jaggars-Chiles-Stovall do any highly secret work of any character or highly confidential work?

Mr. GRAEF. Yes, yes; we do some work for, I think, the Army Map Service. We do a certain type of work for the Engineers, I believe, but I couldn't be sure about that.

Mr. JENNER. Is that in your department or under your supervision or direction?

Mr. GRAEF. No.

Mr. JENNER. Would he have had any contact with that?

Mr. GRAEF. No.

Mr. JENNER. Did there come to your attention any scuttlebutt among employees as to any past history of his?

Mr. GRAEF. No; I think if it had, I would have in fact—I am very positive I would have investigated that.

Mr. JENNER. Did any of the reports to you, which you have detailed to me, include anything with regard to any political theories or arguments or positions that he took as with respect to other employees?

Mr. GRAEF. No; none. None that came to my attention. There was never any political conversations that I heard about him or between him, or that I heard him talking with the people or anything like that.

Mr. JENNER. I think I have no more questions. I would like to put, however, the general question that I do put in all these depositions. Is there anything that might occur to you that I have not stimulated to ask you but that you think—any incident that occurred or any circumstance that you think might possibly be of help to the Commission in their investigation of this man and of the overall incident we are investigating?

Mr. GRAEF. No; I really don't think so. Of course, the whole thing is just a tragic, unbelievable thing.

Mr. JENNER. Yes.

Mr. GRAEF. That you rub shoulders with someone who did such a thing is just fantastic.

Mr. JENNER. If he did it?

Mr. GRAEF. It's just unbelievable—it's still hard to believe that you were in such close contact with anyone that took part in the events.

Mr. JENNER. Now, is there anything in my off-the-record discussion we have had, and there have been substantially none, that took place during that interlude that I have failed to bring out?

Mr. GRAEF. I might add this—I'll let you repeat that question in a moment.

Mr. JENNER. All right.

Mr. GRAEF. This thought occurred—I was trying to think a moment ago what I was going to do, because there was something that I wanted to make mention

of for what it's worth, is that at this point during his employment with us, he was very anxious for overtime work.

Mr. JENNER. Is this the 4- or 5-month period you are talking about now?

Mr. GRAEF. Yes; that's correct, which if I may assume, he needed the money. It was invariably Friday afternoon—and Saturday, of course, is an overtime day to us and quite frequently we run Saturday and Saturday work we do at time and a half, which comes into play, and in fact, invariably Friday afternoon he would volunteer and ask if we needed him the next day. Then, unfortunately, of course, as I have mentioned, his work didn't come up to the quality that we needed so it was very, very seldom that we ever brought him in unless we were in a real bad—had an urgent work that absolutely had to go, but he desperately wanted to be called in on Saturday for overtime work.

Mr. JENNER. Did any of his work, or was there any occasion when his ability to operate an automobile arose?

Mr. GRAEF. No; as far as I know, he never had one.

Mr. JENNER. And there was no occasion in his work when he might have been called upon to drive an automobile?

Mr. GRAEF. No.

Mr. JENNER. So, you have no impression—I gather—as to whether he could or could not drive an automobile or how well he might do so?

Mr. GRAEF. No. The only impression that I have is that he rode the bus almost everywhere.

I know—I'm pretty sure he did not have a car and he used to ride the bus.

Mr. JENNER. I show you Commission Exhibits 451, 453, 454, 455, and 456, and ask you to examine those and tell me if the man who is depicted in those photographs bears any similarity or likeness to the man you knew as Lee Harvey Oswald? You might spread them out and it would give you a better view.

Mr. GRAEF. Very slight; but to anyone who knew Lee, they would immediately say "No."

Mr. JENNER. Did you ever see him attired in the fashion that the man shown on those photographs is attired?

Mr. GRAEF. No; I don't think I ever did. Now, toward the end of his employment, most of the time he used to wear a white T-shirt to work. I think he might have had a dark jacket over it.

Mr. JENNER. A zipper jacket—lightweight?

Mr. GRAEF. Something perhaps—but it was rather dark, I think, but not like this.

Mr. JENNER. Is there in any discussion we have had possibly off the record which you regard as inconsistent with any testimony you have given here, and if so, what?

Mr. GRAEF. Like what, for example? Now, when you say "inconsistent with any testimony," what do you mean?

Mr. JENNER. Well, for example, that you might have said off the record that you were uncertain as to whether—when you first interviewed him he was, in fact, with a suit coat with a shirt and tie, whereas, when I asked you on the record you were pretty firm about that sort of thing?

Mr. GRAEF. Yes; I am pretty firm. No, no; all of this testimony that I have given you is factual and true.

Mr. JENNER. There is nothing you have said on the record that is inconsistent with anything you have said off the record?

Mr. GRAEF. No—it hasn't been—anything that I have said has been an opinion or formulations—it has just been—it is just strictly as I remember it.

Mr. JENNER. And to your best recollection, I have brought everything that was said off the record that is pertinent here and have got it on the record.

Mr. GRAEF. Yes; I believe so.

Mr. JENNER. Mr. Davis, do you have any questions?

Mr. DAVIS. No.

Mr. JENNER. Thank you very much, sir.

Mr. GRAEF. Well, you are certainly welcome.

Mr. JENNER. You have a right to read your deposition, if you wish to, or you may waive it. You have that right, and you may waive it if you wish. The reporter will let you know one way or the other.

Mr. GRAEF. What is the machinations of getting a copy?

Mr. JENNER. When Miss Oliver has prepared a copy, you may call in and find out from Mr. Sanders and come down and read it, as you see fit and sign it.

Mr. GRAEF. Yes.

Mr. JENNER. Or, you may waive that. If you wish a copy of your testimony, you may obtain by arrangement with Miss Oliver. She will furnish you one at whatever her usual prices are.

Mr. GRAEF. I think—I don't see any need for it—for signing it. There it is.

Mr. JENNER. Mr. Graef, as these reports reached you from your employees, arousing your attention to the fact that some friction had arisen and was continuing as between him and other employees, what, if anything, did you do to acquaint yourself better with those circumstances and in that connection, tell us whether you talked with others, whether you talked with Lee—in general, just what did you do in that connection?

Mr. GRAEF. The rumors of these flareups, we'll say, I heard about them going back—we'll say, to some 3 months. He was employed with us for a total of 6 months. For about the first 3 months he was in training and it was only after this 3 months' period that he began to be in a close association with the other employees, so about this time, we'll say, the friction began between him and the other employees.

Now, several weeks went past—I'm sure—when these things came to pass and when I heard about them, and this flareup that I witnessed, and I don't know who was to blame, whether it was Lee or whether it was the other fellow. I happened to be on the other side of the darkroom at the time and the two people were both, as I recall, trying to develop film in the same pan, and one was getting in the way of the other one, and ordinarily there is no—we don't have any trouble about this. All the jobs are rush, and you just make allowances and move over a little bit and both of you get in there together.

This, I think, is what caused this particular thing, but Lee was quick to—he had a chip on his shoulder, and he made—who spoke first, I really don't recall, but somebody said something about, "How about moving over a little bit?" And the other fellow said, "What do you mean, I have been here first," and one thing led to another, but it was over just about as quickly as it began, so this was the first time that this became evident, but as I said, couldn't actually lay it as it being Lee's fault. Now, these rumors come to me quite frequently. In the whole department we may have 18 or 20 people.

Mr. JENNER. How many people work under you?

Mr. GRAEF. Directly under me, the day shift is seven or eight, and we have a few on the night shift also. We work quite close to this other department—which does photographic work also, and we have a sink on our side for camera work and then there is a developing sink back to back, at which this other department develops their work.

Mr. JENNER. What do they do?

Mr. GRAEF. Setting type photographically. So, out of these many people, some of them are more prone to carry tales and others, of course, and you have to weigh the evidence, we'll say, and some of the people that had come to me during this time and just mentioned, or we'll say, scuttlebutt that went around about Lee being hard to get along with, where, in fact, some of the people are hard to get along with themselves, so you just had to more or less try to get along with everyone. We all have to do that and it wasn't until this scene happened that I saw how Lee's temper worked, but the—the overwhelming mass of evidence—everyone it seemed no one liked him.

Mr. JENNER. He had no friends?

Mr. GRAEF. No friends.

Mr. JENNER. And he didn't appear to you to seek to cultivate any?

Mr. GRAEF. By this time, you see, this 6 months had elapsed and at this time work was suffering and he at this time—it was definite that he had no friends. Everyone couldn't be wrong, and so all of this evidence weighed against the decision to keep him on as an employee.

Mr. JENNER. It culminated in his discharge.
Mr. GRAEF. In his dismissal?
Mr. JENNER. All right, I guess that's about it. Thank you.
Mr. GRAEF. Well, I hope I have been of whatever help I have been.
Mr. JENNER. I am sorry to inconvenience you in this matter.
Mr. GRAEF. If I can be of further assistance, please call me and I will be glad to do what I can.
Mr. JENNER. All right, thank you very much.

TESTIMONY OF DENNIS HYMAN OFSTEIN

The testimony of Dennis Hyman Ofstein was taken at 2 p.m., on March 30, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. I am Albert E. Jenner, Jr., counsel for the Commission, and this is Miss Oliver. Would you rise and be sworn?

Do you promise on this deposition which I am about to take of you to tell the whole truth and nothing but the truth?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Miss Oliver, this is Dennis Hyman Ofstein [spelling] D-e-n-n-i-s H-y-m-a-n O-f-s-t-e-i-n. Is that correct?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And Mr. Ofstein, you received, did you, a letter from Mr. Rankin?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. General counsel for the Commission, with which were enclosed three documents, a copy of Executive Order 11130 creating the Commission to investigate the assassination of President Kennedy.

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. That is an order of the President of the United States, Lyndon B. Johnson.

There is a copy of Senate Joint Resolution 137, authorizing the creation of the Commission and a copy of the rules of procedure of the Commission which we adopt.

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And you appear voluntarily?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. The Commission, as you have learned, from those documents, is investigating all of the facts and circumstances surrounding the assassination of President Kennedy, and to give particular attention to Lee Harvey Oswald and anybody who had any contact with him during his lifetime. It is our information that you had some contact with him, or with people who had contact with him. The Commission is interested in that contact, and I would like to ask you questions about it, if I may.

Mr. OFSTEIN. Very well, sir.

Mr. JENNER. First, tell me a little bit about yourself. Are you a former serviceman?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And what branch of service did you serve?

Mr. OFSTEIN. I was in the Army, sir.

Mr. JENNER. And when did you go in and when were you discharged?

Mr. OFSTEIN. I went in in August, I believe, in 1957, and I was discharged November 1960.

Mr. JENNER. That was an honorable discharge, I assume?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And do you reside in Dallas or Fort Worth?

Mr. OFSTEIN. I reside in Dallas at the present time.

Mr. JENNER. Are you a native of Dallas?

Mr. OFSTEIN. No, sir.

Mr. JENNER. What is your home town?

Mr. OFSTEIN. I reside in Dallas at the present time; I was born in St. Louis and I have lived in Florida for the most part of my life.

Mr. JENNER. And are you a married man?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. How long have you lived in Dallas?

Mr. OFSTEIN. Approximately 3 years.

Mr. JENNER. That would take us back into 1961—in any event?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And what has been the nature of your business, occupation, employment, profession or vocation?

Mr. OFSTEIN. For the past 2 years I have been with Jaggars-Chiles-Stovall as a cameraman.

Mr. JENNER. As a cameraman?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. What was your work immediately prior to that, by whom were you employed?

Mr. OFSTEIN. I was working for Sinclair Refining Co. at a local service station.

Mr. JENNER. Here in Dallas?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Did you become acquainted with Lee Harvey Oswald at any time during his lifetime?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Here in Dallas?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Start at the very beginning, and in your own words tell the circumstances under which that acquaintance arose.

Mr. OFSTEIN. Well, it was when he became employed by Jaggars-Chiles-Stovall as a cameraman trainee and he was in the same department I was and due to the fact that I had worked there and knew a little bit about the job, I was—as well as everyone else down there—expected to help him and more or less—not supervise, but kind of keep my eye on him and help him along.

Mr. JENNER. What is your age, by the way?

Mr. OFSTEIN. I am 24.

Mr. JENNER. You were born in 1940?

Mr. OFSTEIN. 1939, sir.

Mr. JENNER. 1939, and Mr. Oswald's birth date was October 18, 1939, you—so you were the same age?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. You were already employed by Jaggars-Chiles-Stovall when Lee Oswald came there, were you?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Give me your best recollection as to when that was?

Mr. OFSTEIN. It seems like it was October or November 1962.

Mr. JENNER. I have his employment card here—October 12, 1962—does that sort of square with your recollection?

Mr. OFSTEIN. Yes, sir; roughly.

Mr. JENNER. Had you had any prior experience as a cameraman when you became employed by Jaggars-Chiles-Stovall?

Mr. OFSTEIN. No, sir.

Mr. JENNER. You are still employed by them?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. You were initially a trainee as well as Oswald?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And how did you become employed there?

Mr. OFSTEIN. I was laid off by Sinclair Refining Co. and I registered with the Texas Employment Commission.

Mr. JENNER. Did anybody in particular handle that over there at the Commission?

Mr. OFSTEIN. I don't recall who the person was at the time.

Mr. JENNER. A lady or a gentleman?

Mr. OFSTEIN. I'm fairly certain it was a young lady and they sent me to Jaggars-Chiles-Stovall.

Mr. JENNER. Does the name Latham—Louise Latham trigger any recollection?

Mr. OFSTEIN. The name is familiar—whether she was there or not—I don't know.

Mr. JENNER. Is that name familiar in connection with the Texas Employment Commission?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. All right. I interrupted you—go ahead.

Mr. OFSTEIN. I was sent there—

Mr. JENNER. And with whom did you talk when you came there?

Mr. OFSTEIN. I was there early for the appointment and I talked to Leonard Calverly, who was the daytime foreman in the camera department, and he showed me around the place, and he talked to me and told me the final decision would be up to Mr. Graef.

Mr. JENNER. That's G-r-a-e-f [spelling]?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. He is head of what?

Mr. OFSTEIN. He is a supervisor in charge of the camera department, and I talked with him at approximately 9 o'clock and he seemed satisfied—he would give me a try as a trainee, and wanted to know when I could come to work, and I told him that morning and I went to work immediately.

Mr. JENNER. Had you had any experience in the use of cameras?

Mr. OFSTEIN. Not in the same type of cameras—no, sir.

Mr. JENNER. What experience had you had in camera work?

Mr. OFSTEIN. It had been strictly pleasure photography with smaller cameras.

Mr. JENNER. Had you done any developing work?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. You had had some darkroom experience?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Very much?

Mr. OFSTEIN. Not a whole lot—no, sir.

Mr. JENNER. Did either of these gentlemen inquire of you as to your experience in that direction?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Both of them?

Mr. OFSTEIN. I don't recall—I know that Mr. Graef did.

Mr. JENNER. What kind of photography work does Jaggars-Chiles-Stovall do?

Mr. OFSTEIN. It's strictly commercial—advertising type of photography. We make posters and poster effects and different types of effects for different advertising media—newspaper, magazines, and so forth—billboards.

Mr. JENNER. What kind of cameras are employed?

Mr. OFSTEIN. I'm not sure of the brand names we have.

Mr. JENNER. I'm thinking more of the size, weight, whether they are portable or aren't portable, or whether they are fixed or aren't fixed.

Mr. OFSTEIN. They are fixed, they move on a track to determine the size of the copy that is photographed, and they have fixed mounted lenses in the walls.

Mr. JENNER. And you move from one lens to another, is that the way?

Mr. OFSTEIN. No, sir; you mount the copy to be photographed on the board and you move that board, and the board that you put your film on—to get it different sizes.

Mr. JENNER. What is the character of the training?

Mr. OFSTEIN. Mainly they start you out with doing small jobs—just normal—what we call straight shots. It amounts to getting a size and photographing it and developing it, opaquing the negatives, and making nice clean prints, and then as you progress you do more difficult type work.

Mr. JENNER. Do you know what lithography is, lithographing?

Mr. OFSTEIN. No, sir; I have heard the term—that's all.

Mr. JENNER. Making metal plates?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Or reproductions?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Is there any lithographic work done by that company?

Mr. OFSTEIN. I'm not certain—I don't believe so.

Mr. JENNER. Do they do any printing themselves?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. What is the nature of that kind of work?

Mr. OFSTEIN. They have the photosetter machine which does the printing on film usually for a transfer to some other surface. They have hot metal, they have linotype and monotype, and, of course, they have reprint presses.

Mr. JENNER. And you were trained to do what?

Mr. OFSTEIN. Strictly camera work.

Mr. JENNER. Did your work extend beyond the taking of the photographic imprint on a film?

Mr. OFSTEIN. Yes, sir; we were taught also to set filmotype, which is a process of writing out on a sheet of paper from a film negative that's already been put into a roll and making words and sentences and so on and photographing that, also, distortion of negatives and different types of copy.

Mr. JENNER. What do you do to the distortion work?

Mr. OFSTEIN. Well, they have different processes—they have what they call perspective, which entails turning the copy board and the film mounting board at different angles from each other to make one end look smaller going off at a distance, and they have what is known as stretches and squats, which entails putting mirrors before the copy board to make a character or letter taller or smaller and doing circles.

Mr. JENNER. They would have a magnifying or contracting mirror?

Mr. OFSTEIN. Yes, sir; and circles which is done with a circle device using a film positive to curve a straight line around and, of course, they have their different reproduction effects, such as the screens and the halftones.

Mr. JENNER. Do you know whether this company has done any confidential or secret work for any agency of the United States?

Mr. OFSTEIN. I don't know the nature of the classification. I do know that they do work for the U.S. Government.

Mr. JENNER. Have you ever participated in any of that work?

Mr. OFSTEIN. Only during strike—approximately 2 weeks.

Mr. JENNER. Do you know whether Lee Oswald did?

Mr. OFSTEIN. No, sir—I'm sure he didn't.

Mr. JENNER. Is that work confined to those in the plant who are particularly skilled or trained to do that particular kind of work?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Had Lee Oswald at the time his employment there was terminated reached that degree of skill?

Mr. OFSTEIN. No, sir; that is handled by a different department altogether.

Mr. JENNER. And how long had you been employed there when Lee Harvey came with the company?

Mr. OFSTEIN. I was hired in March, 2 years ago, 1962—I would say approximately 9 months.

Mr. JENNER. Do you recall when he came—about approximately when?

Mr. OFSTEIN. October 1962.

Mr. JENNER. You became acquainted with him when he became employed?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Did you have any social contact with him during all the period of his employment?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Were you in contact with him because of the employment you had and the work you were doing and the work he was doing?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Did you ever become sufficiently acquainted with him that you

either sought to visit him or invite him to visit you, or did an occasion arise ultimately in which you thought your acquaintance was sufficient or your interest in him or his wife or both of them was sufficient that you sought to have some social contact?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. When was that?

Mr. OFSTEIN. On the day that his employment terminated, I told him that I hoped he found another job and we would have to get together sometime, being he was married and I was, and I believe it was approximately a week later when I wrote a letter to him inviting him and his wife to come and visit us some Saturday evening and have social activities.

Mr. JENNER. Was there any response to that letter?

Mr. OFSTEIN. No, sir; none whatsoever.

Mr. JENNER. From the day his employment terminated to the present, have you seen him in person?

Mr. OFSTEIN. No, sir.

Mr. JENNER. From that day until the present, had you had any contact at all with him?

Mr. OFSTEIN. No, sir; only my attempt at inviting him and his wife to the house.

Mr. JENNER. Other than that circumstance?

Mr. OFSTEIN. No, sir.

Mr. JENNER. How did you know where to write him?

Mr. OFSTEIN. He gave me his address—post office box.

Mr. JENNER. Do you recall the number?

Mr. OFSTEIN. I have it with me.

Mr. JENNER. You made a note of it, I take it?

Mr. OFSTEIN. Yes; I wrote it down.

Mr. JENNER. And you still have it?

Mr. OFSTEIN. I believe so—yes, sir; Post Office Box 2915, Dallas, Tex.

Mr. JENNER. Did he give you a telephone number?

Mr. OFSTEIN. No, sir.

Mr. JENNER. What, if anything, do you know about Oswald's ability to operate a motor vehicle?

Mr. OFSTEIN. None whatsoever.

Mr. JENNER. Did your acquaintance reach the point at which he talked with you some of his past history?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Let's start back to the time he became employed in October 1962, and you start in your own words and tell us your acquaintance with him, how that acquaintance ripened, if it did ripen, the nature of your work with him at the Jaggars-Chiles-Stovall plant.

Mr. OFSTEIN. Well, after he became employed, we worked more or less side by side while he was training and everything, and the contact I had with him—it was necessary to teach him how to operate the cameras and how to opaque negatives and make clean prints and just the general work around there.

Mr. JENNER. Now, sticking right at that point—what was his skill and acquaintance in that connection when he first started?

Mr. OFSTEIN. Well, he seemed to take a great interest in it as far as skill went—it was, I would say, at the beginning approximately the same as anyone else's would have been.

Mr. JENNER. Little or none?

Mr. OFSTEIN. Little or none; yes, sir.

Mr. JENNER. All right, proceed.

Mr. OFSTEIN. He did improve somewhat, as far as I could see, but never turned out extreme quality work such as is required to leave the plant, and, of course, that is what caused the termination of his employment. It must have been about January of 1963, that—of course—at the time, he was having trouble getting along with people. He wasn't the outgoing type who tried to make friends. You had to more or less stick with him and be with him constantly to even talk to him freely. He would shove his way in places, he wouldn't wait his turn at certain machines, and the reason I got along with him as well as I did,

possibly, is because I am outgoing and I try to get along with everybody, and I believe that their own disposition is theirs. If I don't like it, I don't exactly have to put up with it, but I feel that there are people who don't like me for things I do, so I overlooked most of his bad traits and things that most of the other fellows got upset about and mad about. And, we talked occasionally and he wanted to know at one point if it was possible to make an enlargement of a normal negative there such as is taken in a small camera and I told him, "Yes," and showed him how to do it, and he had one picture that he wanted to enlarge. It showed a river of some sort, with a fairly nice looking building in the background, and I asked him if that was in Japan because he had been stationed in Japan.

Mr. JENNER. He told you he had?

Mr. OFSTEIN. Yes, sir; and he said, "No, it wasn't in Japan," but he wouldn't elaborate on it, and I found out later that it was in Minsk.

Mr. JENNER. How much later did you find that out?

Mr. OFSTEIN. Possibly the latter part of February, or the middle part of February 1963.

Mr. JENNER. How did you find that out?

Mr. OFSTEIN. He came down with some Russian literature one day.

Mr. JENNER. Russian literature—what was the form of this literature?

Mr. OFSTEIN. It was a newspaper, I believe, at the time.

Mr. JENNER. English or Russian?

Mr. OFSTEIN. Russian.

Mr. JENNER. Printed in Russian hieroglyphics?

Mr. OFSTEIN. Yes, sir; yes.

Mr. JENNER. In other words, it was a Russian language publication?

Mr. OFSTEIN. Yes, sir; published in the Soviet Union.

Mr. JENNER. Did he show it to you?

Mr. OFSTEIN. He didn't exactly show it to me, but it was in plain view.

Mr. JENNER. Did you look at it?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Do you remember anything about it that would tend to identify it?

Mr. OFSTEIN. Not extremely clearly—it was possibly a copy of the Soviet White Russian, I believe is what the title of it is, but I noticed that there—we had a conversation about the paper.

Mr. JENNER. Was anybody present in addition to yourself and Oswald?

Mr. OFSTEIN. I don't believe so; no, sir.

Mr. JENNER. What was the substance of the conversation, first?

Mr. OFSTEIN. Well, he saw me looking at the paper and he wanted to know if I understood anything that was written there, as I had written down a couple of characters and I told him I read a little and understood a little, and therefore I asked him if he could read the paper, and he said, "Yes," he understood Russian very well, and that was possibly the thing that brought our friendship or acquaintanceship closer to being a friendship than anyone else's down there.

Mr. JENNER. You discovered a common interest other than your work?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Where had you learned to decipher Russian characters?

Mr. OFSTEIN. I learned this while I was in the service.

Mr. JENNER. Where were you stationed?

Mr. OFSTEIN. I was stationed in Germany for the active part of my tour. I was stationed in California for my training and at the various and sundry other little towns for basic training and temporary status.

Mr. JENNER. Did you take any work in the language school out in California at Monterey?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. What language did you study there?

Mr. OFSTEIN. Russian.

Mr. JENNER. Tell me how that came about?

Mr. OFSTEIN. Well, when I went in the service I was interested in radio—I was a disc jockey at the time, and the closest thing my recruiting sergeant

said that I could get to radio would be possibly with the Army security agency, so I signed up, and after basic training I went to Fort Devens, Mass., and was held there on a temporary status while the agency determined what type training I should have, and I was given a language ability test and passed that and had a choice of three languages to take, and Russian was my first choice and I was sent to Monterey to study.

Mr. JENNER. And how long were you at Monterey?

Mr. OFSTEIN. One year.

Mr. JENNER. And was that entire year spent in the study of the Russian language?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And I assume, with an entire year's study at that special school of Monterey, you acquired a facility with the language, did you?

Mr. OFSTEIN. Not as well as I should have; no, sir.

Mr. JENNER. And why was that?

Mr. OFSTEIN. Well, I was a little on the young side then and I was interested in other things and the freedom to leave the post and go to town and the availability of recreation there deterred my studies.

Mr. JENNER. I see. You acquired some facility in reading Russian?

Mr. OFSTEIN. Yes.

Mr. JENNER. And some facility in speaking Russian?

Mr. OFSTEIN. Yes.

Mr. JENNER. Was this conversational Russian?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. What about writing Russian?

Mr. OFSTEIN. Yes, sir; all that was covered.

Mr. JENNER. And at the end of the 1 year what happened?

Mr. OFSTEIN. I was sent to an oversea duty station in Germany and completed my tour there.

Mr. JENNER. Did you pursue your study of the Russian language at anytime from the time you left Monterey until the present?

Mr. OFSTEIN. Only in little—what you might say, self study in spurts.

Mr. JENNER. All right. I interrupted you—you told him you could handle a few characters?

Mr. OFSTEIN. Yes.

Mr. JENNER. Did you then tell him about your study of the Russian language when you were in the Army?

Mr. OFSTEIN. No, sir; he asked me where I had learned it and I told him I had picked it up during the time I was in the service, as well as the German language, which I picked up while I was stationed in Germany, and I asked him where he had learned to read Russian and he wouldn't elaborate on it at first, and after a period of time—I don't know how long—he did admit to me that he had been in the Soviet Union and my assumption was possibly that he had worked as an agent of the United States at the first.

Mr. JENNER. What did he tell you, if he ever did, as to where he acquired his knowledge of and facility with the Russian language?

Mr. OFSTEIN. He never did elaborate on whether he learned it in the Soviet Union or before or just how he had picked it up.

Mr. JENNER. He was uncommunicative on that subject?

Mr. OFSTEIN. More or less; yes, sir.

Mr. JENNER. But you did ask him directly?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And he did not respond?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Did you attempt to converse with him in Russian or he with you?

Mr. OFSTEIN. We said a few words in Russian to each other—I would more or less ask him or tell him, "Good morning" and ask him how he was feeling or some other things like that, and he would respond and usually make a criticism on my ability to speak the language.

Mr. JENNER. He would make criticism—was that a friendly criticism on his part?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. It wasn't ridicule?

Mr. OFSTEIN. No, sir.

Mr. JENNER. All right; go ahead.

Mr. OFSTEIN. And he seemed very happy of the fact that I was able to speak a little Russian, and he seemed to enjoy that more than any of the other things down there.

Mr. JENNER. With regard to your facility with the language, did you have a greater facility to understand it when spoken by someone else than you did with reading it or speaking it yourself?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And did he speak to you in Russian from time to time?

Mr. OFSTEIN. From time to time—very seldom.

Mr. JENNER. You say he asked you to help him make an enlargement of a print or of a film?

Mr. OFSTEIN. It was a print and he wanted a negative on it, so I got him a continuous tone negative, which is the type required for reproduction.

Mr. JENNER. Would you tell us what you mean by that—somebody has a positive print?

Mr. OFSTEIN. Yes.

Mr. JENNER. And that's what he had?

Mr. OFSTEIN. Right.

Mr. JENNER. And it showed a river and a nice building in the background?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And he wanted it enlarged?

Mr. OFSTEIN. Yes.

Mr. JENNER. What did you do?

Mr. OFSTEIN. I shot a negative of it from a masking film, which is the type film required to reproduce a photograph such as is used by most people of children or their houses or their cars, and showed him how to put it in the enlarger and blow it up and the type of paper to use, the different contrasts of paper, and he made the enlargement of the print. It was a pretty rough print—it had been torn at one time.

Mr. JENNER. You mean his print had been torn?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Was it a photograph or a postcard, or was it something that you were under the impression he had taken?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Himself?

Mr. OFSTEIN. Right.

Mr. JENNER. With a camera—what I would call a Brownie camera?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. That sort of thing?

Mr. OFSTEIN. Right.

Mr. JENNER. All right; go ahead.

Mr. OFSTEIN. After I showed him how to do that, he experimented with it a little bit and got what he thought was possibly the best reproduction he could have gotten of it, and several times thereafter he made enlargements of pictures that he had while he was in the service, pictures that he said were taken in Japan, showing snow on the ground in bivouac areas and so on with himself in several of them.

Mr. JENNER. Were there any more pictures of Russia, taken in Russia?

Mr. OFSTEIN. Not that I noticed. If he had any, he didn't show them.

Mr. JENNER. But he did not have the facility himself to make these enlargements, you had to show him how to do it?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. About what period of time was this with respect to when he started working and when his employment was terminated?

Mr. OFSTEIN. I would just make a guess that it was about 1 month after he started, because he seemed interested in whether the company would allow him to reproduce his own pictures, and I told him that while they didn't sanction that sort of thing, that people do it now and then. They do it occasionally and end up reproducing a couple of pictures that wasn't anything out of the way.

Mr. JENNER. He did reach a point where he told you something of his background?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. His past history?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Tell us about that.

Mr. OFSTEIN. Well, he said that he was in the Marine Corps and that after he disclosed that he had been in the Soviet Union, he told me that that had been after his tour of service with the Marines, and again he wouldn't elaborate on how he was there or why he was there, and as I say, at that time I presumed he was possibly with the U.S. Government or on a scholarship basis or some other basis and just didn't want to talk about it, so I didn't pursue it any further, and I discarded this idea after I learned that he had a Russian wife.

Mr. JENNER. When did that develop?

Mr. OFSTEIN. That must have been about the middle or the latter part of February of 1963.

Mr. JENNER. How did you learn that?

Mr. OFSTEIN. He brought it up one day when we were speaking of the Russian language and I was talking to him about it—or we were talking together, I should say, about the Soviet Union, and he was telling me various things about their way of life over there and he mentioned that he had married a Russian girl, a White Russian.

Mr. JENNER. Can you tell us now what he said about what his life over there and his reactions to it—what did he say in that whole area in substance?

Mr. OFSTEIN. Well, the main thing—he dwelled on their difference of life—mainly to do with their food and the habits of the people and the military installations and the disbursement of the military units.

He mentioned that they used caviar over there on bread the way we use butter, because of the lack of butter and dairy products, and how you would find things like loaves of bread on the tables in the cafes and restaurants the way we would find salt and pepper over here. He also mentioned about the Russian guards. At this time he disclosed that the building in the photograph was some military headquarters and that the guards stationed there were armed with weapons and ammunition and had orders to shoot any trespassers or anyone trying to enter the building without permission.

He also mentioned about the disbursement of the military units, saying that they didn't intermingle their armored divisions and infantry divisions and various units the way we do in the United States, that they would have all of their aircraft in one geographical location and their tanks in another geographical location, and their infantry in another, and he mentioned that in Minsk he never saw a vapor trail, indicating the lack of aircraft in the area. He also said about the Russian people that they were sentimental or serious people and somewhat simple, that—

Mr. JENNER. Excuse me; I just wondered if you misspoke—you said they were sentimental and serious, did you intend both of those words?

Mr. OFSTEIN. Well, I was more or less searching for the right words. I remember he said they were simple and more or less serious minded. They were more mindful of world events than he thought the American people were, but that they didn't have the war hysteria, as he called it, that the people in the United States did.

He said whenever you saw any indication in the Russian newspapers of war, that the Soviet people thought it was relatively close because of the lack of publication about it, such as at the Lebanon crisis and he mentioned that he had been in Moscow, I believe, and a couple of other cities other than Minsk.

Mr. JENNER. Did he name any others besides Moscow and Minsk, did he name any others?

Mr. OFSTEIN. He possibly did, but I don't recall what they would have been.

Mr. JENNER. Is it your recollection that he did mention some others, though you cannot recall the names; or, are you uncertain that he did mention any others at all that he had been in?

Mr. OFSTEIN. I'm not extremely certain at all; it's possible that he did.

Mr. JENNER. All right; when you were speaking freely without any prompting on my part, you mentioned Minsk and Moscow and others—now that I have pressed you a little, what is your present recollection on that score now?

Mr. OFSTEIN. That he had mentioned them, but exactly what they were, whether they were large towns or whether they were small towns—I don't recall—whether he just visited them or had some purpose in being there, he never did mention that at all.

He mentioned that he was in Moscow for the May Day parade at one time and that the Soviets made a big show of power of their latest tanks and planes and so forth, and I asked him at one time about his freedom of movement, and he said that he had complete freedom of movement over there, that the MVD, I believe it was, had inquired of his neighbors about him and had talked to him on one occasion or two, but that they didn't put any holds on him or restrict him from any areas or anything like that, and I believe it was about this time that he mentioned he had married the White Russian girl.

Mr. JENNER. Did he say anything about where the Russian girl he married was?

Mr. OFSTEIN. No, sir.

Mr. JENNER. What was your impression as to where she was?

Mr. OFSTEIN. My impression was that he was living with her—that he had her here in the United States.

Mr. JENNER. But he didn't say anything that would lead you now to think or recall the statement on his part that she was with him in the United States, or is that an assumption on your part?

Mr. OFSTEIN. Yes; he did mention it. He mentioned that he had gotten several books from the library at times to take home for him and his wife to read.

Mr. JENNER. In his discussions of life in Russia, to the extent you can relate them, did he ever voice any political doctrine or theory?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Did you get any impression as to how he regarded his life in Russia?

Mr. OFSTEIN. Only that he didn't think it was the type of life that he wanted to lead.

Mr. JENNER. Did he expand on that to any extent?

Mr. OFSTEIN. Well, he said that the people there were poor, they worked and made just about enough to buy their clothes and their food; that the only ones who had enough money to buy anything else, any of the luxuries in life, were those who were Communist Party officials or high ranking members in the party, and I asked him at one time if he were a Communist and he said, "No."

Mr. JENNER. Did he voice any criticism of the Communist Party members—did he make any negative remarks?

Mr. OFSTEIN. No; only that he didn't think that he would enjoy the Communist way of life.

Mr. JENNER. Did he express any views to you with respect to his reaction to the Government of the United States?

Mr. OFSTEIN. No; he mentioned the last day he was with Jaggars-Chiles-Stovall—I asked him what he was going to do, where he would go to work, and he said he didn't know. He liked the type of work at the company and that he would like to stay with this type of work and he would look around and if he didn't find anything else he could always go back to the Soviet Union, and sort of laughed about it.

Mr. JENNER. Do you think that comment of his with respect to returning to the Soviet Union was jocular?

Mr. OFSTEIN. Yes; it was sort of a flippant remark—"If I don't get a job here, I can go someplace else," and I mentioned at the time to him of a couple other shops around town that did that kind of work and suggested that he go see them.

Mr. JENNER. What was his response, if any, to that?

Mr. OFSTEIN. He said he might give them a try.

Mr. JENNER. This was at the tail end of his employment with this company?

Mr. OFSTEIN. Yes; this was the last day.

Mr. JENNER. How did he appear that day or react to the news which he received that his employment was being terminated?

Mr. OFSTEIN. He seemed like he was calm, just like any other day except that he told me this was his last day with the company and more or less like it was just the end of the job and he was going to try to find another one.

Mr. JENNER. Did he say anything of whether he had been let out or whether he had quit?

Mr. OFSTEIN. He just said he had been relieved from his duties as cameraman.

Mr. JENNER. Did he express any resentment in that connection?

Mr. OFSTEIN. No, sir.

Mr. JENNER. When he first came with the company, how did he get along with his fellow employees?

Mr. OFSTEIN. Not very well—just enough to talk to the people who were working alongside of him to learn what he had to do.

Mr. JENNER. Did those conditions or relations improve as the months went along?

Mr. OFSTEIN. No, sir; they worsened.

Mr. JENNER. They worsened?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Did they worsen before this Russian language newspaper turned up, or did they really begin to worsen when the Russian language newspaper turned up?

Mr. OFSTEIN. They worsened before this.

Mr. JENNER. You saw him every day that he worked?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And that you worked?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And you had some interest in him as a person?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. What was the reason for the difficulties he had with respect to fellow employees, and why did those relationships worsen?

Mr. OFSTEIN. Well, we work in a rather tight area. There is little room to move around in the darkroom, just about enough room for a man to stand by the developing trays and allow one person to squeeze behind him and get by, and he would make it a habit of just bursting through there head-on with no regard to who was in the room if anyone was there, and also we were required to get proofs of the work we had done on a Bruning machine, which is somewhat like a Thermofax—it works on the same principle of making a proof of it or a copy of it.

Mr. JENNER. I tried a patent case against the Bruning Co., so I know what their machines are.

Mr. OFSTEIN. But the other department with which we shared the Bruning machine requires a little more delicate work with the machine, as their proofs are proofread. Ours are just for further use in case a job comes back and we need to know what was on the job. He would burst in there and if someone else was on it, didn't make him any difference, he would go ahead and put his work through and, of course, this made people mad about it.

Mr. JENNER. How would you describe all this, that he was inconsiderate?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And selfish and aggressive with respect to himself and impatient with the rights of others?

Mr. OFSTEIN. Yes; I think he thought he had the right of way in any case, either that or he was just in a hurry to get through, and through his hurrying he made no regard for anyone else's well-being or anyone else's jobs.

Mr. JENNER. Go ahead.

Mr. OFSTEIN. I never heard him ask anyone to go to lunch with him, or no one, including myself, that I recall, asked him to go to lunch. I believe I might have asked him at one time and he always ate alone.

Mr. JENNER. Did he eat with you?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Even though you asked him?

Mr. OFSTEIN. No, sir; not a bit.

Mr. JENNER. But you did ask him?

Mr. OFSTEIN. I believe I did; yes, sir.

Mr. JENNER. And he declined?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And at least he didn't accept the invitation?

Mr. OFSTEIN. Right.

Mr. JENNER. Did you notice in particular, since you mentioned this without my prompting, that he did eat all by himself?

Mr. OFSTEIN. I noticed that he didn't eat with anyone in the shop.

Mr. JENNER. He was not a friendly person, then?

Mr. OFSTEIN. He wasn't an outgoing person. I thought he could be friendly if, as with the Russian language incident—there was something in common, something that he would take an interest in.

Mr. JENNER. But he made no effort to develop things in common with others; is that right?

Mr. OFSTEIN. No; that's right.

Mr. JENNER. Did you have any impression that he had an attitude of resentment toward anybody or anything or his lot in life?

Mr. OFSTEIN. Not extremely or exactly resentment. I would say he didn't get along with people and that several people had words with him at times about the way he barged around the plant, and one of the fellows back in the photo-setter department almost got in a fight with him one day, and I believe it was Mr. Graef that stepped in and broke it up before it got started, but he was also offered rides by Mr. Graef, and I offered him a ride a couple of times either to his home or wherever he wanted to catch a bus, and I know that he always declined my offer of a ride.

Mr. JENNER. What did he say?

Mr. OFSTEIN. He said; no, he would go ahead and walk, and usually in the evening when he would leave he would say, "I am going up to the post office to pick up my mail," and a couple of times I would offer to give him a ride up this way, as it wasn't much out of my way and I have to come in this direction anyway to Live Oak before I turn, which is only about a block difference, and he always declined to ride and would walk.

Mr. JENNER. Did the subject matter of his experience with firearms ever arise?

Mr. OFSTEIN. I don't believe so.

Mr. JENNER. Was there any discussion at any time in which he indicated or in which there was discussion of his ability in the use of firearms?

Mr. OFSTEIN. It seems that he said while he was in the Marines that he qualified as a marksman.

Mr. JENNER. By the way, what is that rating; do you know?

Mr. OFSTEIN. I'm not certain in the Marines—it differs from the Army, I am sure.

Mr. JENNER. What is a marksman in the Army, what level of skill is that?

Mr. OFSTEIN. If I remember correctly, marksman is just barely qualifying, and "expert," of course, is the top you can go.

Mr. JENNER. I have read about snipers—are they "experts", is that their classification?

Mr. OFSTEIN. I'm not certain, but I'm sure they have to be fairly handy with a weapon.

Mr. JENNER. Your recollection is a little uncertain in this area, is it not?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. That is, with respect to what Oswald might or did say to you on the subject?

Mr. OFSTEIN. I know he said he qualified and I'm almost certain that he said as a marksman.

Mr. JENNER. Did your discussion go beyond that, did he elaborate on it in other words?

Mr. OFSTEIN. No, sir.

Mr. JENNER. And that's about the only instance in your recollection in which there was a discussion on the subject?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. What about his industry, his promptness, his attendance?

Mr. OFSTEIN. He seemed to usually arrive on time and expressed a desire to work overtime if he was needed, except during the week at times there were periods when he said he had to go to school and he would leave with some books, I believe they were typing books from the library, and he mentioned that he was going to Crozier Tech at night, and I believe this was one night a week or two at the most. Other than that, he was there every day, the best I recall, and he did work one Saturday.

Mr. JENNER. Did he have difficulty obtaining Saturday work from the company?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Why?

Mr. OFSTEIN. Well, they go on an experience and seniority basis as to overtime. The people with more seniority have a choice as to whether they want to work or not and usually they do.

Mr. JENNER. To make that extra money?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And also, does skill have anything to do with it—you mentioned experience—you meant to include in that experience—his skill for the level of attainment?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And he had not reached the point at which all of these factors combined enabled him to command or be reasonably fortunate in respect to having overtime work?

Mr. OFSTEIN. Right.

Mr. JENNER. Had your skills reached the point at which you had overtime work on Saturday when you sought it?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. What about his aptitudes with respect to the work for which he was being trained?

Mr. OFSTEIN. He always strived to try to do good. It seemed like he was fast, but I noticed that quite a few of his jobs that he did perform did come back within a normal working day.

Mr. JENNER. More than the normal?

Mr. OFSTEIN. Yes, sir; I would say so.

Mr. JENNER. There are errors always made, I suppose, by everybody?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. But your impression is that his percentage of error was above average?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Was there any discussion of that in and among your fellow workers and with Mr. Graef?

Mr. OFSTEIN. Yes; it was battered around for quite awhile—exactly how long, I don't know. About the way that he was turning out a lot of work, because it had to be redone, therefore wasting company materials.

Mr. JENNER. And time?

Mr. OFSTEIN. Yes, sir; and they had decided, I believe, it must have been a month before they finally let him go—to dismiss him.

Mr. JENNER. Was that the general scuttlebutt around the place?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. That he was reaching the end of his employment?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Did ever the occasion arise when you learned anything with respect to whether he was ever able to operate an automobile or ever owned one or got in one to drive it?

Mr. OFSTEIN. No, sir; every time I saw him on the street coming down this way after work he was walking.

Mr. JENNER. Did he ever bring any of these books to work—books as distinguished from newspapers?

Mr. OFSTEIN. I don't recall if he did or not, sir.

Mr. JENNER. Was it a Russian newspaper that elicited this discussion between you as to the use of the Russian language, or was it a book?

Mr. OFSTEIN. It was a newspaper.

Mr. JENNER. Not a book?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Did you tell him where you had learned Russian?

Mr. OFSTEIN. No, sir; I just said while I was in the service I had picked it up.

Mr. JENNER. Did he at any time ever say or did you ever get the impression that he had studied Russian while he was in the service?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Your impression was what in that connection?

Mr. OFSTEIN. Well, that he could either have learned it while in the Soviet Union or at a school.

Mr. JENNER. At a private school?

Mr. OFSTEIN. Yes; private or public school.

Mr. JENNER. But not while he was in the service?

Mr. OFSTEIN. No, sir; he never led me to believe that.

Mr. JENNER. The information he gave you with respect to the disposition of military units in Russia—that information was of the character you have already related—that the tanks were in one area?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And the other types of equipment in another, and did he tell you where these various units were?

Mr. OFSTEIN. The best I recall, he mentioned that, as I say, that he never saw a vapor trail of a plane around Minsk, and he mentioned the location of the tanks, but I am not sure whether he mentioned whether it was north or south.

Mr. JENNER. Of what?

Mr. OFSTEIN. In the Soviet Union.

Mr. JENNER. In relating this to you, was it in terms of his having seen these units?

Mr. OFSTEIN. That was the impression I got, though he never directly said so.

Mr. JENNER. Did he say anything about—after you learned that he was married to a Russian woman—did he say anything to you about how he had met her and courted her or any of the circumstances with respect to his marrying her?

Mr. OFSTEIN. No, sir.

Mr. JENNER. It was just that he had married a Russian citizen?

Mr. OFSTEIN. Right.

Mr. JENNER. And brought her to this country?

Mr. OFSTEIN. Yes.

Mr. JENNER. Did he say anything about his military career?

Mr. OFSTEIN. Only that he had served in the Marines and that he had served in Japan.

Mr. JENNER. Did he say anything about his discharge from the Marines?

Mr. OFSTEIN. No, sir.

Mr. JENNER. By the way when you first met this man, had you ever heard of him before or anything about him to your then recollection?

Mr. OFSTEIN. No, sir.

Mr. JENNER. What else did he say about the military dispositions?

Mr. OFSTEIN. He said he felt it was a rather poor way to distribute the military because of the fact that support needed by one type of unit, such as the infantry, needs tanks—took such a long delay because they had to move it from another segment of the country and that he thought this was a rather poor situation.

Mr. JENNER. Did he say anything about the location of the—these units—were they widely disbursed, that is, let's take a tank unit—did you get the impression that the tank unit would be located far away from Minsk or near Minsk?

Mr. OFSTEIN. I believe he said the tanks were in the north and I'm not familiar whether Minsk is in the north of Russia or not?

Mr. JENNER. Did you get the impression they were not in Minsk, however?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. What did he say, if anything, about units that were located in and about Minsk?

Mr. OFSTEIN. The only thing he mentioned along that line was the military headquarters and to the best of my recollection, it was a secret police.

Mr. JENNER. You mentioned in the—is that what you mean by the secret police, the NVD?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And, that they had a headquarters there in Minsk?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Did he make any comment about the MVD?

Mr. OFSTEIN. Only that they had inquired about him several times and that they didn't follow him around. He said they were somewhat like our own Federal Bureau of Investigation.

Mr. JENNER. Did he ever make any comparison that was, you thought, an attempt at being invidious with respect to the FBI as against the MVD?

Mr. OFSTEIN. No, sir; he just said that their operations were somewhat similar in checking out people they wanted to check on.

Mr. JENNER. Other than that, did he ever say anything about the FBI?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Did he say anything about his observations that regarded, for example, an area in which he could see jet contrails, whether he would also find nearby, or even at a distance, any other military units?

Mr. OFSTEIN. No, sir; he said if he saw tank treads of tanks, that he wouldn't see aircraft or infantry units nearby, and that if he saw contrails, it was the same as the infantry units, that they just wouldn't intermingle them.

Mr. JENNER. Did he say anything to you about what had led him to make these observations?

Mr. OFSTEIN. Well, as I said earlier that he had never seen any contrails, he said, in the Minsk area and that he had been in Moscow and I presumed he had seen the type units that were stationed at Minsk and possibly at Moscow.

Mr. JENNER. Is there any work done at Jaggars-Chiles-Stovall with the use of microdot?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Do you know what a microdot is?

Mr. OFSTEIN. That was explained to me by Lee Oswald.

Mr. JENNER. Tell us about that.

Mr. OFSTEIN. He asked me one day if I knew the term "microdot", and I told him, "no", I wasn't familiar with it and he told me that that was the method of taking a large area of type or a picture and reducing it down to an extremely small size for condensing and for purposes, such as where you had a lot of type to photograph to confine them into a small area, and he said that that is the way spies sometimes sent messages and pictures of diagrams and so on, was to take a microdot photograph of it and place it under a stamp and send it. I presumed that he had either read this in a book or had some knowledge of it from somewhere, but where, I didn't know.

Mr. JENNER. When did this conversation occur with respect to the termination of his employment?

Mr. OFSTEIN. This was possibly 2 or 3 months before.

Mr. JENNER. So, this was after the time that the Russian newspaper had shown up?

Mr. OFSTEIN. I believe it was; yes, sir.

Mr. JENNER. Was it after the time you learned that he married a Russian girl and brought her to this country?

Mr. OFSTEIN. No, sir.

Mr. JENNER. That occurred afterwards?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. What reaction did you have when Oswald talked about—raised the subject of microdots and their use or possible use in espionage?

Mr. OFSTEIN. I just thought that as far as he was concerned, it was possibly another phase of photography and that he was interested in it. It has since, come up down at the company—the use of microdots and the different tech-

niques, but we are still not employing those techniques and I thought possibly that he might have also, as I have several times, come to read things about microfilm and, of course, you see it in these science fiction movies of space travel and so—the use of microfilm, and I presumed this was along the same lines.

Mr. JENNER. Did it ever arouse in you any alarm or any doubt?

Mr. OFSTEIN. No, sir; I just thought it was possibly a passing piece of conversation.

Mr. JENNER. Here again you didn't become suspicious or concerned?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Did you speak to anybody about that incident?

Mr. OFSTEIN. No, sir. After Oswald was released from employment, I did ask the recruiting sergeant for Army security here in town, who I was stationed with overseas, about the possibility of getting the FBI to run a routine check on him because of the fact that I have done security work, and the fact that I also—this was just before I wrote the letter to Oswald inviting him and his wife over—due to the fact that I wanted to keep my record clean. Well, I didn't suspect him as being a spy or anything like that—I just wanted to make sure I was with the right company, and he told me that it was probably nothing.

Mr. JENNER. You wanted to inquire not only with respect to him but also whether you were with the right company?

Mr. OFSTEIN. Well, sir, I wouldn't jeopardize losing any chance of getting a security clearance at anytime I needed it.

Mr. JENNER. And, Sergeant Crozier, did you say his name was—I believe it is Sergeant Geiger.

Mr. OFSTEIN. His first name is Tom—I can't remember his last name now.

Mr. JENNER. Or, is it Kriegler?

Mr. OFSTEIN. Kriegler—yes, sir.

Mr. JENNER. He had been in the service with you, you had served together?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And, he reassured you?

Mr. OFSTEIN. Yes, sir; he said that it was probably nothing to worry about.

Mr. JENNER. When you discussed this Russian language newspaper with Oswald, was there anything said as to the source of the paper?

Mr. OFSTEIN. Not immediately. I believe it was possibly about 2 months before he left—I asked him where he got the paper and I said that I wanted to find a little more up-to-date material to study Russian with, than what you find in the library, and that I had looked around town and on the newsstands that I saw handling them—Russian language newspapers and he mentioned that he got it from a firm in New York or Washington—Victor A. Kamkin.

Mr. JENNER. That's K-a-m-k-i-n [spelling]?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And, he gave you the address in New York City?

Mr. OFSTEIN. It was New York or Washington—I don't know for certain. I made an error in my report to the FBI to that respect.

Mr. JENNER. The fact is you were uncertain, but you indicated to the FBI more positively?

Mr. OFSTEIN. Yes, sir; whenever the agent came to my home and picked up the materials, the address was there and we clarified that.

Mr. JENNER. What materials did he pick up?

Mr. OFSTEIN. Well, Lee Oswald had given me a Russian newspaper, "The Soviet White Russian," and a couple of magazines—the one being a magazine newspaper type thing and one a magazine, and the FBI agent wanted these—one of them had his handwriting on the back.

Mr. JENNER. And, those were turned over to the FBI?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Did the FBI approach you or did you approach the FBI?

Mr. OFSTEIN. They approached me.

Mr. JENNER. When was that?

Mr. OFSTEIN. I believe it was sometime in December of last year.

Mr. JENNER. Of 1963?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. It was after the assassination?

Mr. OFSTEIN. Yes.

Mr. JENNER. Did any FBI agent to your knowledge ever speak to you about Oswald anytime prior to November 22, 1963?

Mr. OFSTEIN. No, sir.

Mr. JENNER. And, other than your talk with the recruiting sergeant, Sergeant Kriegler, had you drawn the matter to the attention of any Government agent or agency?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Do any of these names refresh your recollection as to the newspapers or magazines that he had—"Soviet White Russian"?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Do you recall that as being what?

Mr. OFSTEIN. A local newspaper from the White Russian portion of the Soviet Union?

Mr. JENNER. And "The Crocodile"?

Mr. OFSTEIN. Yes, sir; that was a—it would be hard to say whether that would be a newspaper or a magazine. It seemed like it was thick and stapled as a magazine, but in the form of a newspaper.

Mr. JENNER. And, then "The Agitator"?

Mr. OFSTEIN. That was a magazine.

Mr. JENNER. Now, did he speak of these or did he have one or more of these off and on during his employment, or was there just one occasion that you saw them?

Mr. OFSTEIN. I believe the only time he had them down there was one incident when I picked them up and the other time later on when he brought these to me with the address of Victor Kamkin.

Mr. JENNER. After the specific instance about which you have testified, there was a subsequent instance in which he brought you for possible ordering purposes, some additional either periodicals or newspapers?

Mr. OFSTEIN. Right.

Mr. JENNER. Among which were the names of which I have related to you?

Mr. OFSTEIN. Right. Now, he did mention that "The Agitator" was a political magazine and that I probably wouldn't want to order.

Mr. JENNER. He did say that it might well be something you wouldn't want to order?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Had you heard of "The Agitator" up to this point?

Mr. OFSTEIN. No, sir.

Mr. JENNER. At no time while you were at Monterey did "The Agitator" come to your attention?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Do they use Russian language newspapers and periodicals, that is, printed in Russia?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. In the Monterey language school?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Did he surrender these papers and these periodicals to you?

Mr. OFSTEIN. Yes; he gave them to me and I told him—I thanked him for them and told him I would bring them back within a couple of days and I was going to glance through them and he said that would be all right, that I could keep them.

Mr. JENNER. That you could keep them and you didn't have to return them?

Mr. OFSTEIN. Right.

Mr. JENNER. You surrendered them to the FBI, did you?

Mr. OFSTEIN. Yes.

Mr. JENNER. On those—it seems to me you said earlier there was some handwriting on one or more of these newspapers or periodicals?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Whose handwriting?

Mr. OFSTEIN. Lee Oswald's.

Mr. JENNER. Was the handwriting on those newspapers or periodicals placed on those items in your presence?

Mr. OFSTEIN. I believe they were—I believe that was the address of Victor Kamkin on the back of one of them.

Mr. JENNER. That is, Oswald in your presence wrote the address of Kamkin on some one of these documents?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Did you seek to have him help you with your Russian beyond what you have now related to us?

Mr. OFSTEIN. Yes, sir; I asked him if he knew any other people who spoke Russian, and he indicated that he did, that he knew several Russian immigrants and I asked him at the time if he would be able to give me anyone's address so that I could speak with them and build up my vocabulary, and my ability to speak it, and he just kept putting me off and saying, "In time you'll meet them, in time you'll meet them" and I never did meet any of them.

Mr. JENNER. Did he give any reason for his apparent putting you off?

Mr. OFSTEIN. Yes, sir; he said that these people liked to speak with Americans who had an interest in their language, but they wouldn't want to take just anyone who went down to the library and picked up a book and sputtered off a few words. He said they enjoyed having someone around who could more or less keep up a running conversation with them.

Mr. JENNER. You thought he was classifying you as one who had a fairly poor command of the language?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And that he had some hesitation about throwing you in with a group that spoke fluently?

Mr. OFSTEIN. Yes.

Mr. JENNER. This was not a derogatory attitude on his part?

Mr. OFSTEIN. No, sir; he said with a little bit of study that I could possibly get in with the groups and speak with them.

Mr. JENNER. And your feeling is fairly firm that his reluctance in that connection was along the lines you have indicated rather than a desire on his part to keep you from that group?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Do you feel that had you had a better command of the Russian language he would have been willing to introduce you into that circle?

Mr. OFSTEIN. I believe he would have; yes, sir.

Mr. JENNER. Do you know whether he had any social contact with any of the people in the plant?

Mr. OFSTEIN. Not to my knowledge; no, sir.

Mr. JENNER. What is your impression as to whether he did or didn't?

Mr. OFSTEIN. Well, I feel that he possibly got along with me better than anyone else down there and we had no social contact.

Mr. JENNER. He had none with you and you rationalized from that he had none with anybody else?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. That judgment was affected by the fact also that he appeared not to be getting along very well with others in the plant?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Did he say anything about being a Marxist?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Was the subject ever mentioned?

Mr. OFSTEIN. No.

Mr. JENNER. You mentioned the secret police, did any conversation ever occur with respect to any contact of his with, or any contact by, the secret police with him?

Mr. OFSTEIN. He said that they talked to him once or twice while he was there and that was all, but that mainly it was just like the FBI would be running a check on someone here—they would speak with people who knew them or who were located around them.

Mr. JENNER. Was there anything ever discussed during the period he was employed about any particular problems of his in Russia, first, let me say

this—any attempt on his part to defect from the United States and become a Russian citizen?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Any illnesses on his part?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Any difficulties he may or did or might have encountered in connection with his return to the United States?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Or of his getting his wife out of Russia?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Was the subject of his getting out of Russia discussed at all?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Was the problem with the Cuban nation or with Mr. Castro or any of Castro's activities ever discussed?

Mr. OFSTEIN. Yes, sir; at one time when they were having a little difficulty down there, I don't recall just what the difficulty was at the time, but I made a rather derogatory remark about Fidel Castro's ancestry, and he never seemed to get upset about it.

Mr. JENNER. You just got no response out of him at all on that?

Mr. OFSTEIN. Just a sort of a shrug of the shoulders.

Mr. JENNER. I noticed there was a discussion between you or he with you, at least, about keeping to yourself the fact that he had been in Russia?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Was there such an incident?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Will you tell us about it—how it arose, what the circumstances were, and what he said and what you said?

Mr. OFSTEIN. I believe it was the same time that he informed me that he had been in the Soviet Union—he mentioned that he didn't want it to get around, at this time—this was the time I got the impression that possibly he had been an agent—what was a fleeting impression—and I remarked later that apparently he had told someone else down there because someone mentioned it to me about his having a Russian wife.

Mr. JENNER. Was this before he told you he had one?

Mr. OFSTEIN. No, sir; this was after—in fact, I believe it was after he had been released from employment, but at the time that he did ask me to keep the fact that he had been in Russia to myself, I presumed that I was the only one that knew anything about his Russian activities, that he had even been in the Soviet Union or had a Russian wife.

Mr. JENNER. I wonder if this would sort of refresh your recollection—Victor Kamkin Bookstore, Inc., 2906 14th Street NW., Washington 9, D.C.?

Mr. OFSTEIN. No, sir; that seems like it, that seems like it.

Mr. JENNER. That sparks your recollection—with Washington, D.C., as distinguished from any other city?

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. Did you ever write Kamkin?

Mr. OFSTEIN. Yes; I got several catalogues from him.

Mr. JENNER. Did you ever order any Russian literature from him?

Mr. OFSTEIN. No, sir.

Mr. JENNER. Is there anything that occurs to you that you think might be pertinent to the subject matter of the Commission's investigation, which I haven't prompted up to the moment?

Mr. OFSTEIN. As directly related to the assassination?

Mr. JENNER. Well—either way—you feel free to say.

Mr. OFSTEIN. No, sir; to the best of my knowledge—no.

Mr. JENNER. Is there anything on the subject matter along the lines that I have questioned you that is in your contacts with Lee Oswald which have not been brought out, that you would like to tell us about, which you think might be helpful?

Mr. OFSTEIN. Nothing that I can recall. As I say, most of the things that he did tell me—I thought were mainly in the lines of conversation and nothing more, and that he never made any political advances one way or the other or

gave his own political views. I mean, he never told me anything derogatory about the United States or about the Soviet Union—just that he had resided there.

Mr. JENNER. All right, if you wish, you may read your deposition and make any corrections in it and sign it, or you are of liberty to waive that if you wish. You can do whatever you want—either way, but you have the right to read it and correct it if it needs correcting or additions and to sign it. I would like to know either way so that in case you decide to waive it, the reporter has a kind of a certification different from the kind that is put on when you elect to sign it.

Mr. OFSTEIN. Yes, sir.

Mr. JENNER. And you are entitled to a copy of the deposition if you wish to purchase one from this young lady, and you can make arrangements with her in that respect.

Mr. OFSTEIN. Fine. I will waive the right to sign.

Mr. JENNER. And if at anytime you want a copy of your deposition, call Miss Oliver and if you happen to forget her name, talk to the U.S. attorney and he will give you her name.

Mr. OFSTEIN. Fine.

Mr. JENNER. Thank you very much for coming.

Mr. OFSTEIN. All right. Thank you.

TESTIMONY OF CHARLES JOSEPH LE BLANC

The testimony of Charles Joseph Le Blanc was taken on April 7-8, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Charles Joseph Le Blanc, having been first duly sworn, was examined and testified as follows:

Mr. LIEBELER. My name is Wesley J. Liebeler, I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy. Staff members have been authorized to take the testimony of witnesses by the Commission pursuant to authority granted to the Commission by Executive Order No. 11130, dated November 29, 1963, and Joint Resolution of Congress No. 137.

I understand that Mr. Lee Rankin, General Counsel of the Commission, wrote you last week advising that we would be in touch with you concerning the taking of your testimony, and that he included with his letter a copy of the Executive order and the joint resolution to which I have just referred, as well as a copy of the rules of procedure of the Commission governing the taking of testimony of witnesses. Is that correct?

Mr. LE BLANC. Yes.

Mr. LIEBELER. I understand, Mr. Le Blanc, that you were employed by the William B. Reily Coffee Co., the William B. Reily Co. more precisely, and still are.

Mr. LE BLANC. Yes.

Mr. LIEBELER. That you were employed by that company during the time that Lee Harvey Oswald was also employed by it. Is that correct?

Mr. LE BLANC. Yes.

Mr. LIEBELER. Before we get into the details, would you state your full name for the record, please.

Mr. LE BLANC. Charles Joseph Le Blanc.

Mr. LIEBELER. Where do you live, Mr. Le Blanc?

Mr. LE BLANC. 2824 South Roman.

Mr. LIEBELER. Is that here in New Orleans?

Mr. LE BLANC. New Orleans.

Mr. LIEBELER. Where and when were you born, sir?

Mr. LE BLANC. November 1, 1929, New Orleans, La.

Mr. LIEBELER. Have you lived here in New Orleans all of your life?
Mr. LE BLANC. Well, I lived in Metairie for—oh, I would say all but the last 10 years.

Mr. LIEBELER. Then you moved to New Orleans?

Mr. LE BLANC. Yes.

Mr. LIEBELER. By whom are you employed?

Mr. LE BLANC. William B. Reily Coffee Co.

Mr. LIEBELER. And how long have you worked for them?

Mr. LE BLANC. Nine years.

Mr. LIEBELER. In what capacity are you employed by them?

Mr. LE BLANC. What do you mean? What I—

Mr. LIEBELER. What do you do?

Mr. LE BLANC. Maintenance man.

Mr. LIEBELER. You work as a maintenance man?

Mr. LE BLANC. Yes, sir.

Mr. LIEBELER. What do you do in that job?

Mr. LE BLANC. General maintenance.

Mr. LIEBELER. You keep the machinery in running order?

Mr. LE BLANC. The machinery and different office equipment that needs to be fixed.

Mr. LIEBELER. What kind of machinery do they have over there?

Mr. LE BLANC. Packaging machinery for the coffee.

Mr. LIEBELER. For packaging coffee?

Mr. LE BLANC. Yes.

Mr. LIEBELER. Do they grind the coffee up too and mix it and blend it?

Mr. LE BLANC. They roast it, grind it, and then it goes into these hoppers, and then down to the packaging machinery.

Mr. LIEBELER. It is packed in cans or in paper sacks or—

Mr. LE BLANC. Cans and bags.

Mr. LIEBELER. Or both?

Mr. LE BLANC. Cans and bags.

Mr. LIEBELER. How many maintenance men, approximately, do they have working over there?

Mr. LE BLANC. Let's see; four.

Mr. LIEBELER. Four?

Mr. LE BLANC. Yes, four.

Mr. LIEBELER. Is that the usual number that they have?

Mr. LE BLANC. Yes, that is about it mostly.

Mr. LIEBELER. Do you remember that Lee Oswald was employed by the Reily Company?

Mr. LE BLANC. Yes, sir.

Mr. LIEBELER. Tell us, as best you can recall, when you first met Oswald and what your relationship with him was, what kind of a person he was, what he did.

Mr. LE BLANC. Well, when they first hired him, well, they brought him to me, because I was to break him in on his job, so I started the procedure of going—start from the fifth floor on down, work a floor each day with him to take and get him broke in on the job and start showing him the routine, how to go about greasing. The first day, I mean when I was showing him, it look like if he caught on to it, all right, if he didn't, it was still all right. He looked like he was just one of these guys that just didn't care whether he learned it or he didn't learn it. And then after I took and—we usually go by the week, because usually after a week anybody with any mechanical knowledge, there is nothing to it, because all it is is finding the grease and oil fittings and we put him on his own. I put him on the fifth floor and told him to take care of everything on the fifth floor and I would be back shortly to check. I would take and put him up there, and about a half hour or 45 minutes or so, I would go back up and check how he is doing. I would go up there and I wouldn't find him. So I asked the fellows that would be working on the floor had they seen him, and they said yes, he squirted the oil can a couple of times around different things and they don't know where he went. So I would start hunting all over the building. There is five stories on one side and four on the other. I would cover

from the roof on down and I wouldn't locate him, and I asked him, I said, "Well, where have you been?" And all he would give me was that he was around. I asked him, "Around where?" He says, "Just around," and he would turn around and walk off. On one occasion when I was in the shop and I was working on some sort of piece of machinery—I can't recall what it was at the present time—and he come in the shop and he was standing there by me and watching me, and I asked him, I says, "Are you finished all your greasing?" He said yes. So he asked me, said, "Well, can I help you?" I said, "No, what I am doing I don't need no help." So he stood there a few minutes, and all of a sudden he said, "You like it here?" I said, "What do you mean?" He says, "Do you like it here?" I says, "Well, sure I like it here. I have been here a long time, about 8½ years or so." He says, "Oh, Hell, I don't mean this place." I said, "Well, what do you mean?" He says, "This damn country." I said, "Why, certainly, I love it. After all, this is my country." He turned around and walked off. He didn't say any more. And then after that a lot of times I would be looking for him and the engineer would be looking for him, and on quite a number of occasions when it would get to be a coffeebreak time, we usually go next door to the Crescent City Garage to get a Coke, and there he would be sitting in there drinking a Coke and looking at these magazines.

Mr. LIEBELER. Did you have a regular break time?

Mr. LE BLANC. Yes.

Mr. LIEBELER. In the shop?

Mr. LE BLANC. We had 9 o'clock in the morning and 1:30 in the evening. Each one of them was a 10-minute break.

Mr. LIEBELER. What time did you usually start work in the morning?

Mr. LE BLANC. Well, I started on different hours there for awhile. For awhile when he was there, I think I was around 8 to 5, and I pretty well stayed those hours as long as—

Mr. LIEBELER. Oswald was there?

Mr. LE BLANC. While Oswald was there.

Mr. LIEBELER. Except for the break periods, you were supposed to be at your job—

Mr. LE BLANC. Yes.

Mr. LIEBELER. In the plant?

Mr. LE BLANC. In the plant. That is right.

Mr. LIEBELER. Now what kind of supervision did Oswald have in his work? You said that you took him around and tried to teach him how to do the job, but then after you finished breaking him in, at least as far as the fifth floor is concerned, he would be pretty much on his own, wouldn't he?

Mr. LE BLANC. No. I mean from the—I started him on the fifth, and then he would work his way on down to the first floor. See? The way I broke him in, I told him, "Make sure that you have got everything on that one floor," and I said, "If it takes you a day to do it, let it take you a day," I said, "but make sure that you have got everything greased and oiled and cleaned." And that is what he was supposed to do, and I told him, I said, "Then if you get finished the fifth floor, or whatever floor you are on, you can always work to the next floor." And then in the evening at 3:15 when the lines were shut down, we had these three machines that had to be cleaned, oiled and greased every day and sometimes twice a day—it all depends on how they ran—and he had to see to it that each evening at 3:15 they was cleaned and greased.

Mr. LIEBELER. Now did he have anybody keeping track of him as a general proposition? He really didn't, did he? I mean, he was just—

Mr. LE BLANC. Well, the majority of the time he had somebody over him, but as a practice, I mean after you got broke in on your job, well, they wouldn't look after you, keep looking after you. They figured, well, you knew your job and you would go ahead and do your job. But after awhile, well, they seen he was drifting off. Right to the last day before they let him go, why, we kept an eye on him, because we seen then that he wasn't doing the work that he was supposed to be doing.

Mr. LIEBELER. He really wasn't doing the work?

Mr. LE BLANC. No.

Mr. LIEBELER. He wasn't greasing the machines?

Mr. LE BLANC. No. And you see, we have a greasing log that when you grease the machine you log it the day that you grease it, and actually a lot of times I think he might have put stuff down in the log that he didn't even get to sometimes.

Mr. LIEBELER. Just so I can get an idea of what kind of work he was doing, how were the machines greased? Did he have a grease gun or cups and—

Mr. LE BLANC. Yes; well, we have an air grease gun and we also have these hand-type grease guns.

Mr. LIEBELER. And you used just regular Alemite fittings and grease guns?

Mr. LE BLANC. Yes.

Mr. LIEBELER. So I would imagine from time to time he ended up with the grease on his hands and it was a greasy job?

Mr. LE BLANC. Yes; it was a dirty job.

Mr. LIEBELER. Did he ever complain about that?

Mr. LE BLANC. Well, he would complain now and then. I would tell him, well, that goes in with the job of oiling and greasing.

Mr. LIEBELER. Now was he just basically an oiler and greaser, or was he classified as a maintenance man?

Mr. LE BLANC. No.

Mr. LIEBELER. That is a different thing?

Mr. LE BLANC. He was hired as an oiler and greaser and helper.

Mr. LIEBELER. Did he seem to have any kind of mechanical proficiency at all? I mean, could you tell? Did he seem to know his way around machines?

Mr. LE BLANC. It didn't look like he had. I think—I mean I don't know—I think he had that in his application, that he was mechanically inclined, but it didn't show up that way.

Mr. LIEBELER. Did you have any other conversations with Oswald that you can remember?

Mr. LE BLANC. No; I tell you, he was a boy of very few words. He would walk past you and wouldn't even ask how you are doing, or come and talk, like a lot of us, we would stop and maybe pass a few jokes or just talk a little with each other, but him—I think it was 3 months that he was with us—still, I think if he said 100 words to me, it was plenty, because even when I was breaking him in he wasn't the type boy that would ask you different things about the machines. I was doing all the talking and he was just looking.

Mr. LIEBELER. Did these absences of his occur pretty much all the time, or did it get worse as he stayed there?

Mr. LE BLANC. Well, toward the last it begin to get pretty regular, and that is when I think they decided to let him go. And another thing I recall: He had this habit, every time he would walk past you he would just [demonstrating] just like a kid playing cowboys or something—you know, he used his finger like a gun. He would go, "Pow!" and I used to look at him, and I said, "Boy, what a crackpot this guy is!"

Mr. LIEBELER. That is what you thought?

Mr. LE BLANC. Yes. Right off the bat I said, "This is a crackpot"; right off.

Mr. LIEBELER. Did he seem to just use his fingers like that, as a gun, as a joke, you mean, or—

Mr. LE BLANC. Well, I didn't know what to think of it, you know, because he—on quite a number of times he would do that, you know. If you would walk past him, he would do that.

Mr. LIEBELER. Did he smile or laugh, or what?

Mr. LE BLANC. No. When he would do it, he wouldn't even crack a smile. That is what used to get me. If somebody would be doing something in a joking manner, at least they would smile, but he was one that very seldom would talk or would smile either, and that is why I could never figure him out.

Mr. LIEBELER. Did Oswald have any other associates or people that worked with him closely in the plant, or would you say that you probably worked with him as closely as anybody else?

Mr. LE BLANC. Well, I imagine I was about the closest, myself and the other maintenance man.

Mr. LIEBELER. The other maintenance men? There were three more?

Mr. LE BLANC. Well, there is the engineer, and they had this other boy.

Mr. LIEBELER. What is his name?

Mr. LE BLANC. Well, the engineer is Emmett Barbe—I think you all have a statement from him—and then the other boy was Arturo Rodriguez.

Mr. LIEBELER. Of Mexican or Puerto Rican background?

Mr. LE BLANC. He is Mexican, I think.

Mr. LIEBELER. Do you know whether Oswald was associated with Rodriguez outside of the plant at all?

Mr. LE BLANC. No, sir.

Mr. LIEBELER. You don't have any way of knowing?

Mr. LE BLANC. No.

Mr. LIEBELER. Did Oswald ever talk to you about his family?

Mr. LE BLANC. No; that was something he very seldom talked about, and myself and the engineer, Emmett Barbe, we always were talking about our families. He had quite a bit of sickness and I had quite a bit of sickness, and a lot of times we would be talking about our families and kids, and Oswald, he never would bring in his family, and it was a good while after he was employed with us that I actually found out he was married, because I didn't think he was married because he never did talk about his wife or kids or nobody.

Mr. LIEBELER. Did you have a lunch break—

Mr. LE BLANC. Yes.

Mr. LIEBELER. During the day, you had a lunch break?

Mr. LE BLANC. We had 11 and 11:30. Now at that time I don't know whether we just had the 11:30 or we had two breaks—I can't recall—but I think it was two breaks, lunch breaks, 11 and 11:30.

Mr. LIEBELER. Did Oswald eat lunch with anybody? Do you remember?

Mr. LE BLANC. Not that I know of. He had never eaten with me, I know.

Mr. LIEBELER. Where do you usually have lunch?

Mr. LE BLANC. Well, myself, I bring mine; but most of them that don't bring their lunch, they usually go down to the corner restaurant.

Mr. LIEBELER. Did Oswald bring his lunch, or did he eat in the restaurant?

Mr. LE BLANC. Well, no; I think he went down to the corner restaurant a lot of times.

Mr. LIEBELER. Is that Martin's Restaurant?

Mr. LE BLANC. Martin's; yes, sir.

Mr. LIEBELER. Do you have any idea what he used to have for lunch?

Mr. LE BLANC. No, sir; I don't.

Mr. LIEBELER. Do you have any idea how much he spent for his lunch?

Mr. LE BLANC. No, sir.

Mr. LIEBELER. What kind of a place is Martin's, a pretty inexpensive place or—

Mr. LE BLANC. It is a reasonable place for regular factory—most all the factory workers around there eat there. It is pretty reasonable.

Mr. LIEBELER. Did you ever form any opinion of Oswald? You mentioned that you thought he was probably a little bit of a crackpot or somewhat of a crackpot for playing this game with his fingers like he was shooting a gun, but just generally what did you think of this guy?

Mr. LE BLANC. I just—I used to always think—I didn't know whether he was right or whether he had troubles on his mind or what. I mean, I couldn't actually figure what was actually wrong with him, because, I mean, we would go on break and sit on the driveway on the bench. Usually among the maintenance—we always usually a lot of times sit together and we would talk over the job or something, but he would sit on the bench, and he looked like he would be staring into space, and sometimes you would think he was looking right at you, and if you would happen to go to say something, he wouldn't answer you. Looked like that is how far his mind was.

Mr. LIEBELER. He seemed to be thinking about something else?

Mr. LE BLANC. Yes; and looked like his mind was far away at all times.

Mr. LIEBELER. There weren't any of the men there that, as far as you knew, he ever really talked to—

Mr. LE BLANC. No.

Mr. LIEBELER. Or anyone he ever opened up to in anyway?

Mr. LE BLANC. No.

Mr. LIEBELER. Did you talk about Oswald with the men over there since the assassination?

Mr. LE BLANC. What is that?

Mr. LIEBELER. Have you talked about Oswald with the other maintenance men or the other men at the plant?

Mr. LE BLANC. No; I tell you, we hadn't talked very much, because we just—we left things as was.

Mr. LIEBELER. You never had any conversations with anybody that you can remember, speculating as to whether Oswald really did this or whether he was capable of it, he was that kind of a guy?

Mr. LE BLANC. Well, the most talk was around the plant a lot of times, that they thought he was actually too stupid to actually pull something like that. They didn't think he even had enough brains to pull a foolish thing like that, because that is just the kind of a person he looked to be.

Mr. LIEBELER. He didn't seem to be particularly intelligent or——

Mr. LE BLANC. No.

Mr. LIEBELER. Did he seem to be interested in his surroundings or just sort of a——

Mr. LE BLANC. Like in his greasing records, one time something could be spelled right, and just a little ways away he might have to use the same word and it would be all misspelled. I don't know whether he didn't know how to write or he just didn't care how he put it down.

Mr. LIEBELER. Did you ever question him about that or indicate to him that he was misspelling words?

Mr. LE BLANC. Well, on a couple of occasions I told him if he could write plainer, it would be a lot better for me to check, because a lot of times if something would go wrong with a machine, we would go to that greasing log and check when is the last time it was greased, and when you would look at his writing, it would be like Greek, you couldn't hardly understand it.

Mr. LIEBELER. What did he say about that?

Mr. LE BLANC. Well, he would look at you and turn around and walk off.

Mr. LIEBELER. He wouldn't say anything?

Mr. LE BLANC. Wouldn't say nothing. That is what used to get me. I used to—if I bawled him out about not greasing something, ordinarily a man would tell you, well, I will try to do better, or, that is the best I could do, or something like that, but that is what used to get me so mad when he would give me no answer whatsoever, and that is when I told him one day, I said, "You are going to end up driving me crazy if I am going to have to keep up with this guy, because he don't give me no answer whatsoever if I bawl him out about his job or anything."

Mr. LIEBELER. Who did you tell that to—Mr. Barbe?

Mr. LE BLANC. Well, I think it was Barbe I told that to.

Mr. LIEBELER. He is a sort of a—what—engineer, plant engineer?

Mr. LE BLANC. Yes; he is the plant engineer.

Mr. LIEBELER. You never mentioned to Oswald the misspellings in the words that——

Mr. LE BLANC. No; I didn't mention misspelling. I figured, well, maybe the boy can't spell so good, and I figured, well, as long as it was close, I might be able to understand it, but there was a couple of occasions he would put things down and I would have to actually ask him what it was, because it wasn't nowhere near the name that the machine would actually be.

Mr. LIEBELER. And you noticed that sometimes he would spell things right and sometimes he would just spell them wrong?

Mr. LE BLANC. Sometimes he would spell them wrong and sometimes he would spell them right. That is what I couldn't understand about him.

Mr. LIEBELER. Did you ever discuss that with Mr. Barbe or anybody?

Mr. LE BLANC. No; when Mr. Barbe noticed it was the day after the assassination when the agent was there and we were trying to get all the possible information we could get off of it, you know, and that is when we got the greasing records of when he was there and went through them, and that is when he seen a lot of misspelling.

Mr. LIEBELER. Do you know whether those records were turned over to the Secret Service or the FBI?

Mr. LE BLANC. Yes; they were turned over.

Mr. LIEBELER. The greasing records were?

Mr. LE BLANC. Yes.

Mr. LIEBELER. Can you think of anything else that you can remember about Oswald that you think might be helpful? I am about out of questions myself. Do you have anything else that you remember—

Mr. LE BLANC. No.

Mr. LIEBELER. Or that you think I should have asked you about?

Mr. LE BLANC. No.

Mr. LIEBELER. Well, in that case, I want to thank you very much for the cooperation that you have shown us and for your patience.

Mr. LE BLANC. Any way I could help, I was glad to.

Mr. LIEBELER. I want to thank you very much, Mr. Le Blanc, both personally and on behalf of the Commission. We appreciate it very much.

Mr. LE BLANC. Because before he was killed, I told the investigators that if there was any way that I could help them to solve this thing—because we was pretty well shook up about it to think that somebody at our place, that worked at our place, had to pull a stunt like that, and we were out to get down to the bottom of it.

Mr. LIEBELER. Did you ever hear Oswald talking politics with anybody, or did you ever talk politics to him yourself?

Mr. LE BLANC. No; around election time or anything like that, sometimes a conversation or something would come up, but he never would bring up a conversation about any politics.

Mr. LIEBELER. You never heard him say anything about President Kennedy?

Mr. LE BLANC. No, sir.

Mr. LIEBELER. You never had any question come up as to racial problems or integration problems? He never expressed himself on that?

Mr. LE BLANC. No.

Mr. LIEBELER. Are there any Negro employees over there at the plant?

Mr. LE BLANC. Oh, yes; there is a number of them, quite a number of them.

Mr. LIEBELER. Did Oswald demonstrate any particular animosity toward them, or did he seem to treat them differently from the rest of the men?

Mr. LE BLANC. No; he went along just like if they was white, I mean just the way he went about with us, not saying anything. That was the same way with them, looked like.

Mr. LIEBELER. He didn't think that he was either—that he felt particularly differently about the Negro employees than the other men?

Mr. LE BLANC. No; it didn't look like it. You know what I mean, with his attitude.

Mr. LIEBELER. I think we have covered it. Thanks a lot.

TESTIMONY OF ADRIAN THOMAS ALBA

The testimony of Adrian Thomas Alba was taken on April 6, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

A witness, having been duly sworn by Mr. Wesley J. Liebeler to testify the truth, the whole truth, and nothing but the truth, so help him God, testified as follows:

Mr. LIEBELER. Mr. Alba, my name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy. The Commission has authorized staff members to take the testimony of witnesses pursuant to authority granted to it by Executive Order 11130, dated November 29, 1963, and Joint Resolution of Congress No. 137.

I understand that Mr. Rankin wrote to you last week and told you that I

would be in touch with you concerning the taking of your testimony, and that he enclosed with his letter a copy of the Executive order and the resolution referred to, together with a copy of the Commission's rules of procedure governing the taking of the testimony by the Commission?

Mr. ALBA. That is correct.

Mr. LIEBELER. We want to inquire of you concerning any knowledge you might have of Lee Harvey Oswald which you might have gained as a result of, as we understand it, his habit or practice of coming into your garage, which is, we understand, located right next door to the Reily Company on Magazine Street, is that correct?

Mr. ALBA. That is correct.

Mr. LIEBELER. Before we go into detail, will you state your full name for the record?

Mr. ALBA. Adrian Thomas Alba.

Mr. LIEBELER. Where were you born?

Mr. ALBA. In New Orleans.

Mr. LIEBELER. When?

Mr. ALBA. January 20, 1931.

Mr. LIEBELER. What is your employment at the present time?

Mr. ALBA. Crescent City Garage, auto garage.

Mr. LIEBELER. Are you owner of the garage?

Mr. ALBA. Yes, part owner.

Mr. LIEBELER. I beg your pardon?

Mr. ALBA. I am an officer in the garage.

Mr. LIEBELER. Are you regularly located at the garage itself? Do you work out of the garage?

Mr. ALBA. No, right there.

Mr. LIEBELER. Right there?

Mr. ALBA. Yes.

Mr. LIEBELER. What is the nature of the garage?

Mr. ALBA. Auto storage garage primarily.

Mr. LIEBELER. The address of the garage is 618 Magazine Street?

Mr. ALBA. That is correct.

Mr. LIEBELER. It is right next door to the William B. Reily Coffee Co.?

Mr. ALBA. That is correct.

Mr. LIEBELER. Did you ever become acquainted with or observe in your garage Lee Harvey Oswald?

Mr. ALBA. Through conversations and Outdoor Life magazines in the office—I have a coffee pot there, and a coffee table, and some chairs, and a magazine rack, where he frequented the magazines quite often and drank coffee. And I have a coke machine there.

Mr. LIEBELER. Did this fellow, did you tell us what his name was?

Mr. ALBA. All I knew him was as "Lee."

Mr. LIEBELER. Just Lee?

Mr. ALBA. Yes.

Mr. LIEBELER. I understand that you are a gun enthusiast, is that correct?

Mr. ALBA. That is correct.

Mr. LIEBELER. And that you kept in your office in the garage various magazines relating to outdoor life and guns?

Mr. ALBA. Yes.

Mr. LIEBELER. Did Oswald ever discuss guns with you?

Mr. ALBA. Yes, he did.

Mr. LIEBELER. Can you tell us what he said, and what you said on the subject?

Mr. ALBA. He pursued the issue of ordering guns, and how many guns had I ever ordered, and how long did it take to get them, and where had I ordered guns from—

Mr. LIEBELER. Go ahead. What did you tell him? Just tell us the conversation that you had with him.

Mr. ALBA. I told him that I had a gun on order at the present time, a U.S. .30-caliber carbine, and he asked had I received the gun, on several occasions, after that. I told him no, that I hadn't. And he asked me would I consider selling him the gun if and when I got it. I told him no.

Mr. LIEBELER. Was there anything peculiar about this particular rifle that made Oswald want it? Or why did he want you to sell this rifle? Do you know?

Mr. ALBA. He told me he had a couple of guns, and he would like to have the carbine. He was familiar with the carbine from the service, I believe.

Mr. LIEBELER. And this was the regular M-1 carbine?

Mr. ALBA. Regular M-1 carbine, yes.

Mr. LIEBELER. From whom had you ordered that carbine? Do you recall?

Mr. ALBA. Through the National Rifle Association.

Mr. LIEBELER. Did Oswald indicate to you what other kind of rifle or weapons that he had?

Mr. ALBA. No; he didn't. He did make a remark that he had—I think he said he had several rifles and several pistols, but he did not go into the nature of the arms, or how much, or what they were.

Mr. LIEBELER. Did he ever express any interest in any rifle that you indicated that you had, other than this M-1 carbine that you told him you had ordered?

Mr. ALBA. One 30.06 Springfield rifle that I had.

Mr. LIEBELER. Did you have that?

Mr. ALBA. I was in the process of sporterizing that at the garage at the time—

Mr. LIEBELER. What did he say about that particular weapon?

Mr. ALBA. He said what was it worth to me, and I told him it was worth over \$100 to me. There was no followup on that.

Mr. LIEBELER. Was this particular rifle that you have referred to, a Japanese rifle?

Mr. ALBA. No; it wasn't. I had a Japanese rifle down there that was not for sale, and he was more partial to the Japanese rifle than the Springfield and the carbine put together.

Mr. LIEBELER. He was really interested—

Mr. ALBA. He was more interested in the Japanese rifle.

Mr. LIEBELER. Had you already sporterized that?

Mr. ALBA. That was completely sporterized.

Mr. LIEBELER. What do you do to a rifle when you sporterize it?

Mr. ALBA. Alter the stock, eliminate some of the weight, and the length of the stock, because it is a military piece to start with, and you glass-bead the stock.

Mr. LIEBELER. And what does that mean?

Mr. ALBA. To accurize the stock, and you put this where you have all metal to wood contact in the stock. It is referred to as accurizing, and sporterizing, and customizing a piece.

Mr. LIEBELER. What did Oswald say about this particular Japanese rifle?

Mr. ALBA. Nothing other than his desire to possess the gun, or to purchase the gun from me.

Mr. LIEBELER. Do you recall being interviewed by an agent of the FBI?

Mr. ALBA. Yes; I do.

Mr. LIEBELER. How many times were you interviewed by the FBI?

Mr. ALBA. Twice, I believe. Let me retract that—the FBI came to the office, I think, three different times. I was never up in their office or contacted—

Mr. LIEBELER. Did you discuss this Japanese rifle with them?

Mr. ALBA. Yes; I did.

Mr. LIEBELER. And do you recall telling them that Oswald was interested in the number of inches that had been cut from the barrel of the gun?

Mr. ALBA. I believe I did; yes.

Mr. LIEBELER. Do you recall what Oswald said about that?

Mr. ALBA. No; not other than a general discussion of the trajectory and the feet per second, and et cetera, and the general accuracy elimination—I mean elimination of the accuracy of the gun cutting the barrel off.

Mr. LIEBELER. What is the effect of cutting the barrel?

Mr. ALBA. On the accuracy of a rifle; none.

Mr. LIEBELER. Did you tell Oswald that?

Mr. ALBA. I did.

Mr. LIEBELER. Did he seem surprised?

Mr. ALBA. Not that my memory would—if my memory would serve me correctly; no.

Mr. LIEBELER. Did he seem to have a fairly good knowledge of a rifle?

Mr. ALBA. He did of the military pieces, the M-1 and the Garand. He was asking questions about the Japanese rifle and the Springfield, the 1903-A, the A-3 Springfield, inquiring questions about those pieces, but he seemed to have a very thorough knowledge of the M-1 and the Garand.

Mr. LIEBELER. You just mentioned two different rifles, or three different rifles that he showed a real familiarity with?

Mr. ALBA. Two.

Mr. LIEBELER. This was the straight M-1 gas-operated rifle that has been used by the military services?

Mr. ALBA. Yes, sir.

Mr. LIEBELER. And the other was the Springfield?

Mr. ALBA. No, no; the other was the Garand M-1. The Garand M-1 and you have the M-1 carbine. Both are gas-operated.

Mr. LIEBELER. Those are the only two weapons that he showed any particular or real familiarity with, is that correct?

Mr. ALBA. That is correct.

Mr. LIEBELER. Did he tell you how he became familiar with these?

Mr. ALBA. No; he didn't.

Mr. LIEBELER. Did you ever give it any thought as to how he became familiar with these weapons?

Mr. ALBA. Yes; I did. I assumed that was through the Armed Forces training.

Mr. LIEBELER. Did he ever tell you anything about that?

Mr. ALBA. No; he hadn't, other than he had the service behind him.

Mr. LIEBELER. He didn't tell you what branch of the service he had been in?

Mr. ALBA. No; he didn't.

Mr. LIEBELER. The Japanese rifle that you said you had completely sporterized, can you tell us approximately how long that weapon would be when it is put together?

Mr. ALBA. Prior to sporterizing or after sporterizing?

Mr. LIEBELER. Both?

Mr. ALBA. I took approximately 4 to 4½ inches off of the barrel, and I think it was left with a 22½-inch barrel, and it had approximately a 28- or a 29-inch barrel to start off with.

Mr. LIEBELER. When you fastened the barrel to the stock, can you tell us approximately how long that rifle would be?

Mr. ALBA. I can take a guess—I never really measured it, or any of my pieces, for that matter, but I would say approximately 55 inches.

Mr. LIEBELER. Can these rifles be readily broken down, taking the stock and removing it from the barrel?

Mr. ALBA. Yes, sir.

Mr. LIEBELER. How long would the stock be separate from the barrel in this Japanese rifle?

Mr. ALBA. From the butt of the stock to the extreme end of the forearm would be approximately 20 inches, I imagine, or about 2 feet.

Mr. LIEBELER. When you say that the barrel was 22 inches long, do you mean that the entire length of the action and the barrel?

Mr. ALBA. The barrel only, from the breech to the muzzle.

Mr. LIEBELER. About how long is the action?

Mr. ALBA. About 6 inches, 5 or 6 inches. You are asking me questions now that I have never pursued before for my own information and satisfaction. These are only approximate guesses.

Mr. LIEBELER. So the effect of sporterizing a rifle generally is to shorten the overall length of the rifle, is that not right, by removing a portion of the barrel itself?

Mr. ALBA. That is correct, and the weight.

Mr. LIEBELER. In addition to shortening the overall length of the rifle, also when you sporterize a rifle you shorten the stock itself so that when you break the rifle down into two pieces, the action and the barrel is one piece, and the

stock the other piece, and the length of the rifle broken down, or the two pieces laid together, would be less also, isn't that correct?

Mr. ALBA. Yes.

Mr. LIEBELER. Because of the tendency to shorten the stock?

Mr. ALBA. But that is not the main motive behind it—

Mr. LIEBELER. No; the motive behind it is to reduce the weight of the rifle?

Mr. ALBA. The weight; yes.

Mr. LIEBELER. Did Oswald indicate to you whether the weapons that he had or weapon was a military piece, or whether it had been sporterized, or anything about it?

Mr. ALBA. If my memory serves me, he told me he had a few rifles and a few pistols, and never pursued the issue any further to name what they were or what they weren't. I don't know whether it is an assumption on my part or not, and if I am not mistaken he said they were military arms.

Mr. LIEBELER. He didn't indicate whether he sporterized them or not?

Mr. ALBA. No, sir.

Mr. LIEBELER. Did he display familiarity with the whole proposition of sporterizing a rifle?

Mr. ALBA. No; he didn't.

Mr. LIEBELER. Did he display, or did you draw any conclusions as to whether he was familiar with this process or not?

Mr. ALBA. No. And yes; I would say that I had drawn an opinion that he was not familiar with the sporterizing of arms.

Mr. LIEBELER. Do you remember any other conversations that you and Oswald had about rifles or weapons?

Mr. ALBA. None other than he asking permission to borrow some magazines from time to time. And as far as I knew, they were all returned.

Mr. LIEBELER. What kind of magazines were these?

Mr. ALBA. Outdoor Life and Field and Stream, Argosy, and hunting and fishing magazines, and National Rifle Association magazines. And guns and ammo magazines.

Mr. LIEBELER. Did he ever have discussions with you about the relative merits of a small calibre as opposed to large calibre bullets?

Mr. ALBA. None.

Mr. LIEBELER. You are very clear about that in your mind?

Mr. ALBA. We discussed the wounding effect of combat guns of the small calibre versus the large calibres, yes.

Mr. LIEBELER. What was that discussion?

Mr. ALBA. Well, the small calibre in the field would tend to disable a man and require two men to cart him off, versus the larger calibre which would knock out a man permanently.

Mr. LIEBELER. I am looking at an FBI report which indicates that on November 25, 1963, you were interviewed by two agents of the FBI, Mr. Lester G. Davis, and John William Miller—

Mr. ALBA. I remember that.

Mr. LIEBELER. And the report indicates that you recalled an additional conversation that you had with Oswald in which you and Oswald discussed the merits of small calibres and larger calibre bullets, and the report said that you recall that Oswald mentioned that a small calibre bullet was more deadly than the larger one, to which point you agreed.

Mr. ALBA. Having been left with a wounding effect you would survive a larger calibre wound, your chances of survival from a larger or large calibre wound would be greater than the smaller calibre. We went into the discussion of basing the thing in the ice pick versus the bread knife—I don't think I mentioned this part to the FBI—reflecting on the whole picture that you would be better off receiving a wound from a 10-inch bread knife than you would be being gipped once with a 2- or 3-inch ice pick, and that reflecting the difference between the large calibre wound and the small calibre wound.

Mr. LIEBELER. What led you and Oswald to agree that you would be better off being hit with a bread knife than with the ice pick?

Mr. ALBA. Internal bleeding.

Mr. LIEBELER. There would be more internal bleeding from the ice pick?

Mr. ALBA. Small calibre or the ice pick; yes.

Mr. LIEBELER. So that you both agreed that the small calibre bullet would be more deadly than the larger one?

Mr. ALBA. Being left with a wounded effect; in other words, if it was my intention to destroy an animal I would prefer the large calibre, but if an animal was wounded with a large calibre, or a small calibre bullet, I would say that the smaller calibre bullet would be more deadly in the end than the large calibre wound, and he might survive the large calibre with an open wound.

Mr. LIEBELER. During the course of this conversation, did Oswald indicate in anyway whether the rifles that he had were large calibre or small calibre weapons?

Mr. ALBA. None other than the weapons were of the military, and I don't know—that part is an assumption on my part or whether he actually said it. He went to no length at all in discussing his firearms. In fact, it was my experience with Lee Oswald that you had to ask Lee Oswald questions. Either Lee Oswald was talking to you, or he wasn't talking at all. And I may have asked him what he had in the way of firearms.

Mr. LIEBELER. Did he mention that he had a pistol, or pistols?

Mr. ALBA. If I remember correctly, I think he said he had a few, or a couple, or two. I am not definite.

Mr. LIEBELER. A couple of pistols?

Mr. ALBA. Pistols—he said he had a few rifles, and a few pistols—or it was a couple, or it was two. I am not clear.

Mr. LIEBELER. You were discussing this question of whether or not Oswald had any pistols with the FBI, and do you remember discussing it?

Mr. ALBA. If I made any mention of it, I am sure it would be as I have just represented it to be. I have no recollection of my definite discussions with the FBI at the time. I do remember, however, meeting the gentlemen and discussing Lee Oswald with them.

Mr. LIEBELER. Do you remember whether Oswald seemed more interested or was disposed more in favor of rifles than pistols? Or did he seem——

Mr. ALBA. Very definitely toward the rifle side.

Mr. LIEBELER. He was more interested in rifles?

Mr. ALBA. Very little interested in the pistols. I had as many as three or—I think at one time four pistols down there, and Lee Oswald was very, very keen toward the rifles that were among my sporterizing projects, and so on; other than the pistols, he had very, very little interest in the pistols.

Mr. LIEBELER. Do you do the sporterizing work on these weapons right there in your garage?

Mr. ALBA. That is correct. And what I didn't do, I jobbed out, that is, I gave out to gunsmiths.

Mr. LIEBELER. To what?

Mr. ALBA. To a gunsmith.

Mr. LIEBELER. Did Oswald ever tell you that he had fired these rifles or this rifle that he owned?

Mr. ALBA. None other than to ask me if I knew of a place where you could discharge firearms, that is, close by, without getting in the car and riding for hours.

Mr. LIEBELER. What did you say when he asked you about that?

Mr. ALBA. My reply was that I joined the National Rifle Association, and I have been able to shoot on the rifle range. It had been some years since I had done any shooting along the River Road or the levy, or anything else like that, and that I am sure that if you attempted that today, they either would run you off or arrest you for discharging firearms.

Mr. LIEBELER. Did you mention specifically a rifle range where you had discharged your firearms?

Mr. ALBA. I believe I did, and I am sure that if I did I told him that he would have to be a member in order to be able to use the range.

Mr. LIEBELER. What range was it?

Mr. ALBA. Crescent Gun, Claiborne Avenue, owns the range, and if you are a National Rifle Association member, then you have the privileges of belonging to the rifle range across the river, which belongs to Crescent Gun.

Mr. LIEBELER. Did Oswald ever indicate an intention to join the National Rifle Association?

Mr. ALBA. None.

Mr. LIEBELER. In connection with this carbine that you had ordered from the National Rifle Association, you indicated that he had expressed an interest in buying that weapon from you? Is that correct?

Mr. ALBA. He had an interest very much, and after I told him that I wouldn't sell the gun, and I had mentioned that I was getting the gun for approximately \$35 through the N.R.A., and that this same gun on the market would sell from \$75 to \$100, and he had made the expression that if and when "you get the carbine, should you decide to sell it, I would make it worthwhile for you to sell the gun."

Mr. LIEBELER. But he never spoke of joining the N.R.A. in order to obtain a carbine such as this himself?

Mr. ALBA. No.

Mr. LIEBELER. Did he ask you how much it cost to join the National Rifle Association?

Mr. ALBA. No; he didn't.

Mr. LIEBELER. You didn't tell him?

Mr. ALBA. No.

Mr. LIEBELER. How much does it cost?

Mr. ALBA. \$5.

Mr. LIEBELER. \$5?

Mr. ALBA. Yes, sir.

Mr. LIEBELER. Did you go through these various gun magazines and sporting magazines that Oswald had looked at? You went through them after the assassination, is that correct?

Mr. ALBA. Had I gone through these magazines that Lee Oswald had borrowed from me?

Mr. LIEBELER. Yes.

Mr. ALBA. And had I gone through them since the assassination?

Mr. LIEBELER. Yes.

Mr. ALBA. Since the assassination the FBI and the secret service took the magazines off, and I have not received them since.

Mr. LIEBELER. But you had read these magazines or gone through them prior to the time that Oswald looked at them?

Mr. ALBA. Yes.

Mr. LIEBELER. Then you left them in your office and Oswald borrowed some and brought them back?

Mr. ALBA. Well, we have a coffee urn and a coke machine and some chairs in there, and a coffee table, and on the coffee table I would say that I had approximately anywhere from 80 to 120 magazines.

Mr. LIEBELER. And you didn't go through them after the assassination and prior to the time that the FBI and the Secret Service removed them from your office?

Mr. ALBA. Would you repeat the——

Mr. LIEBELER. You didn't go through any of these magazines that Oswald had looked at after the assassination and prior to the time that the FBI and the Secret Service had removed them from your office, is that correct?

Mr. ALBA. None other than my most current issues that I had recently received in the mail, such as the National Rifle magazine or "Guns and Ammo" edition——

Mr. LIEBELER. Those magazines wouldn't have been at Lee Oswald's disposal because they would have come in after the time he had been there?

Mr. ALBA. That is correct.

Mr. LIEBELER. Can you tell whether or not the magazines that Oswald read, or borrowed and read and returned, were still there in the garage at the time of the assassination, or at the time the FBI came and took the magazines from you?

Mr. ALBA. Lee Oswald borrowed the magazines and requested permission to take one or two off at a time, and kept them anywhere from 3 days to a week, and would make the point of letting me know that he was returning them.

And then a few days later he would ask that he borrow another magazine or two magazines. I would say that there were anywhere from three to five definite occasions I do remember of Lee Oswald asking to take this and that magazine and letting me know that he returned the magazines.

Mr. LIEBELER. So as far as you know there was nobody else that would have removed them from your office, and they would have stayed there after Oswald brought them back?

Mr. ALBA. Some of them do disappear from time to time.

Mr. LIEBELER. And you have no way of knowing whether all the ones that Oswald looked at were in your office when the FBI and the Secret Service came and picked them up?

Mr. ALBA. No.

Mr. LIEBELER. When was the last time you saw Oswald?

Mr. ALBA. The last time I saw Lee Oswald was when he told me that he was leaving for Michoud. He had put in an application at Michoud, where he was going to make the big money, in this town here. He mentioned that prior or about 3 weeks prior to leaving.

When he did leave, he came in the office and he says, "Well—" this was approximately 10 o'clock in the morning, he said, "Well, I will be seeing you." I said, "Where are you headed?" He said, "Out there, where the gold is." I said, "Where is that?" He said, "I told you I was going out to Michoud, and that I had an application out there." He said, "Well, I have heard from them, and I have just wound up things next door at the coffee company, and I am on my way out there now." That again, was approximately—I may stand to be corrected on my timing—but that was approximately some weeks before the assassination.

Mr. LIEBELER. What is this "Michoud" that he mentioned to you? How do you spell it?

Mr. ALBA. That's the national air space program, the rockets, out in Gentilly. That's NASA.

Mr. LIEBELER. What kind of an operation do they have there? Is it a manufacturing operation?

Mr. ALBA. It is the rocket, the Atlas rocket, I believe.

Mr. LIEBELER. They construct them there, is that correct?

Mr. ALBA. That is correct.

Mr. LIEBELER. Did he tell you what kind of work he was going to do for the organization?

Mr. ALBA. No; he didn't.

Mr. LIEBELER. You mentioned "Michoud," and is that the name of a city here?

Mr. ALBA. Michoud, that's this particular section of Gentilly, Gentilly section, where the plant is located.

Mr. LIEBELER. Is that part of New Orleans proper?

Mr. ALBA. It is part of New Orleans, part of Orleans Parish.

Mr. LIEBELER. Part of New Orleans itself?

Mr. ALBA. Yes.

Mr. LIEBELER. Did Oswald tell you what kind of work he was doing for Reily Co.?

Mr. ALBA. I don't think he ever did, but it was—it was obvious that he was in the electrical end of the maintenance end of the factory at W. B. Reily Coffee.

Mr. LIEBELER. What did he say? Or why do you say it was obvious?

Mr. ALBA. He was just like the others there in the maintenance and the electrical end, and they would wear the electrician's belt with a bandoleer, screwdriver, pliers, and friction tape, et cetera.

Mr. LIEBELER. Did he wear that?

Mr. ALBA. Yes, he did.

Mr. LIEBELER. Did you ever discuss this fellow Oswald with anybody at the Reily Co.?

Mr. ALBA. Not prior to the assassination, no.

Mr. LIEBELER. Have you discussed it with people at the Reily Co. after the assassination?

Mr. ALBA. Yes, I have. People were coming up to me at that time and asking me about what had happened to my friend Lee Oswald that used to hang around the office all the time, as an opening to discuss what had taken place in Dallas.

Mr. LIEBELER. Can you remember the name of the people at the coffee company that you discussed Oswald with?

Mr. ALBA. The people in general that would come in the office during the day, as Lee Oswald himself would do.

Mr. LIEBELER. Did the people that did come in that way indicate they also had known Oswald while he worked at the coffee company?

Mr. ALBA. I hadn't realized anyone that knew Lee Oswald, or that that was the man who worked with them prior to the assassination, but after the assassination, which might be expected, it seems that anyone you would talk to knew who he was and had seen him, and so forth.

Mr. LIEBELER. Do you remember any particular people who did, in fact, seem to know him, or that you think did know him that you talked to about him?

Mr. ALBA. None in particular, no.

Mr. LIEBELER. What was the general substance of these conversations?

Mr. ALBA. Half kidding and half general conversations about, "Isn't it something, what happened?" And that it happened to be someone that was right here at work "With us at Reily, and that you knew from over here, next door."

Several people, employees at Reily, would tell me that employees at Reily had told them after the assassination, of course, that Lee Oswald spent as much time "Over at Alba's Garage as he did over here in the plant."

Mr. LIEBELER. Did that seem to be the case to you prior to the assassination?

Mr. ALBA. Yes and no; if that is any kind of an answer. Lee Oswald was sent for and called from the office on several occasions. Lee Oswald would come to the office, put a nickel in the coke machine and start paging through magazines and just lost track of time. Lee Oswald was not talkative unless he was more or less pursuing the conversation himself. In fact, if that makes any sense to you—

Mr. LIEBELER. So it seems to you then that he spent more time in your place than he should have been spending, is that correct?

Mr. ALBA. That is correct, but certainly not more time at my place than at Reily Coffee, as some might have tried to indicate to me in a conversation. But I am sure that it was intended only as a phrase of kidding.

Mr. LIEBELER. Did you ever hear of complaints from the coffee company that Oswald wasn't on the job over there?

Mr. ALBA. None other than from the men themselves that were working with Lee Oswald.

Mr. LIEBELER. You heard these complaints after the assassination, is that correct, didn't you?

Mr. ALBA. That is correct.

Mr. LIEBELER. You said that he was called from your garage to go back to the coffee company from time to time?

Mr. ALBA. There were anywhere from two to four different occasions that I can remember that someone would come in there and tell him, "Now, Lee Oswald, they are looking for you over there. If you keep this up, you are going to get canned." And Oswald would say, "I'm coming. I'm coming."

Mr. LIEBELER. And then he would go back to the coffee company?

Mr. ALBA. He would.

Mr. LIEBELER. How did this fellow impress you?

Mr. ALBA. He certainly didn't impress me as anyone capable or anyone burdened with a charge of assassinating the President of the United States, let alone any individual, for that matter. Our conversations were purely the gun magazines, the firearms themselves, and little of anything else. Lee Oswald wasn't very talkative, not to be repeating myself, unless, of course, he was pretty much leading the conversation or doing the talking himself, on the same conversation level all the time—about the firearms.

Mr. LIEBELER. Did he strike you as being peculiar in any way?

Mr. ALBA. Yes; he did. He was quiet.

Mr. LIEBELER. He was quiet?

Mr. ALBA. He was quiet. You could ask Lee Oswald two or three questions, and if Lee Oswald wasn't apparently interested in the course of the conversation, he would just remain paging through the book and look up and say, "Did

you say something to me?" I hesitate putting the conversation back to Lee Oswald pursuing it first, but all you had to do was mention guns and gun magazines and Lee Oswald was very free with the conversation.

Mr. LIEBELER. Did he seem to have an interest in firearms that was abnormal or extremely great, or anything like that?

Mr. ALBA. None.

Mr. LIEBELER. Other than the fact that he was quiet, was there anything about him that struck you as being odd or peculiar?

Mr. ALBA. No.

Mr. LIEBELER. You didn't suspect he was a violent kind of person, or anything like that, the time that you knew him, did you?

Mr. ALBA. I would answer that indeed not. I had never gotten the impression from Lee Oswald that he was capable of any plot or assassination, or what have you, of that nature.

Mr. LIEBELER. And were you surprised when you heard he had been arrested in connection with the assassination?

Mr. ALBA. I was very much surprised.

Mr. LIEBELER. After you heard he had been charged with the assassination, did it seem to you then that he could have been capable of such a thing? Or did you hold to your former opinion?

Mr. ALBA. I think I held to my former opinion. Things I have seen on television, of course, and read in the newspapers, and so forth, has laid out some suggestive pattern that Lee Oswald was a subversive, et cetera, toward the country, and maybe even the President, or something; but prior to that assassination he gave me no indication at anytime that he was burdened with such a charge, or that he was concerned or involved with anything of that nature. He had never at anytime spoken against the President or the country. He had never at anytime, prior to the assassination, of course, mentioned communism to me, or anything suggestive or leading to it, or otherwise.

Mr. LIEBELER. Do you remember whether he mentioned the President at all, one way or another?

Mr. ALBA. I think I might answer that with a definite answer—I can't remember anytime that Lee Oswald had ever mentioned the President, the country, foreign countries, et cetera.

Mr. LIEBELER. Is it customary, or the usual sort of thing for people in this area to discuss politics, or discuss the President? People that come into your garage or—

Mr. ALBA. Well, the usual trend of conversation in the garage, other than the garage business or the personal customers' cars or neighbors that walk in the garage that want change for the coke machine, et cetera, would be either politics—I would say mostly politics more than anything else.

Mr. LIEBELER. What was the attitude of most of the men toward President Kennedy? Was he well liked down here, or was he not highly thought of?

Mr. ALBA. He was very highly thought of for his convictions, for his stand on his convictions, but he wasn't too well thought of for his stand on the integration program to the South.

Mr. LIEBELER. Was it common for the people to complain about that sort of thing?

Mr. ALBA. That is correct.

Mr. LIEBELER. And you never heard Oswald discuss that?

Mr. ALBA. Not once.

Mr. LIEBELER. Was he ever present when the subject was discussed by others, as far as you can recall?

Mr. ALBA. I really wouldn't know, or be able to comment whether he was or not. It's very possible that he was, and maybe on several occasions, but not to my recollection.

Mr. LIEBELER. He never responded in any way?

Mr. ALBA. No.

Mr. LIEBELER. I am going to show you some pictures that have been marked in other proceedings, five different pictures marked "Commission Exhibits 451, and 453 through 456," and ask you if you recognize the person or persons depicted in these pictures?

(Photographs shown to the witness.)

Mr. ALBA. No.

Mr. LIEBELER. I show you another picture marked "Pizzo Exhibit 453-A," and ask you if you recognize any of the people on that picture?

Mr. ALBA. Lee Oswald only. [Viewing photograph.]

Mr. LIEBELER. Which one is he?

Mr. ALBA. Right here [indicating], and this looks like Jack Ruby [indicating], but I would only recognize him from the television pictures and pictures in the papers.

Mr. LIEBELER. The picture that you indicated as being Oswald is the man marked with an "X" over his head, is that correct?

Mr. ALBA. That is correct.

Mr. LIEBELER. I show you another picture which has been marked "Pizzo Exhibit 453-B," and ask you if you recognize anybody in that picture?

Mr. ALBA. Lee Oswald only. [Viewing photograph.]

Mr. LIEBELER. And that is the man marked with a "green mark," is that correct?

Mr. ALBA. That is correct.

Mr. LIEBELER. Do you recognize the street scene, by any chance?

Mr. ALBA. No.

Mr. LIEBELER. I show you another picture marked "Pizzo Exhibit 453-C," and ask you if you recognize that man?

Mr. ALBA. That's Lee Harvey Oswald. [Viewing photograph.]

Mr. LIEBELER. Do you have anything else that you think that the Commission would be interested in that I haven't asked you about, concerning your knowledge of Oswald, and your relations with him?

Mr. ALBA. I wouldn't think. The source of conversations was of a nature of a neighborhood acquaintanceship, nothing more. He has never been suggestive toward any other things other than what I have already discussed with you, as far as his interest in guns and gun magazines and gun conversations.

Mr. LIEBELER. He never indicated any interest in Cuba or Cuban affairs?

Mr. ALBA. Never.

Mr. LIEBELER. Did you know that he had been arrested by the New Orleans Police Department in connection with the distribution of "Fair Play for Cuba Committee" literature in New Orleans?

Mr. ALBA. No; I hadn't, but I found out after the assassination.

Mr. LIEBELER. Did you know that he appeared on WDSU television and debated with some Cubans? You don't know that?

Mr. ALBA. No.

Mr. LIEBELER. If you can't think of anything else, anything else you would like to add at this point, I have no further questions.

Mr. ALBA. I would feel free if there was. but I don't think there is anything further that I would like to add that can be of any help to you.

Mr. LIEBELER. In view of that, on behalf of the Commission I want to thank you very much for the cooperation you have shown.

Thank you very much.

AFFIDAVIT OF CHESTER ALLEN RIGGS, JR.

The following affidavit was executed by Chester Allen Riggs, Jr., on May 20, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Tarrant, ss:

Chester Allen Riggs, Jr., being duly sworn says:

1. I am Vice President of Orbit Industries, Inc., 250 Carroll, Fort Worth, Texas. I reside at 836 Edgefield in that city.

2. I am and have been prior to July 1 of 1962, the owner of a duplex house located at 2703 Mercedes Street, Fort Worth, Texas. That duplex contains two furnished apartments.

3. Sometime in July, 1962, I rented one of the apartment units to Lee Harvey Oswald. While I do not keep precise records of the tenants of the above apartments, since there is a fairly high rate of turnover amongst them, to the best of my recollection, Lee Oswald and his wife lived in the apartment from sometime in July of 1962 until early October of that year.

4. I do not keep records of the rental payable on each of the apartments. My records reflect only the total rental paid on a number of apartments which I own in the vicinity of 2703 Mercedes Street. As a result I am not able to state precisely the rental which Lee Oswald paid for the above apartment, but my recollection is quite clear that it was \$59.50 a month.

5. The utilities in the apartment are in my name and are not changed with the movement of tenants through the apartment. The tenants are, however, responsible for the payment of the utility bills. Whenever I receive a bill in respect to any of the apartments I forward it to the tenants for payment. I recall that the utilities in the apartment at 2703 Mercedes averaged about \$12.00 a month during the time that it was occupied by the Oswalds. To the best of my knowledge Oswald paid those utility bills directly.

6. I recall that when Oswald rented the apartment he gave me the impression he would have no difficulty in handling the arrangements for the payment of the utilities and other incidental arrangements that had to be made in connection with his occupancy of the apartment.

7. To the best of my recollection Oswald did not have a telephone in the apartment.

8. Either at the time that Oswald rented the apartment or shortly thereafter, he asked me to install new curtains in the apartment, which I agreed to do. While I had no difficulty with Oswald in this connection he was quite definite in stating that he wanted the new curtains installed.

9. I subsequently called at the apartment to consult with Oswald or his wife concerning the color of the drapes or curtains to be installed in the apartment. Oswald was not present at the time and when I attempted to discuss the matter with his wife I could obtain no response from her. It appeared to me at the time that she was not interested in having the new curtains. Subsequently I have learned that Marina Oswald had a limited command of the English language and it now appears to me in fact that she simply did not understand what I was talking about.

10. Oswald never mentioned the new drapes or curtains after that time and they were never installed in the apartment while he lived there.

11. I do recall that when Oswald asked about the curtains I told him that I would be willing to install them if he was planning to stay in the apartment for some period of time. I mentioned this because, as I have said, there was quite a high rate of turnover amongst the tenants because of the nature of the housing, which was of a low-income type, and I did not want to put new curtains in and then have Oswald move out shortly thereafter. Oswald told me that he had a job with a welding company nearby and was planning to stay in the apartment for some time.

12. My own business office is located near the apartment at 2703 Mercedes Street and I recall seeing Oswald walk to work from the apartment. To the best of my knowledge Oswald did not have a car while he lived in the above apartment.

13. Oswald appeared to spend a considerable amount of time reading. From time to time I observed him doing that on the steps of the apartment and he was usually reading when I called at the apartment for the rent payment.

14. When Oswald moved out sometime early in October he owed some rent and had not completely paid for the utilities which he used. I do not recall exactly what the amount was but it was not very large.

15. The Oswalds left the apartment in good clean condition.

16. I do not know where Oswald moved after he left the apartment at 2703 Mercedes Street and I do not know where he lived prior to the time he moved

there. There was no adverse condition in the relations between Oswald and myself which could have prompted Oswald to leave the apartment.

Signed on May 20, 1964, at Fort Worth, Tex.

(S) Chester Allen Riggs, Jr.,
CHESTER ALLEN RIGGS, JR.

TESTIMONY OF MRS. MAHLON F. TOBIAS

The testimony of Mrs. Mahlon F. Tobias was taken at 3 p.m., on April 2, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission.

Mr. JENNER. Mrs. Tobias, would you rise and take the oath?

Do you solemnly swear that the testimony you will give before this Commission will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. TOBIAS. I do.

Mr. JENNER. You are Mrs. M. F. Tobias?

Mrs. TOBIAS. That's right.

Mr. JENNER. Of 602 Elsbeth?

Mrs. TOBIAS. That's right.

Mr. JENNER. Dallas, Tex.

Mrs. TOBIAS. That's right.

Mr. JENNER. What does that "M" stand for?

Mrs. TOBIAS. Mahlon [spelling] M-a-h-l-o-n, and the "F" is Forrest [spelling] F-o-r-r-e-s-t.

Mr. JENNER. Mrs. Tobias, I am Albert E. Jenner, Jr., a member of the legal staff of the President's Commission. My file indicates that you and Mr. Tobias received a letter from Mr. Rankin, the general counsel of this Commission?

Mrs. TOBIAS. Yes; we did.

Mr. JENNER. With which was enclosed a copy of the Senate joint resolution authorizing the creation of the Commission and of President Lyndon Johnson's Executive order creating the Commission, and also a copy of the rules and regulations of the Commission?

Mrs. TOBIAS. That's right.

Mr. JENNER. I'm sure you have noted from those documents that the Commission is appointed to investigate and look into circumstances surrounding the assassination of our late President, John Fitzgerald Kennedy?

Mrs. TOBIAS. That's right.

Mr. JENNER. And this leads us from time to time to seek information and help from people who had some contact here and there with persons who went across the scene, so to speak, the stage—one of whom was Lee Harvey Oswald, and we understand that in the ordinary course of your own life you had some contact with him—you and Mr. Tobias.

Mrs. TOBIAS. With Mr. Oswald—that's right. We are managers of the apartment house—that's right.

Mr. JENNER. And we would like to ask you a few questions about that, if I may?

Mrs. TOBIAS. Okay; I will be glad to help you all I can.

Mr. JENNER. That is wonderful and I appreciate that very much. Would you give me just a little bit of your history?

Mrs. TOBIAS. My history—what do you mean?

Mr. JENNER. Are you a native American, and where were you born and so forth?

Mrs. TOBIAS. Yes; I was born in Arkansas. I have lived in Dallas, Tex., 12 years, but I have been all over the United States. I raised my family in Michigan. I married in Michigan.

Mr. JENNER. What town in Michigan?

Mrs. TOBIAS. Battle Creek—my husband is from Michigan and I went there as a bride and I raised my family in Michigan, and we have been back here 12 years. We have been in Dallas—back in Dallas about 12 years—well, we have been back about 14 years, but in Dallas, Tex., you mean, for 12 years.

Mr. JENNER. Your husband is retired now?

Mrs. TOBIAS. Yes; my husband was in construction and during the war he worked for the government. We were just all over, but, of course, he broke his back—it will be 14 years ago in August, and he worked up until 5 years ago, so he had to give up 5 years ago, and he is on social security, of course, and that's why we manage these apartments.

Mr. JENNER. And you have been primarily a mother raising a brood of five boys and a housewife and also help your husband manage some apartments?

Mrs. TOBIAS. That's right.

Mr. JENNER. And in connection with the management of the apartments, is that how you had your contact with Mr. Oswald?

Mrs. TOBIAS. With Mr. Oswald—that's right—he had one of the apartments.

Mr. JENNER. Located where?

Mrs. TOBIAS. Now, he was in 604—602 and 604—just like—this is 604 over here and 602 is down here and there is one down and one up. Mr. Oswald lived in 604 and we live over here in 602 and it faces Elsbeth. Do you want a description of it?

Mr. JENNER. Let me get a piece of paper and let's draw a picture of it so I can orient myself.

Mrs. TOBIAS. Are you familiar with those apartments?

Mr. JENNER. No; I'm not, I don't know a thing about them..

Mrs. TOBIAS. We'll say now that this is Elsbeth—this side runs down like this and then across.

Mr. JENNER. Which is north and which is south?

Mrs. TOBIAS. Let's see—this is west.

Mr. JENNER. Put a "W" there.

Mrs. TOBIAS. Let me see now, I want to make sure—there is West Davis, but we are just on the corner of West Davis and Elsbeth, you see, that would be west, wouldn't it, still—I don't know my directions.

Mr. JENNER. All right, we will do it this way—is this Elsbeth [referring to map drawn by the witness]?

Mrs. TOBIAS. This is Elsbeth.

Mr. JENNER. All right, write Elsbeth in there.

Mrs. TOBIAS. All right. [Spelling] E-l-s-b-e-t-h, and this is—Elsbeth and that side over here is Davis.

Mr. JENNER. Now, where is Davis Street?

Mrs. TOBIAS. This would be Davis right there.

Mr. JENNER. Why don't you draw a line there for Davis?

Mrs. TOBIAS. There's one apartment down and one up over that one—this would be Davis over here.

Mr. JENNER. All right, write "Davis" there.

Mrs. TOBIAS. All right—right here is Davis. Now, Davis faces west, so what would this direction be—this is direct west and east—Davis is.

Mr. JENNER. Davis runs east and west?

Mrs. TOBIAS. Yes—east and west—and let me see—Elsbeth would be north and south, wouldn't it?

Mr. JENNER. That's right.

All right, let's put the directions on here—put an "N" up here and an "S" down at the bottom.

Mrs. TOBIAS. All right; I will put an "N" and an "S" down here.

Mr. JENNER. And then put an "E" for east and a "W" to your right for west, and the "E" is to your left.

Mrs. TOBIAS. Okay.

Mr. JENNER. Now, how many apartments do you have in this building?

Mrs. TOBIAS. Ten.

Mr. JENNER. There are 10 apartments?

Mrs. TOBIAS. Yes.

Mr. JENNER. And what are they—two-room, three-room, four-room?

Mrs. TOBIAS. Three.

Mr. JENNER. They are a three-room apartment and they are all three-room apartments?

Mrs. TOBIAS. All three room.

Mr. JENNER. And you and Mr. Tobias occupy one?

Mrs. TOBIAS. Yes; we do—we have apartment 7 over here on Davis. You see, we live on Davis and this is Davis, like I drew it out here, you see, and we live on Davis. He lived over here—he lived over here at 602, and do you want me to put 602 there?

Mr. JENNER. Yes; put 602 there—is it 602 Davis?

Mrs. TOBIAS. No; it's Elsbeth, but—shall I mark that out—this side is 602 over here, and this is 604 over here.

Mr. JENNER. All right, put the 604 right under the apartment No. 2.

Mrs. TOBIAS. Do you want me to strike over that?

Mr. JENNER. No; no, you are fine—604 is an entrance into apartment 604, is that right?

Mrs. TOBIAS. That's correct.

Mr. JENNER. And they occupied apartment 604?

Mrs. TOBIAS. They had No. 2 right on the front.

Mr. JENNER. They had two apartments?

Mrs. TOBIAS. No; No. 2.

Mr. JENNER. All right, No. 2, right on the front.

Mrs. TOBIAS. Right on the front.

Mr. JENNER. That's Elsbeth Street, and is that the first floor or the second floor?

Mrs. TOBIAS. First—apartment 2 is downstairs and ours is the same across the front on the ground.

Mr. JENNER. Is yours on the first floor also?

Mrs. TOBIAS. Yes.

Mr. JENNER. How many floors in this building?

Mrs. TOBIAS. Two floors—this one has one down and one up—you see, one comes down like this and one is up like this.

Mr. JENNER. What do you mean "one down and one up"?

Mrs. TOBIAS. Well, you see, up over these now, this is a 2-story building.

Mr. JENNER. There are apartments above each of the apartments Nos. 602 and 604?

Mrs. TOBIAS. That's right.

Mr. JENNER. That is not true at the opposite end, the west end?

Mrs. TOBIAS. Here, you mean?

Mr. JENNER. Yes.

Mrs. TOBIAS. This one right here is No. 6 and over it is No. 10. Do you know what I am talking about?

Mr. JENNER. Well, I will figure it out in a minute. I take it the entrances to the apartment building are on Elsbeth Street?

Mrs. TOBIAS. Yes.

Mr. JENNER. And there are some apartments in the rear that go all the way through, do they?

Mrs. TOBIAS. We have a back entrance and a front entrance. Now, my back entrance goes out on Davis and my front entrance comes out into this patio, and also would Mr. Oswald's come out into the patio.

Mr. JENNER. Now, I am interested in that.

Mrs. TOBIAS. He has two entrances, remember now, that he could use.

Mr. JENNER. I'll tell you what we will do—I'm going to mark this "Tobias."

May the record show that Mrs. Tobias has been drawing a plat of the apartment building on Elsbeth Street which I have now marked "Tobias—No. 1."

Mrs. TOBIAS. Yes—okay.

Mr. JENNER. Now, she has drawn a rectangle, and the north side is Davis Street, the east side of the rectangle is Elsbeth Street. Now, Mrs. Tobias, you correct me if I am wrong.

Mrs. TOBIAS. This would be south, wouldn't it—yes—that would be south—he lived on this south side.

Mr. JENNER. Mrs. Tobias is pointing to the area of the plat which is marked "S" or the side opposite to that which is marked "N."

Mrs. TOBIAS. Yes.

Mr. JENNER. The figure 604 underneath the word "Elsbeth" appearing on the east line of the rectangle is the apartment occupied by the Oswalds.

Mrs. TOBIAS. 604—apartment 2.

Mr. JENNER. Apartment 2.

Mrs. TOBIAS. Yes.

Mr. JENNER. And that was on the ground floor?

Mrs. TOBIAS. That's right.

Mr. JENNER. And that's on the southeast corner of the building?

Mrs. TOBIAS. That's right.

Mr. JENNER. And you live in a similar three-room apartment on the north-east corner of the building?

Mrs. TOBIAS. Yes—602—that's right.

Mr. JENNER. So, we will draw a little square in there, representing those apartments.

Mrs. TOBIAS. That's right.

Mr. JENNER. Now, there are altogether how many apartments in the building?

Mrs. TOBIAS. Ten.

Mr. JENNER. I'm going to write 10 apartments on there.

Mrs. TOBIAS. All right.

Mr. JENNER. Now, those apartments run back from interiors, or one after another, back from Elsbeth Street.

Mrs. TOBIAS. That's right.

Mr. JENNER. They have front entrances and rear entrances?

Mrs. TOBIAS. That's right.

Mr. JENNER. The rear entrance to your apartment is from Davis Street?

Mrs. TOBIAS. Davis Street; that's right.

Mr. JENNER. The rear entrance from the Oswald apartment is from where?

Mrs. TOBIAS. From the driveway, and that would be south, wouldn't it?

Mr. JENNER. There is a driveway that runs along this way [indicating]?

Mrs. TOBIAS. That's right.

Mr. JENNER. It's a private driveway?

Mrs. TOBIAS. Yes, it is; it's private, it goes to the apartments.

Mr. JENNER. All right, we'll call that "private driveway."

Mrs. TOBIAS. That's right, and they are not allowed to park, you know, for any length of time—just for moving in and moving out, and here is a back door out here that is into that driveway.

Mr. JENNER. So, his rear entrance was from the driveway?

Mrs. TOBIAS. That's right.

Mr. JENNER. Which I have so marked.

Mrs. TOBIAS. That's right.

Mr. JENNER. Now, you spoke of a court, did you not?

Mrs. TOBIAS. No, I didn't—I said a patio.

Mr. JENNER. A patio?

Mrs. TOBIAS. A patio—in between—this side and this side (indicating).

Mr. JENNER. In between the south side and the north side?

Mrs. TOBIAS. That's right. We call it a patio, you know, there is a front entrance with each having their own and then, of course, we have cement there in that entrance and there's lots of shrubbery.

Mr. JENNER. Is this open to the sky?

Mrs. TOBIAS. No; oh, sure, it's open. These buildings are all solid, what I mean, there is nothing like—what do you call these—a breezeway—there's nothing like that. It's just open in between 604 and 602, if I am making it clear?

Mr. JENNER. Yes, you are. Between your apartment on the north side of the building and their apartment on the south side—it is open?

Mrs. TOBIAS. That is right.

Mr. JENNER. There is no roof over that area?

Mrs. TOBIAS. No; there isn't.

Mr. JENNER. And you call that a patio?

Mrs. TOBIAS. Well, that's what they call it—I guess that's what it is. I think it is a patio.

Mr. JENNER. Well, I'm just trying to locate it.

Mrs. TOBIAS. That's what it's called—a patio.

Mr. JENNER. Of course, I'm not trying to make any comment about it.

Mrs. TOBIAS. That's what they do call it, though.

Mr. JENNER. All right, we'll call it a patio—does the patio run from where?

Mrs. TOBIAS. From Elsbeth back to this.

Mr. JENNER. All right, we will make that a dotted line—back to the rear of the building, which is the west end of the building, correct?

Mrs. TOBIAS. Right. Now, there is no entrance for them to go out here. They got out over here—they come out into the hallway and into 602, and then, they have a back entrance. This one apartment—there's a back entrance only for that No. 10—no one else has a private but that No. 10.

Mr. JENNER. How private is that patio?

Mrs. TOBIAS. Well, it's just an entrance leading out to each house—an entrance.

Mr. JENNER. If a man were in that patio with a firearm or a weapon or a rifle and he were dry sighting—do you know what that is—dry shooting it?

Mrs. TOBIAS. I think so.

Mr. JENNER. That is, holding it up, not loaded, but practicing the trigger and sighting, and what not, would he be noticed?

Mrs. TOBIAS. Well, it's visible—that's what you meant?

Mr. JENNER. Yes.

Mrs. TOBIAS. There's an awful lot of shrubbery out there in front of our window, the front window, and also—there's just an awful lot of shrubbery. It would be noticeable—sure, if you were up in the front, you would see it, but sad to say, I don't see very much from my front window because it's just loaded with shrubbery and the trees are quite tall—quite high.

Mr. JENNER. Now, this patio area which runs the length of the building from Elsbeth Street back west—that is an open space and it's open right up to the sky?

Mrs. TOBIAS. That's correct.

Mr. JENNER. During any of the time that the Oswalds occupied Apartment 604 and were your tenants, did you ever see Mr. Oswald in the patio area with a weapon?

Mrs. TOBIAS. No; I never did.

Mr. JENNER. A firearm?

Mrs. TOBIAS. No; I haven't.

Mr. JENNER. Whether in the patio or elsewhere?

Mrs. TOBIAS. No; I never seen him appear out there—I never seen him with any gun.

Mr. JENNER. Did you ever hear that he had one while he was there?

Mrs. TOBIAS. No; I didn't. I didn't hear that. I suppose we would have been real frightened, but we didn't—he did have an awful lot of trouble with his wife.

Mr. JENNER. Now, it is true, then I gather, from that chance remark that you made that if you saw him with a weapon that would have alarmed you?

Mrs. TOBIAS. I think it would have because he was kind of an odd kind of a person.

Mr. JENNER. Now, were you in the office when that apartment was rented, did you have the first contact with him?

Mrs. TOBIAS. Yes; he came in our house.

Mr. JENNER. Why don't you tell me about that?

Mrs. TOBIAS. Well, the night he came over to rent the place——

Mr. JENNER. It was at night?

Mrs. TOBIAS. In the evening—yes, and then he didn't take it, but he wanted to look around. He asked my husband if he might look around.

Mr. JENNER. Your husband was home?

Mrs. TOBIAS. Yes.

Mr. JENNER. And you were home?

Mrs. TOBIAS. Yes.

Mr. JENNER. It was in the evening?

Mrs. TOBIAS. Yes.

Mr. JENNER. Was anybody accompanying him?

Mrs. TOBIAS. No; just Oswald, my husband and I.

Mr. JENNER. How was he dressed?

Mrs. TOBIAS. Well, he always seemed to wear slacks and just a T-shirt.

Mr. JENNER. Is it your recollection that on this occasion he was so dressed?

Mrs. TOBIAS. Just a jacket and slacks and I just can't remember if he had on a T-shirt or if he had on a sports shirt or a dress shirt that night, but he wanted to see the apartment. My husband took him over, because we don't like to rent the apartments in the evening—we don't have to, but just a lot of times my husband will go ahead and show them, because they said we don't have to after 8:30 or 9 o'clock. My husband took him over and showed him the apartment and then he asked my husband if he could look around and my husband said, "sure."

Mr. JENNER. Mr. Oswald wanted to look around the apartment or look around the building?

Mrs. TOBIAS. He wanted to look around the building. He wanted to go around the building. So, he looked at the back entrance, the way he could get out the back entrance—now, that back entrance will go out, like I told you, this driveway—it will take you out onto Davis.

Mr. JENNER. The back entrance?

Mrs. TOBIAS. The side entrance—his side entrance, we'll say.

Mr. JENNER. He was looking at the back entrance of his apartment?

Mrs. TOBIAS. Yes, he went all through the back.

Mr. JENNER. His apartment, which came in from the driveway?

Mrs. TOBIAS. This is a driveway and down here in the hallway is the door. He wanted to see around in the back, he wanted to see the arrangement of the building, and how it was. There is a driveway that comes up off of Davis and back in here of the slab that they can park on. Of course, Mr. Oswald never had a car, and it just goes off onto Davis, but that is that driveway where I told you—this driveway goes all the way around onto Davis.

Mr. JENNER. Now, the driveway, which up to the moment I have limited from Elsbeth Street—it turns and goes out into Davis?

Mrs. TOBIAS. That's right. The driveway completely goes around.

Mr. JENNER. I'm going to mark the west end of the driveway also—is that correct?

Mrs. TOBIAS. The driveway goes out into Davis—that's correct.

So, it was a week later before he came back to rent it.

Mr. JENNER. He waited a week?

Mrs. TOBIAS. Yes.

Mr. JENNER. You told him what the cost was?

Mrs. TOBIAS. Yes, my husband told him that.

Mr. JENNER. Did he say anything about money at that time—did you make any inquiry as to whether or not he was working, where he worked?

Mrs. TOBIAS. No; Mr. Oswald was very quiet. He had very little to say, so when he came back, he told my husband he had a wife and child.

Mr. JENNER. Were you present?

Mrs. TOBIAS. Yes, I was there when he rented it.

Mr. JENNER. Were you there when he made this statement that he had a wife and child?

Mrs. TOBIAS. Yes, and when they came in—I didn't see anyone for quite some time, perhaps 10 days or 2 weeks, and I said to my husband, "I thought he told us he had a wife and child?" He said, "Well, he did."

We don't know when he moved in because he could have used that driveway to the back door—you understand what I mean?

Mr. JENNER. Yes.

Mrs. TOBIAS. And then, I suppose it was about 2 weeks and then he got a phone call.

Mr. JENNER. If you will pardon me, I would like to stay with a few of your earlier statements at the moment.

Mrs. TOBIAS. All right.

Mr. JENNER. When he first came and made the inquiry about the apartment and made this short tour around the place—it was at night?

Mrs. TOBIAS. When he wanted to see the back door.

Mr. JENNER. Was anything said about his prior history then, whether he was married, not married, whether he had children—whether he had been?

Mrs. TOBIAS. Yes, he had a wife and a little girl. That's all we ever learned. We didn't know whether they came from Fort Worth or anywhere. We didn't know where he came from because he was very quiet mouthed.

Mr. JENNER. Didn't you ask about whether he was working? Whether he had some money that he could pay the rent with?

Mrs. TOBIAS. I tell you what—there is a card—the FBI picked the card up sometime ago, but they got to fill this rental card out and he is supposed, my husband slipped up on that, to give reference of where he has last worked and where his business place is, and so all he put on there was Service.

Mr. JENNER. Meaning military service?

Mrs. TOBIAS. I don't know—that's all they had—"Service".

Mr. JENNER. Just the one word "Service"?

Mrs. TOBIAS. Just the one word "Service" and he signed it and then, of course, he slipped up on that—of course, we didn't have any idea there was anything like this.

Mr. JENNER. Of course not.

Mrs. TOBIAS. Like—since that happened, the people that own it have asked my husband to make sure that he examines those cards and then make them give a signature over on the side.

All Oswald did was just to give his, fill it in like it should have been filled in, and sign it and that's all he put. And they picked that card up some time ago.

Mr. JENNER. The FBI did?

Mrs. TOBIAS. Yes, we had to sign it, my husband and I had to release it.

Mr. JENNER. Yes; that's all right.

Mrs. TOBIAS. They picked that up some time ago and now that's where we slipped up, and that's all we ever knew, and I never knew where he worked.

Mr. JENNER. He moved in in due course?

Mrs. TOBIAS. Yes; he moved in.

Mr. JENNER. About how long after he had made this initial inquiry?

Mrs. TOBIAS. You mean before he came in?

Mr. JENNER. He came in on what date?

Mrs. TOBIAS. Well, the 3d of November—here's the books when you get ready for them—he moved in November 3, 1962.

Mr. JENNER. He moved in the 3d of November 1962?

Mrs. TOBIAS. Yes; but let me say—he rented it November 3—that's the day he paid his first rent and as we said, we never knew when he moved in.

Mr. JENNER. When he paid his rent, that was about a week after this initial incident, was it not?

Mrs. TOBIAS. No; you mean to look around?

Mr. JENNER. Yes.

Mrs. TOBIAS. He looked around a week before he came back and rented it.

Mr. JENNER. Yes; so that he was there November the 3d and that would be approximately a week—that would make it the 26th of October?

Mrs. TOBIAS. When he was there the first time—it would have been, because it was close to a week before he came back.

Mr. JENNER. November 3 would be a Saturday and if it was about a week, then the previous occasion was on a Saturday.

Mrs. TOBIAS. When he rented it, you mean?

Mr. JENNER. No; when he first came to talk to you.

Mrs. TOBIAS. Well, I just don't remember—really to tell you the truth.

Mr. JENNER. It was about a week?

Mrs. TOBIAS. It was—it was a week in between—a week elapsed there before he came back.

Mr. JENNER. Did he leave a deposit on that occasion?

Mrs. TOBIAS. Yes; a \$5 deposit for the key, which we asked to be deposited and he did; you mean on the apartment when he left, when he moved out?

Mr. JENNER. No, no.

Mrs. TOBIAS. No; he didn't that time.

Mr. JENNER. When he rented the apartment, did he make an advance payment of rent or did he make a deposit?

Mrs. TOBIAS. No; when he came back the 3d of November he paid a month's rent and which would have been a \$5 deposit—\$68 for the month and the \$5 deposit.

Mr. JENNER. Or \$73 altogether?

Mrs. TOBIAS. Yes; I thought you meant did he ask for his deposit back—he never.

Mr. JENNER. Well, I will get to that in a minute.

Mrs. TOBIAS. I was getting mixed up—excuse me.

Mr. JENNER. No; you weren't mixed up. They moved in—you don't know when they moved in?

Mrs. TOBIAS. I honestly don't, and my husband said he didn't either, but they could use that side.

Mr. JENNER. The driveway?

Mrs. TOBIAS. Yes; they could have pulled the car in there.

Mr. JENNER. Eventually you became aware that they were in the apartment?

Mrs. TOBIAS. Oh, yes; because after—we got a phone call. I didn't even know she was up there then, because she hadn't started coming out until they got this phone call.

Do you want me to tell you about that?

Mr. JENNER. Was that the first thing that aroused your attention of the fact that they were there?

Mrs. TOBIAS. Of her and the child—no, I had seen Oswald, I think, in and out, but he just went real fast, but like I said, Mrs. Oswald didn't appear. It must have been maybe a week or 10 days before I had seen Mrs. Oswald.

Mr. JENNER. A week or 10 days after you saw him—after they moved in?

Mrs. TOBIAS. After he rented that; yes.

Mr. JENNER. He received a telephone call?

Mrs. TOBIAS. Yes; and I answered the phone and they wanted to talk with Mr. Oswald, and I said, "Well, I'm sorry but we don't make it a habit of calling our tenants to the phone." He said, "Well, this is very important—I would like to get ahold of Mr. Oswald." I said, "Would you like to give me a number?" He said, "Just tell him George called and they will know what you are talking about."

Mr. JENNER. He said, "Just tell him George called"?

Mrs. TOBIAS. Yes; and my husband went over and got them—he thought, well maybe he should go get them.

Mr. JENNER. Did this man have an accent?

Mrs. TOBIAS. Well, he didn't talk like a southerner, I tell you that, because there's a difference there, isn't there? Anyway, when he came—let me tell you this—she came with him and he used the phone.

Mr. JENNER. You advised Oswald that a call had been received?

Mrs. TOBIAS. My husband went and told him.

Mr. JENNER. The man was named George?

Mrs. TOBIAS. Then, he wanted to come back and use the phone.

Mr. JENNER. He did come back and use the phone?

Mrs. TOBIAS. Yes; he came back and wanted to know if he could use the phone.

Mr. JENNER. Was anybody with him?

Mrs. TOBIAS. Mrs. Oswald came with him.

Mr. JENNER. Had you met her before?

Mrs. TOBIAS. No; I hadn't—that's what I started to tell you.

Mr. JENNER. Had your husband?

Mrs. TOBIAS. No; he said that was the first he had seen of Mrs. Oswald.

Mr. JENNER. What did she look like?

Mrs. TOBIAS. I think she was real cute then, of course, she had that pony tail and she wasn't fixed up in those days.

Mr. JENNER. She had a pony tail?

Mrs. TOBIAS. Oh, yes; she had long hair pulled back and she was very plain. I have seen pictures of her now since and she is really different.

Mr. JENNER. She has a different hairdo now?

Mrs. TOBIAS. Yes; she's real cute now. Anyway, he talked.

Mr. JENNER. On the telephone?

Mrs. TOBIAS. Yes; and he didn't talk in English at all.

Mr. JENNER. He talked in Russian over the telephone?

Mrs. TOBIAS. I don't know what it was but they never spoke a word of English.

Mr. JENNER. Was it your impression that he was calling the man who had called in and asked your husband to tell Oswald that George had called?

Mrs. TOBIAS. He just said to me—I was the one that answered my phone and I sent my husband over with the message and when he came back—when he called he did not talk in English—he never spoke a word in English, he did not, not one—Mr. Oswald didn't.

Mr. JENNER. You mean on this occasion?

Mrs. TOBIAS. At this time.

Mr. JENNER. Over the telephone?

Mrs. TOBIAS. Over the telephone that very time that my husband went over.

Mr. JENNER. Did she say anything?

Mrs. TOBIAS. She got on the phone later and said something, but she spoke in another, you know, a foreign language.

Mr. JENNER. She also spoke in a foreign language?

Mrs. TOBIAS. She didn't speak in English, no. Well, she went home—

Mr. JENNER. Before we got home with her—were you introduced to her on that occasion?

Mrs. TOBIAS. He didn't introduce her at all—you mean Mrs. Oswald?

Mr. JENNER. Was Mrs. Oswald introduced to you?

Mrs. TOBIAS. No.

Mr. JENNER. Did she say anything to you?

Mrs. TOBIAS. No—I was going to tell you what happened. After she went home, I said, to Mr. Oswald—

Mr. JENNER. Would you wait a minute?

Mrs. TOBIAS. Sure.

Mr. JENNER. Did she say anything to you while she was in your apartment?

Mrs. TOBIAS. Just smiled.

Mr. JENNER. She just smiled?

Mrs. TOBIAS. That's all—when she came in she just smiled.

Mr. JENNER. Did he say, "This is my wife?"

Mrs. TOBIAS. No; he did not.

Mr. JENNER. He didn't introduce her at all?

Mrs. TOBIAS. They just wanted to use the phone.

Mr. JENNER. She was neatly dressed?

Mrs. TOBIAS. Yes.

Mr. JENNER. And she was a nice young lady and you had a good impression of her?

Mrs. TOBIAS. She was always very nice.

Mr. JENNER. All right. Now, you go ahead.

Mrs. TOBIAS. Well, she went back home and I had visions that she went to see about the youngster.

Mr. JENNER. She went back to the apartment and he stayed?

Mrs. TOBIAS. Yes—I said to him, "What nationality are you folks?" Because I knew he had talked to us in English. He said, "Oh, we are Czech."

Mr. JENNER. He said they were Czech?

Mrs. TOBIAS. Yes; so that's all I got out of him that night—just Czech and when she came back she smiled again real cute and nice, but she never ever, ever made any effort to talk around him whatsoever, and that's what I found out that night.

Mr. JENNER. And during all the time they were tenants in the apartment at 604 Elsbeth, did she ever use English at all in his presence while you were present?

Mrs. TOBIAS. Not to my knowledge—no, but when she came back—he called—he made another call and it was the same thing.

Mr. JENNER. He spoke in a foreign tongue?

Mrs. TOBIAS. Yes; he did.

Mr. JENNER. On the second occasion?

Mrs. TOBIAS. Yes—he didn't use English.

Mr. JENNER. Did she speak to that person also?

Mrs. TOBIAS. Well, if it's the one that called, she did, she talked for a second.

Mr. JENNER. You have told me that she talked at the time of the first telephone call?

Mrs. TOBIAS. Yes—no; not the second time, I don't think she talked the second time.

Mr. JENNER. Now, I'll ask you some technical things—was he a good tenant in the sense that he paid his rent?

Mrs. TOBIAS. Yes; he paid his rent in advance.

Mr. JENNER. Did he pay it promptly?

Mrs. TOBIAS. Yes; now, you'll have to look here—my husband has got all that marked—later you can see that, but the last month—

Mr. JENNER. Which was when?

Mr. TOBIAS. It would have been—he paid—he moved in November—December, January, February, and he stayed until March the 3d.

Mr. JENNER. March the 3d, 1963?

Mrs. TOBIAS. That's right and then he lacked, I think, \$8 because I have heard him check it so many times.

Mr. JENNER. He lacked \$8?

Mrs. TOBIAS. I think that is what it is—I would have to look in here. My husband has it marked.

Mr. JENNER. Go ahead and look. When you say you are looking in here—you are looking in your records of receipts?

Mrs. TOBIAS. Yes.

Mr. JENNER. That's your original record?

Mrs. TOBIAS. Yes; this is the first one.

Mr. JENNER. Excuse me—may I ask you a few questions about that—you keep a record of all receipts?

Mrs. TOBIAS. Oh, yes; we have one—they get one and the owner gets one.

Mr. JENNER. When a rent payment is made, you make an entry in the book you have before you of having received a certain amount of money. It's in duplicate or triplicate—the tenant gets a copy of the receipt, you retain one in your book and you send one to the owners of the building?

Mrs. TOBIAS. Well, she gets the name of it and I think this is the other one—my husband has it marked here, so that every time they would come out they would have a lot of trouble looking and let me see, now—yes, he paid—he lacked \$8—the balance.

Mr. JENNER. Explain to me what you mean by his lacking a balance?

Mrs. TOBIAS. Well, he paid the \$68 when he came at the regular date, and then the 8th—that would be the 2d and the 8th he came back and paid the other \$8 and here is the beginning—if you would like to check them.

Mr. JENNER. I take it, then, is what you mean is that for the month of February, he paid first \$60?

Mrs. TOBIAS. Yes—right.

Mr. JENNER. So, he was \$8 in arrears at that time?

Mrs. TOBIAS. Yes.

Mr. JENNER. And he made that up—he paid the \$8 at a later date?

Mrs. TOBIAS. Yes; that's the receipt there.

Mr. JENNER. In fact, on the 8th of February 1963?

Mrs. TOBIAS. That's right.

Mr. JENNER. That's receipt number 7611, which I have before me, is the receipt which you gave for that final payment—the second installment?

Mrs. TOBIAS. Yes, sir; that's right.

Mr. JENNER. Now, you have the initial receipt, do you?

Mrs. TOBIAS. The beginning—you mean?

Mr. JENNER. Yes.

Mrs. TOBIAS. Yes; here's where—when he moved in up here.

Mr. JENNER. And that is receipt number 0125, it is dated November 3, 1962, and it recites that it was received from Lee Oswald—the amount of \$5, and that's the deposit?

Mrs. TOBIAS. Yes; that's the deposit.

Mr. JENNER. On number 2—that means apartment number 2 at that entrance—604?

Mrs. TOBIAS. That's right.

Mr. JENNER. Then, I see here a second receipt dated the same date number 0126, in the sum of \$17, apartment 2, marked "void." What was the circumstance on that receipt being marked "void?"

Mrs. TOBIAS. Let me see—then you have another one?

Mr. JENNER. Yes.

Mrs. TOBIAS. My husband perhaps thought he was going to be paid by the week and that's why he voided that one.

Mr. JENNER. And that was voided on the same occasion?

Mrs. TOBIAS. Yes—a lot of them pay by the week, you see?

Mr. JENNER. Ascertaining that he was going to pay by the month, a third receipt was made out, number 0127 in the name of L. H. Oswald for \$68?

Mrs. TOBIAS. Yes.

Mr. JENNER. So, at this moment, he has now paid \$68 plus \$5 deposit?

Mrs. TOBIAS. That's correct.

Mr. JENNER. So, his payment is altogether \$73?

Mrs. TOBIAS. That's right.

Mr. JENNER. And the \$5 deposit is for what?

Mrs. TOBIAS. Well, that's the key deposit.

Mr. JENNER. And when the tenant surrenders the key, he gets his \$5 back?

Mrs. TOBIAS. Well, if they leave the apartment clean or half way decent, she will refund it.

Mr. JENNER. Now, in your record here that you keep, this is kept in the usual, regular and ordinary course of business?

Mrs. TOBIAS. You mean—my husband keeps this—we keep these books.

Mr. JENNER. You keep these books regularly?

Mrs. TOBIAS. Yes.

Mr. JENNER. And they are your permanent records?

Mrs. TOBIAS. That's right—we have them from the time we moved in.

Mr. JENNER. And these entries are all true and correct?

Mrs. TOBIAS. That's correct.

Mr. JENNER. And they are entries of receipts of rental payments for your tenants, including Mr. Oswald?

Mrs. TOBIAS. That's correct.

Mr. JENNER. The first of those payments consists of the ones I have recited on the 3d of November 1962, and the last of which was the \$8 payment on February 8, 1963?

Mrs. TOBIAS. That's correct—that's the last one.

Mr. JENNER. That paid his rent for the month of March?

Mrs. TOBIAS. Through the 3d or to the 3d.

Mr. JENNER. It paid it for the month of February and to and including the 3d day of March 1963?

Mrs. TOBIAS. Yes.

Mr. JENNER. Did he vacate the premises on the 3d of March?

Mrs. TOBIAS. Yes; he did. He moved out and that was on a Sunday that he moved out and we note when he moved out.

Mr. JENNER. Go right ahead.

Mrs. TOBIAS. They moved on this baby stroller. We thought that was so funny, because they just—now, you see, you perhaps have already talked to these people where they moved over on Neely.

Mr. JENNER. They moved to where from your place?

Mrs. TOBIAS. On Neely—like this is Elsbeth, right down here on the corner—

Mr. JENNER. Excuse me, why don't we use our little plat here, Tobias Exhibit No. 1?

Mrs. TOBIAS. This is his apartment—right down here on Neely Street.

Mr. JENNER. On what street?

Mrs. TOBIAS. On Neely—now, this is Elsbeth.

Mr. JENNER. And Neely also runs north and south?

Mrs. TOBIAS. Yes—no; wait a minute, it runs east and west. Well, it's right

behind an apartment building on Elsbeth, just one building behind that apartment building on Elsbeth.

Mr. JENNER. About how far away from where you are?

Mrs. TOBIAS. Oh, it wouldn't be a block, it wouldn't be a good block—probably about half a block.

Mr. JENNER. Was there any conversation with you or your husband as to why they were moving?

Mrs. TOBIAS. May I tell you?

Mr. JENNER. Yes; please do.

Mrs. TOBIAS. Well, they fought so much.

Mr. JENNER. They fought so much.

Mrs. TOBIAS. Yes—they seemed to disagree and they didn't get along so good and the tenants would come and tell my husband that they kept them awake and the baby cried so much and that he could hear them falling down as if Mrs. Oswald was hitting the floor, so my husband went over and he said he was sorry but there was nothing going on and that everything was okay and we had one tenant over him—nobody has been able to contact her either—and she came over, and she said, "Mr. Tobias, I think he has made a new opening down there." She said, "I think he's put her right through there." And he did break a window—my husband had to fix that.

Mr. JENNER. This was a pane of glass in the back door?

Mrs. TOBIAS. In there—going out into the hall, out of their back kitchen, going into that little hall going outside.

Mr. JENNER. Your husband ascertained what?

Mrs. TOBIAS. He had to put in a new pane.

Mr. JENNER. Why?

Mrs. TOBIAS. Well, they knocked it out—I guess from fighting—we don't know.

Mr. JENNER. You were't there?

Mrs. TOBIAS. No.

Mr. JENNER. And your husband wasn't there?

Mrs. TOBIAS. They had come after us—

Mr. JENNER. You mean the tenants had come after you?

Mrs. TOBIAS. Oh, yes; they said they could hear glass falling and evidently they had put a baby blanket there—a baby blanket was all over it, tacked down over the window.

Mr. JENNER. The pane of glass in the door was broken and they had tacked a baby blanket over the broken glass?

Mrs. TOBIAS. Yes, all the way around it—they had quite a large blanket and they put that around it, so my husband told them if they didn't straighten up or, you know, they were so annoying that the other people had to rest too, that he was sorry but they would have to find another place.

Mr. JENNER. And it was shortly after that that they left?

Mrs. TOBIAS. Yes; shortly after that they moved in over on Neely.

Mr. JENNER. During this period that they lived there from the 3d of November 1962, to the 3d of March 1963, did you become better acquainted with Mrs. Oswald?

Mrs. TOBIAS. Yes. Now, Mrs. Oswald would come in my house quite frequently.

Mr. JENNER. She would?

Mrs. TOBIAS. Yes; she seemed very lonesome, and she would be standing out in the patio we were talking about, and right up at my walkway into the hallway, and I asked her if she didn't want to come in and she would say "Yes," and so she and the baby came in, but she always would just smile.

Mr. JENNER. Did she speak with you?

Mrs. TOBIAS. Well, I was going to tell you—the first time she came in I said, "Your husband says you are Czech," and she began to shake her head—no.

Mr. JENNER. She shook her head in the negative?

Mrs. TOBIAS. She said, "No," and then she told me that.

Mr. JENNER. What did she say?

Mrs. TOBIAS. She said she was Russian.

Mr. JENNER. She said that in Russian?

Mrs. TOBIAS. No; she said that in English, but she said, "My husband said it

was bad and my husband told me if I said I was Russian people would be mean to me."

Mr. JENNER. She made it known to you with her limited command of English—she said what you have now related?

Mrs. TOBIAS. Oh—yes; she said it. I understood her real well.

Mr. JENNER. You did?

Mrs. TOBIAS. And she said, "My husband thinks people will be mean to me," and I said, "Nobody will be mean to you," and I said, "You are always welcome to come into my house." I am always nice to the tenants, but I don't run back and forth, but I try to be nice to them. A lot of them do seem lonesome when they come in. She come in lots of afternoons and would just set this little girl down on the floor and she was 9 months old when they moved in there and she would crawl around over on the rug and she would stay in there sometimes an hour, and she did that lots of afternoons—just lots of afternoons she would come up.

Mr. JENNER. And during that—with all of this period of time, you had many opportunities to observe her?

Mrs. TOBIAS. Yes; and then she came in the evening and wanted to know if she could use the phone. She said, "I don't know where my husband is." She told me that.

Mr. JENNER. About when was that?

Mrs. TOBIAS. Well, that was just maybe a short time before they moved out of there—that could have been a short time, because they weren't there too much longer after that. It was in the evening and I had such a hard time talking to her myself, it seemed to be harder for her to grasp or to understand English than it was for me to her, so I said to her, "Mrs. Oswald, Marina, can you read English?" She said "Yes"—and I went and got a tablet of paper.

Mr. JENNER. You got a tablet?

Mrs. TOBIAS. Yes; I did. I went over to the desk and I got a tablet and on this sheet of paper, you know, I took a pencil and I put on there, "When he gets home give him a good kick in the shin." And she just started laughing. She read that—she could read that, and she read that, and she thought that was real funny, and she said she would, so she came back the second time.

Mr. JENNER. That evening?

Mrs. TOBIAS. Yes—she never did find him. She called—she must have called lots of places, but, of course, spoke not in English.

Mr. JENNER. When she made these telephone calls, she always spoke in the foreign language?

Mrs. TOBIAS. She never spoke in English.

Mr. JENNER. You never heard her use English over the telephone?

Mrs. TOBIAS. No; only when she would try to talk to me and I would see Mrs. Oswald every day. She would have a handwashing, you know, and there were lines in the back.

Mr. JENNER. What kind of housekeeper was she?

Mrs. TOBIAS. Well, I never was in there but once, and I'll tell you why I was in there then—this fellow came over and he said to my husband, "I think that he's really hurt her this time."

Mr. JENNER. Now, this was another tenant?

Mrs. TOBIAS. A tenant—yes, and we didn't hear her and I didn't see her out at the clothesline, and my husband said, "Why don't you and I go over and rap on the door and see if she will come to the door and see if she's okay." He said, "We can tell her that the sweeper is over here—she hasn't found the sweeper—she doesn't know anything about it."

Mr. JENNER. That would be the sweeper to use in the apartments?

Mrs. TOBIAS. A vacuum sweeper.

Mr. JENNER. I take it this was sometime in 1962?

Mrs. TOBIAS. Yes; because that could have been sometime in December, but I just don't have no dates. That's the worst part of it. If we had had any idea—but anyway, she came to the door and she had her housecoat on and she had marks on her face.

Mr. JENNER. Where—what portion—the left cheek or the right cheek?

Mrs. TOBIAS. It would be like this [indicating].

Mr. JENNER. That's her right chéek?

Mrs. TOBIAS. Yes; she was facing me.

Mr. JENNER. Up near her eye?

Mrs. TOBIAS. Yes. And her eye was dark and we told her that—we spoke to her.

Mr. JENNER. What did she say?

Mrs. TOBIAS. We told her what we had come for, that over in the other building in the closets there was this vacuum cleaner and if she ever wanted to use it, she could come over and my husband told her—he said, "If you don't know where it is, come to my door and I will show you."

Mr. JENNER. Did she understand what you were saying?

Mrs. TOBIAS. Yes, she did. She understood—we made her understand, so I don't know when they came for the sweeper, but they always would come together and get that sweeper—you could hear them in the hall—they were right at my door. He would always come with her when she come to get the sweeper. He never seemed to want that woman to be out of his sight when he was around, but that's the only marks. Now, she seemed to be okay and I just looked in her door—I never was in her house.

Mr. JENNER. How did you find her apartment on that look in?

Mrs. TOBIAS. My husband doesn't clean—he said it wasn't very clean.

Mr. JENNER. It was not?

Mrs. TOBIAS. Not too clean, my husband said it wasn't too clean.

Mr. JENNER. And was there anything out of the ordinary? I assume tenants leave your premises and the apartments are not too clean, and this is not an extraordinary experience, is it?

Mrs. TOBIAS. Well, it's just not picked up and cleaned up and swept up like it should be. We require them to use the vacuum and leave it like they find it.

Mr. JENNER. But there was nothing in the way of broken furniture or gouged out walls?

Mrs. TOBIAS. No, just that door.

Mr. JENNER. Just the pane in the door?

Mrs. TOBIAS. Yes; that pane in the back door had to be replaced.

Mr. JENNER. Did this man drive an automobile?

Mrs. TOBIAS. No, he didn't own one while he was there?

Mr. JENNER. Did he drive one?

Mrs. TOBIAS. No; I never seen him with one.

Mr. JENNER. You never saw him drive one in your life?

Mrs. TOBIAS. No; I never saw him drive an automobile in my life. He was always walking when I've seen him and they would go for a walk and maybe for groceries, and she would always be carrying that baby. He never carried that baby. She would always carry that child. That baby was real frightened. Now, my husband is just real fond of children and they take up with my husband real easy, but this child was always too frightened and it always seemed to be so frightened and never seemed to want anyone near it. It always seemed to be such a frightened child.

Mr. JENNER. Did Mrs. Oswald occupy this apartment with her husband during all the period, November 3, 1962, to and including March 3, 1963?

Mrs. TOBIAS. Well—do you want me to tell you something that happened?

Mr. JENNER. Yes.

Mrs. TOBIAS. We had gone out for a ride on a Sunday afternoon and when we came back, there was a car in the driveway.

Mr. JENNER. Excuse me, this is Mr. Davis from the State of Texas attorney general's office.

Mr. DAVIS. How are you—nice to see you.

Mrs. TOBIAS. Okay.

Mr. JENNER. Now, go right ahead.

Mrs. TOBIAS. Well, when we came up—

Mr. JENNER. This was on Sunday?

Mrs. TOBIAS. Sunday afternoon.

Mr. JENNER. How long after they moved in?

Mrs. TOBIAS. Well, I just don't know—but that's what I told those gentlemen, but it was before my husband was in that accident, I know.

Mr. JENNER. And your husband was in the accident when?

Mrs. TOBIAS. The 27th.

Mr. JENNER. Of what month?

Mrs. TOBIAS. Of November—the same month he moved in, because we still was driving our car, and our car was wrecked.

Mr. JENNER. So, this occurred to the best of your recollection shortly before the accident?

Mrs. TOBIAS. Well, it would occur between the 3d and the 27th, because my husband had his accident on the 27th.

Mr. JENNER. Well, that's over 3 weeks—was it at the tail end of the three weeks or the forepart of it?

Mrs. TOBIAS. I don't remember that—I really don't.

Mr. JENNER. They had been in the apartment for awhile?

Mrs. TOBIAS. Yes, and here is Elsbeth and we parked here——

Mr. JENNER. The witness is again referring to the Tobias Exhibit No. 1.

Mrs. TOBIAS. We parked here.

Mr. JENNER. You parked on Elsbeth Street?

Mrs. TOBIAS. Yes, we don't have garages, so we just parked around over here, and over here in this driveway was this big convertible.

Mr. JENNER. There was a convertible in the driveway which is located to the rear of the Oswald apartment—you saw a convertible—what kind was it—are you familiar with automobiles?

Mrs. TOBIAS. Well, I don't drive—my husband and I have a different opinion on that, too.

Mr. JENNER. Did your husband see it on that occasion?

Mrs. TOBIAS. Well he did—he said he had seen it, but I thought it was a light car, a cream color.

Mr. JENNER. A cream-colored car?

Mrs. TOBIAS. I thought it was.

Mr. JENNER. Was it a sedan, two-door or four-door?

Mrs. TOBIAS. It was a convertible is what it was with the top back—the top was back and there was a baby bed in that convertible and then there was some clothing in there, and when we stopped up there, I said to my husband, "I think someone is moving out." Now, he went over home—I thought he did and I said, "I think I'll go over and check."

Mr. JENNER. Did you do so?

Mrs. TOBIAS. I walked in the hallway and as I walked in the hallway a fellow came out——

Mr. JENNER. What did he look like?

Mrs. TOBIAS. Well, my husband and I have a different opinion on that.

Mr. JENNER. I just want your view.

Mrs. TOBIAS. Well, he was a pretty-good-sized fellow—he was larger than Oswald.

Mr. JENNER. A big man?

Mrs. TOBIAS. He was larger than Oswald.

Mr. JENNER. What would you say he weighed?

Mrs. TOBIAS. Well, I'm poor judging that, too.

Mr. JENNER. Well, I'm going to stand up. I'm 5 foot 11 inches and I weigh about 153 pounds.

Mrs. TOBIAS. Well, he could have been a little heavier than you.

Mr. JENNER. A little taller?

Mrs. TOBIAS. He could have been a little taller and a little heavier.

Mr. JENNER. As tall as 6 foot 6?

Mrs. TOBIAS. I doubt if he was—you are how much—5 what?

Mr. JENNER. I am 5 feet 11 inches—one inch shorter than 6 feet.

Mrs. TOBIAS. Well, he could have been right around there.

Mr. JENNER. But heavier than I am?

Mrs. TOBIAS. Well, I believe he was heavier than you.

Mr. JENNER. What color hair did he have?

Mrs. TOBIAS. Well, he had dark hair—kind of brown, I guess, and when I walked in the hallway, he walked out. I said, "What's coming off?" He said, "Mrs. Oswald is going away for awhile—or moving out" or something like that—that's the way he said it.

Mr. JENNER. How old was this man?

Mrs. TOBIAS. Gee, I don't know.

Mr. JENNER. What is your judgment?

Mrs. TOBIAS. Well, perhaps 50—50 I would say or even in his late fifties.

Mr. JENNER. Well, 50 and late fifties is a big difference.

Mrs. TOBIAS. Well, maybe he was a little over 50 and maybe he was right around 50—he wasn't an old man.

Mr. JENNER. He was 50 more or less?

Mrs. TOBIAS. Yes—it would have been—that's what I thought.

Mr. JENNER. All right. How was he dressed?

Mrs. TOBIAS. With a brown—he had on a brown suit.

Mr. JENNER. Was he neatly dressed?

Mrs. TOBIAS. Yes; he was.

Mr. JENNER. He didn't have slacks on?

Mrs. TOBIAS. Well, I think that was a suit—I think that was a suit.

Mr. JENNER. He didn't wear shorts?

Mrs. TOBIAS. Oh, no.

Mr. JENNER. How did he act?

Mrs. TOBIAS. Well, what he said—he walked out in the hallway, and I said, "What's coming off?" because I knew somebody was moving so, I didn't see Mrs. Oswald at all, now, but Oswald walked out the door and this fellow walked out in the hall and he was the one that met me and he said, "Well, Mrs. Oswald is going away for awhile—moving out for awhile."

Mr. JENNER. Did he say anything about whether Mr. Oswald was going to remain?

Mrs. TOBIAS. That's all that was said and I went on home.

Mr. JENNER. Did you see her?

Mrs. TOBIAS. No, I didn't see Mrs. Oswald at all, and I don't know when they moved out.

Mr. JENNER. Did they all move out or just Marina?

Mrs. TOBIAS. That's all he said—he just said, "Mrs. Oswald is going away for awhile or moving out for awhile."

Mr. JENNER. Did it come to your attention that she had moved?

Mrs. TOBIAS. I didn't see her around—that's true, I didn't see her around.

Mr. JENNER. Did you see him around, that is, Mr. Oswald?

Mrs. TOBIAS. No; because I think he used that back entrance because—I really do think he must have used that back entrance because you didn't see him much, not even when Mrs. Oswald was there, only when you see them go out together.

Mr. JENNER. Now, this was in the month of November?

Mrs. TOBIAS. It would have to have been.

Mr. JENNER. And it was something up to November 27—did he pay his rent for the month of December?

Mrs. TOBIAS. Oh, yes; it's all here.

Mr. JENNER. All right; let's look at it.

Mrs. TOBIAS. Which one do we have now—which one is this?

Mr. JENNER. That's November.

Mrs. TOBIAS. Well, you want all the way down—don't you?

Mr. JENNER. Give me the next one—that would be December—maybe I can help you with this.

Mrs. TOBIAS. This is the deposit and the rent there.

Mr. JENNER. This is the initial payment—now, I will look for December.

Mrs. TOBIAS. All right, here it is—starting here.

Mr. JENNER. You have a receipt No. 0154 in your book of original receipts here, dated December 6, 1962, reciting, "Received from L. H. Oswald—\$68 for rental of apartment No. 2, from December 3, 1962, to January 3, 1963. Paid in cash. Signed by Mrs. M. F. Tobias, Sr."

Mrs. TOBIAS. That's when I had to take over.

Mr. JENNER. That's your signature?

Mrs. TOBIAS. That is right—after my husband was sick.

Mr. JENNER. Did he pay that to you in cash?

Mrs. TOBIAS. Yes; he did—he never gave checks.

Mr. JENNER. And he handed it to you personally, so you knew on that occasion, which was the 6th of December 1962, that he was there?

Mrs. TOBIAS. Oh, yes.

Mr. JENNER. And he was paying his rent for the month of December?

Mrs. TOBIAS. Yes.

Mr. JENNER. Was Mrs. Oswald still absent?

Mrs. TOBIAS. Now, I don't know how long she was gone. Now, we really don't—my husband said he didn't—he didn't see her around.

Mr. JENNER. What is your recollection as to when you first saw her?

Mrs. TOBIAS. After she came back?

Mr. JENNER. Yes.

Mrs. TOBIAS. Well, it could have been another week or 10 days.

Mr. JENNER. So that would be in the month of December 1962—she was absent a week or 10 days?

Mrs. TOBIAS. She would have had to been because I didn't see her around, and they always kept their blinds down, you know, the shades was always pulled.

Mr. JENNER. They were?

Mrs. TOBIAS. Oh, yes—day and night, you never seen any shades up over there, their shades was always down.

Mr. JENNER. Wasn't that strange?

Mrs. TOBIAS. Well, a lot of my tenants do—we don't think nothing about it. We've got so many of them that keeps them down. I always think there must be something wrong when they keep them down, but we don't bother our tenants.

Mr. JENNER. Now, he paid his rent for the month of January 1963, did he not, and he paid it to you?

Mrs. TOBIAS. If it's on there.

Mr. JENNER. Well, there is a receipt here No. 0178, dated January 4, 1963, "issued to L. H. Oswald for \$68 for the rent of Apartment No. 2 from January 3, 1963, to and including February 3, 1963," and it is signed M. F. Tobias, Sr.

Mrs. TOBIAS. Well, now, he signed that one.

Mr. JENNER. Is that his signature or yours?

Mrs. TOBIAS. No; that's his—that's his.

Mr. JENNER. That rent was paid in cash, was it?

Mrs. TOBIAS. Yes; he gave cash.

Mr. JENNER. To him; to your husband?

Mrs. TOBIAS. Yes; he always gave cash.

Mr. JENNER. And as of that time she was back in the apartment?

Mrs. TOBIAS. Oh, yes; she was—you see this was later after she had come back and when she got friendly and would come over, and she would come over nearly every afternoon later, but she didn't come around—I didn't see her so much when they first moved in. You see, I told you, when they first moved in, I said to my husband, "I thought this was the man with the wife and child?" He said, "Yes, he told me that", but perhaps she wasn't around at the beginning for awhile.

Mr. JENNER. Did they have any guests, any callers?

Mrs. TOBIAS. Well, one lady came to my door one evening.

Mr. JENNER. About when?

Mrs. TOBIAS. In the evening—you mean?

Mr. JENNER. Yes.

Mrs. TOBIAS. It was beginning to get dark.

Mr. JENNER. When was it—was it the evening of the weekday or weekend?

Mrs. TOBIAS. Yes; it must have been a weekday because she said she had had a call. She came to my door and knocked.

Mr. JENNER. The lady did?

Mrs. TOBIAS. Yes.

Mr. JENNER. And what month was it.

Mrs. TOBIAS. I don't even know that. She said she had been trying to contact Mrs. Oswald.

Mr. JENNER. Describe her please—age, weight—short or tall.

Mrs. TOBIAS. Well, I let her come in, I was going to tell you, and she was, oh, a dark lady. She said she was Russian. I talked to her awhile.

Mr. JENNER. Was she dark-skinned or light-skinned?

Mrs. TOBIAS. Well, she wasn't a blonde, she was a brunette—she was a real nice looking woman.

Mr. JENNER. She was white-skinned, however?

Mrs. TOBIAS. Oh, yes.

Mr. JENNER. About how old?

Mrs. TOBIAS. Oh, perhaps 35 and maybe a little older.

Mr. JENNER. How tall was she?

Mrs. TOBIAS. Oh, about 5 foot 3 or 5 foot 4 inches.

Mr. JENNER. And what did you judge she weighed?

Mrs. TOBIAS. Well, she had a coat on—I don't know—I just don't really know. She wasn't real large but she wasn't real small and she said Mrs. Oswald had called her earlier in the day and said that the baby was sick and she didn't have any money to take the baby to the doctor, and she couldn't get them to the door, she sat in there and talked to us a while and my husband says he just doesn't remember this—this was after he had his accident, because his memory was pretty bad after he had had this accident and I asked her if she would like to have me go over with her and see if we could get in, and she said, "I would, because I rang the doorbell and I rang the doorbell, and I can't get them to the door." And, I said, "Okay, I'll go over with you." I didn't rap on the door, I just kept ringing the doorbell. Well, now, he didn't come out the front door.

Mr. JENNER. Which door were you rapping on? The rear or the front door?

Mrs. TOBIAS. I was ringing in the hallway, the front—I didn't rap on the door—I just rang the doorbell. We have doorbells. Now, he didn't come out in the hall entrance, he came around.

Mr. JENNER. Who did?

Mrs. TOBIAS. Mr. Oswald.

Mr. JENNER. He came around from the back?

Mrs. TOBIAS. Yes; he came out of the back door and around and jumped in the hall, and I said, "Mr. Oswald, this lady is trying to find you people. You didn't answer." He said, "Oh, I'll take care of it." And he ushered her right inside and that's the last I seen.

Mr. JENNER. Did she recognize him?

Mrs. TOBIAS. I guess she did, because he just took her—they had nothing to say to each other in the hall. He just said, "Oh, I'll take care of it."

Mr. JENNER. No words passed between them?

Mrs. TOBIAS. No; he just came from around.

Mr. JENNER. When she came to your place, did she identify herself as—who she was and where she worked—did she work in the Dallas area?

Mrs. TOBIAS. She worked downtown in an office.

Mr. JENNER. She said she worked downtown in an office?

Mrs. TOBIAS. Yes; and she said she was going to see if she could help.

Mr. JENNER. Did you ever see that lady again?

Mrs. TOBIAS. I never seen her again and then, as I say, I seen a blonde-headed girl come there.

Mr. JENNER. Was this later?

Mrs. TOBIAS. This was after she was there and she wanted to know which apartment, and I showed her, and that's all I ever seen of her.

Mr. JENNER. Describe that lady, please; she was a blonde?

Mrs. TOBIAS. Well, she was pretty slim.

Mr. JENNER. She was slender, was she?

Mrs. TOBIAS. Yes; she was kind of thin.

Mr. JENNER. How tall was she?

Mrs. TOBIAS. Oh, perhaps 5 foot 1 or 5 foot 2—maybe 3 inches.

Mr. JENNER. Not as tall as the first lady you described?

Mrs. TOBIAS. Well, they could have been somewhere near the same height, but she was a different type.

Mr. JENNER. She was a different type person?

Mrs. TOBIAS. Yes; she was a blonde.

Mr. JENNER. Did she identify herself?

Mrs. TOBIAS. No; she just asked which apartment Mr. Oswald lived in and I showed her and that's all I knew about it.

Mr. JENNER. Did she speak English?

Mrs. TOBIAS. Yes; she did—she talked to me in English.

Mr. JENNER. About when was that, with respect to the other incident you have described?

Mrs. TOBIAS. You mean between the two of them?

Mr. JENNER. Yes.

Mrs. TOBIAS. Well, I don't know whether it was a week later or 2 weeks later, I just don't know. Just like I said, that if we had had any idea about all this, we might have put down dates.

Mr. JENNER. Oh, sure.

Mrs. TOBIAS. But I don't—I really don't know. When they don't find the party, they usually come to the manager, you see, and we try to help them if we can.

Mr. JENNER. Now, going back to these conversations you had with Mrs. Oswald about her being Russian, was there an occasion when she talked to you about the fact that her husband didn't want people to know that she spoke Russian?

Mrs. TOBIAS. She didn't say "speak". She said, "He doesn't want me to tell that I am Russian."

Mr. JENNER. Why?

Mrs. TOBIAS. She said, "Because people would be mean to me,"—she said they wouldn't be nice to her and they would be mean to her, and that was all said about that.

Mr. JENNER. You reassured her?

Mrs. TOBIAS. Well, I told her I didn't think that was true. I said, "I don't think that's true. I don't think anyone would be mean to you because I don't know why anyone should be." I don't.

Mr. JENNER. Did she say anything about her husband saying that he didn't want it known that they spoke Russian or that she was Russian, because men would come around?

Mrs. TOBIAS. No, no; that was the only occasion—the only time that ever anything was spoken. She was pretty quiet herself.

Mr. JENNER. Did they make any long distance calls?

Mrs. TOBIAS. No; they didn't on our phone. They asked us—these were all local, but they were very quiet people. They seemed to stay to themselves, that is, they didn't mix with no tenants and the tenants said they never even cared to speak with them. They never seemed to want to speak.

Mr. JENNER. That is the Oswalds?

Mrs. TOBIAS. Didn't care to mix.

Mr. JENNER. They didn't care to mix with other people—they made no effort to become friendly?

Mrs. TOBIAS. No; I guess my house was the only one in the building she was ever in.

Mr. JENNER. And as far as he was concerned, he had little contact with you, did he, other than pay the rent?

Mrs. TOBIAS. No; my husband went over and got after them about the noise. I didn't go with him. You could speak to him and he would look at you so funny—he just didn't have anything to say. I heard a lady describe him in an interview on TV and that was him exactly. I told my husband, she couldn't do a better job—because he was tight, you know.

Mr. JENNER. He was tightlipped most of the time?

Mrs. TOBIAS. Just as if his chin—just like that lady—I said to my husband, "isn't that something how she described him?"

Mr. JENNER. Did you ever see either of the Oswalds after they left your building?

Mrs. TOBIAS. Oh, yes; they used to come back by, you see. I think I told you that my husband had had this accident. We have chairs—lawn chairs and we were sitting in the yard and she would come back by with the baby in her stroller and she would come up to the walk and smile.

Mr. JENNER. Did she talk to you?

Mrs. TOBIAS. Well, she never tried to have a conversation. I walked out to the car and I said, "You moved away and left us."

Mr. JENNER. You walked out to the car?

Mrs. TOBIAS. She was standing by a car—you see, those cars were parked there and I knew where she went, my husband and I would take walks and I said, "Where did you go?" And she made "214" on the car and then I knew it was Neely—I said, "Neely."

Mr. JENNER. Did she nod her head?

Mrs. TOBIAS. Yes; she was a real sweet little girl as far as I was concerned and she was a lonely person. I think she was very lonely.

Mr. JENNER. Is there anything you would like to add that I have not brought out, either because I don't know about it or for any reason, that you think might be helpful to the Commission?

Mrs. TOBIAS. Well, they said to me that they thought this fellow that moved her out might have been this George, but they brought pictures—do you have pictures of the other men?

Mr. JENNER. Moved her out?

Mrs. TOBIAS. You know—that day when they moved her out.

Mr. JENNER. Do I have pictures of a man by the name of George?

Mrs. TOBIAS. Yes; they brought some out but now, that did not look like the man to me.

Mr. JENNER. Do you recall them showing you a picture and telling you what the man's name was?

Mrs. TOBIAS. No; is it Paden?

Mr. JENNER. The FBI agent?

Mrs. TOBIAS. Yes; I think he came to see us twice.

Mr. JENNER. Well, there are so many of them.

Mrs. TOBIAS. And he was about one of the second groups that came and then later he came back with these pictures and he asked me if I thought that was the man I had seen in the hallway.

Mr. JENNER. That would be the man who came to help her out of the apartment on that Sunday?

Mrs. TOBIAS. Yes; he asked me if I thought that was him and I said, "Well, it does not look like him to me." But, there has been a different opinion on that—my husband and I have had a different opinion on that all along about what we thought he looked like, but that did not look like the man to me.

Mr. JENNER. Well, I want your view.

Mrs. TOBIAS. Well, it didn't to me—it didn't look like the same man to me, but I couldn't swear who it was because I've only seen the picture, and I have seen pictures of Mr. Ruby, but the day they apprehended Oswald, of course, we were looking on the TV.

Mr. JENNER. Did it look like pictures of Mr. Ruby you have seen?

Mrs. TOBIAS. Well, the one that he had didn't, but what I was going to tell you—after all that happened, and I seen pictures of him, on the TV——

Mr. JENNER. Who—of Ruby?

Mrs. TOBIAS. Yes; I told my husband, I said, "Back in my mind that resembles the man more than anybody I have ever seen in my life," but now I wouldn't swear it because there was no resemblance of the pictures they brought out there to me, and the day that they arrested Mr. Oswald, Lee Oswald, we had TV on and I said to my husband, "Look who they've got."

He said, "What do you mean?" I said, "That's the guy that shot the President." He said, "Who is it?" I said, "That's Lee Oswald." He said, "How do you know?" And I said, "Don't you see him on there?" I recognized him right off and my husband's memory was kind of shook and he's just not the same person after he had this concussion.

Mr. JENNER. I'm sorry to hear that.

Mrs. TOBIAS. This big oil truck hit my husband, and you know, just almost got the car ahead and his nerves are just not the same—they haven't been the same. He says he's just not as stable—he's—he just don't seem to do what he should—it's coming gradually. The doctors say it will come, but he's kind of shook from the accident. I wasn't with him.

Mr. JENNER. When you saw Oswald around your home during those months, how was he dressed generally?

Mrs. TOBIAS. Well, he always just had slacks and a T-shirt or a jacket on, you know, a sport jacket—I don't mean a sport coat like a jacket.

Mr. JENNER. A zipper jacket?

Mrs. TOBIAS. Yes and a T-shirt. He most always had on a T-shirt—you didn't see him very many times without a shirt.

Mr. JENNER. I take it he got into no discussions with you or your husband about politics?

Mrs. TOBIAS. No; Lord, no.

Mr. JENNER. As a matter of fact, he got in discussions with you about nothing?

Mrs. TOBIAS. No, no; we had no contact with him. He just paid the rent and out he would go. He didn't make an effort to make a conversation even when he came to use the phone.

Mr. JENNER. This is a furnished apartment?

Mrs. TOBIAS. Yes.

Mr. JENNER. Three rooms—do your three rooms consist of a living room, bedroom, and kitchen?

Mrs. TOBIAS. Yes; with the kitchen and dining room combined.

Mr. JENNER. A kitchenette?

Mrs. TOBIAS. And it is all in one and then there is a bed in the wall in the living room.

Mr. JENNER. That opens into the living room.

Mrs. TOBIAS. Yes; the living room is real large, but the bedrooms are small. Now, the kitchen that he had is smaller than the one I have, some of them are smaller, but that's the eating area, the dining area in the kitchen.

Mr. JENNER. Well, Mrs. Tobias, I can't think of anything else. I appreciate your coming up very much.

These depositions are written up and you have the right, if you wish, to exercise it, to read the deposition and to sign it. We don't insist on that at all and you may waive the signing of the deposition if you wish, and it's your option, to do either way you would prefer—if you would prefer to read the deposition and sign it and you say so, the U.S. attorney will get in touch with you in due course and you may come in and read it and sign it.

Mrs. TOBIAS. Well, now, it doesn't matter to me because we would like to help you if we can and if we have been helpful and I tried to tell you exactly just what I know, which isn't very much help. I don't think we have been too much help because he moved out before all this happened.

Mr. JENNER. Well, you never can tell how much help you have been. You have been of help to me and I appreciate it very much.

Mrs. TOBIAS. Well, my husband and I have been willing—we have had a lot of people there.

Mr. JENNER. If you wished to waive the signing of the deposition, we can just send it right into Washington without troubling you to sign it.

Mrs. TOBIAS. No; it is all right with me, because I have told you the truth.

Mr. JENNER. Oh, sure.

Mrs. TOBIAS. All that is there is the truth and I have told you all I know.

Mr. JENNER. Well, thank you very much, and I will have your husband in now, if I may?

Mrs. TOBIAS. Okay. Now, I couldn't swear that that was who the guy was. Now, do you want me to leave the books with you?

Mr. JENNER. Yes; leave the books and we will give them to your husband. Tobias Exhibit No. 1 is offered in evidence.

Mrs. TOBIAS. Okay.

TESTIMONY OF M. F. TOBIAS, SR.

The testimony of M. F. Tobias, Sr., was taken at 4:15 p.m., on April 2, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the

President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. I understand you suffered an injury in an automobile accident?

Mr. TOBIAS. Yes; I ain't as young as I used to be since that.

Mr. JENNER. This is Mr. M. F. Tobias, Sr.?

Mr. TOBIAS. That's right.

Mr. JENNER. And he lives at 602-604 Elsbeth Street, Dallas, Tex.?

Mr. TOBIAS. Six two and six four.

Mr. JENNER. And he lives with Mrs. Tobias and you manage an apartment building at that address?

Mr. TOBIAS. That's right; the wife and I together.

Mr. JENNER. Would you stand and be sworn, sir?

Mr. Tobias, in your testimony you are about to give, do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. TOBIAS. I do.

Mr. JENNER. Thank, you, sir.

Mr. Tobias, I am Albert E. Jenner, Jr., and I am a member of the legal staff of the President's Commission. I understand from Mrs. Tobias that you and she received a letter from Mr. Rankin, the General Counsel?

Mr. TOBIAS. That's right.

Mr. JENNER. With which was enclosed a copy of the Senate Joint Resolution 137 authorizing the creation of the President's Commission?

Mr. TOBIAS. That's right.

Mr. JENNER. And of President Johnson's Executive Order 11130, creating the Commission and appointing it and fixing its powers and duties and obligations, and also a copy of our rules and regulations for the taking of testimony. From those papers, I assume you are aware of the fact that at least our general direction is to investigate all the facts and circumstances surrounding the assassination of President Kennedy on November 22, 1963?

Mr. TOBIAS. That's right.

Mr. JENNER. In the course of doing that, there are many people who, in their pursuit of their livelihoods, came in contact with a man by the name of Lee Oswald, and we understand you folks did and I would like to ask you a few questions about it.

Mr. TOBIAS. Go ahead; I'm willing to answer all I can.

Mr. JENNER. You are aged what?

Mr. TOBIAS. Sixty-seven.

Mr. JENNER. You are a native-born American?

Mr. TOBIAS. Yes.

Mr. JENNER. Born in Battle Creek, Mich.?

Mr. TOBIAS. That's right.

Mr. JENNER. And your family—you raised two or three boys, as I understand it?

Mr. TOBIAS. I've got two boys and two girls.

Mr. JENNER. You have two boys and two girls and they are all adults and married now, I assume?

Mr. TOBIAS. That's right.

Mr. JENNER. And you are retired at the moment?

Mr. TOBIAS. That's right.

Mr. JENNER. And you and Mrs. Tobias manage this building on Elsbeth Street here in Dallas?

Mr. TOBIAS. That's right.

Mr. JENNER. And in the course of your managing that building, you came in contact with a person by the name of Lee Oswald; is that so?

Mr. TOBIAS. That's right.

Mr. JENNER. Tell me the circumstances?

Mr. TOBIAS. Well, I can tell you one thing, he was a funny duck. He came up there—maybe 3 weeks before he rented it.

Mr. JENNER. He rented it on November 3, 1962?

Mr. TOBIAS. Yes; but he came there maybe 3 weeks before that.

Mr. JENNER. That would be in October. He was alone, was he?

Mr. TOBIAS. Yes; and looked at the apartment. I told him what I wanted

for it and I told him what the score was—we didn't allow no drinking or no parties, which I don't, and he says, "My wife isn't here"——

Mr. JENNER. Off the record.

(Discussion between Counsel Jenner and the witness, Mr. Tobias, off the record.)

Mr. JENNER. Okay; now, that's what we want to get on the record. Repeat that.

Mr. TOBIAS. I tell them like this—what they drink in their apartment is their business, but when they get noisy that's mine. My business. Then, he came back——

Mr. JENNER. Was he alone?

Mr. TOBIAS. Yes; and he wanted to look at the apartment again, which happened to still be vacant, and then he wanted to go around the house.

Mr. JENNER. Around the apartment itself?

Mr. TOBIAS. Yes.

Mr. JENNER. Before you is Tobias Exhibit No. 1, and that is Mrs. Tobias' conception of a plat of your building. Now, is there anything wrong with that?

Mr. TOBIAS. Well, it ain't the way I would have drawn it, because this building is kind of in a——

Mr. JENNER. Well, now, Mrs. Tobias has drawn that green and I hand you now a red pen and ask you to draw one.

Mr. TOBIAS. Do you want me to draw another one?

Mr. JENNER. Yes; let's mark it "Tobias Exhibit No. 2," first.

(The witness marks the instrument referred to as requested by Counsel Jenner.)

Mr. JENNER. All right; draw me a plat of the building on the ground floor, that is the bottom surface.

(Witness Tobias drew the plat requested by Counsel Jenner.)

Mr. JENNER. Now, Mr. Tobias has drawn a U-shaped outline.

Mr. TOBIAS. This is all trees and shrubs in here.

Mr. JENNER. In the U portion, that is a court or a patio, is it?

Mr. TOBIAS. Yes.

Mr. JENNER. And that's trees and shrubs?

Mr. TOBIAS. Yes.

Mr. JENNER. Which is Elsbeth Street? You are now writing "Elsbeth Street" and this court faces on Elsbeth Street, does it?

Mrs. TOBIAS. That's right; yes, sir.

Mr. JENNER. All right.

Mr. TOBIAS. This is a private driveway through here.

Mr. JENNER. Does the private driveway swing around to the rear?

Mr. TOBIAS. And this is a line back here, a property line. Now, this is Davis Street here.

Mr. JENNER. All right, write Davis Street on there lengthwise, will you?

Mr. TOBIAS. Like that. [Complied with request of Counsel Jenner.]

Mr. JENNER. Now, does this private driveway enter on Elsbeth Street?

Mr. TOBIAS. The private driveway comes off from Elsbeth.

Mr. JENNER. Put an arrow there, will you?

Mr. TOBIAS. That's it.

Mr. JENNER. And that's the private driveway?

Mr. TOBIAS. Now, his apartment was this one here.

Mr. JENNER. Draw a line across there, and put in the apartment number.

Mr. TOBIAS. No. 2.

Mr. JENNER. And at what address?

Mr. TOBIAS. This is 604.

Mr. JENNER. All right; write that in there, and now we've got that located.

Mr. TOBIAS. [Witness complied with request of Counsel Jenner.] He had an outside entrance—this is another apartment here, No. 1.

Mr. JENNER. Also on the ground floor?

Mr. TOBIAS. Also on the ground floor. They both used the same entrance here.

Mr. JENNER. Put an "X" there.

Mr. TOBIAS. All the rest of the apartments—of course, there is an apartment

here, and the same here [indicating]. It's two-story and the same thing upstairs.

Mr. JENNER. What is the apartment number that is right in back of that patio?

Mr. TOBIAS. This is No. 6.

Mr. JENNER. And the one to the right?

Mr. TOBIAS. This is No. 5.

Mr. JENNER. And the one in front of that?

Mr. TOBIAS. This is my apartment here.

Mr. JENNER. Number what?

Mr. TOBIAS. No. 7.

Mr. JENNER. And what address is that on Elsbeth?

Mr. TOBIAS. This is 602.

Mr. JENNER. All right. Write that in and now we've got it. Now, what I want you to tell me about—is—tell me about that patio, how big is it?

Mr. TOBIAS. Oh, let's see, that must be 25 to 30 feet deep.

Mr. JENNER. How far across?

Mr. TOBIAS. About the same thing across.

Mr. JENNER. Does it have shrubbery and trees?

Mr. TOBIAS. You see, you have a front door—this is our front entrance here.

Mr. JENNER. Will you put a little square there?

Mr. TOBIAS. For these two apartments and for these three apartments here—

Mr. JENNER. I asked Mrs. Tobias, and I'm going to ask you this, because you are more accustomed to this sort of thing. Could a man stand in that patio and dry sight a firearm or a weapon and not be noticed?

Mr. TOBIAS. In the summertime—yes; because along here is shrubbery and along here is shrubbery. [Indicating.]

Mr. JENNER. Now, would you put a figure in there, because we need it for the record and let's call that your first figure here—let's put an "A" in there, and the other one "B". Now, those are shrubs or shrubbery?

Mr. TOBIAS. That's right; and there is a brick wall across here.

Mr. JENNER. How high is that brick wall?

Mr. TOBIAS. That's about 18 inches.

Mr. JENNER. Just a low wall?

Mr. TOBIAS. Yes; and there are shrubs on the outside of that wall and on the inside of the patio area here and in here in the center I have a round circle dug out and have got some kind of grass that grows right on there but that wouldn't amount to nothing.

Mr. JENNER. That shrubbery that is facing on Elsbeth Street, how tall is that?

Mr. TOBIAS. This shrubbery, now, faces these buildings here and it faces this apartment here.

Mr. JENNER. The "A" shrubbery faces the 604 address bank of apartments, and the "B" shrubbery faces your apartment?

Mr. TOBIAS. Yes; No. 7. Now, this shrubbery is about 3 to 4 feet high.

Mr. JENNER. That's the "A" shrubbery?

Mr. TOBIAS. Yes. This shrubbery over here is not so high because some of it died on me and I had to dig it up, but here now I have a big tree.

Mr. JENNER. When you say "here," you are pointing to the center?

Mr. TOBIAS. Up here I have two pieces of shrubbery on each side of that.

Mr. JENNER. The tree is what kind of a tree?

Mr. TOBIAS. It's a fir tree.

Mr. JENNER. It's solid right down to the ground?

Mr. TOBIAS. That fir is up there maybe 25 feet high.

Mr. JENNER. So, somebody could stand behind the tree, and dry sight a rifle and not be seen from Elsbeth Street?

Mr. TOBIAS. That's right.

Mr. JENNER. Now, pursuing this same subject—first, Elsbeth Street runs in what direction?

Mr. TOBIAS. North and south.

Mr. JENNER. Which is the north end—the 604 side or your side?

Mr. TOBIAS. Let me see, now. I get confused in directions.

Mr. JENNER. Well, let's put an "N" there for north and put an "S" up there for south and then over this way is to the east.

Mr. TOBIAS. And this is west.

Mr. JENNER. And if that is west, then this must be south and this must be north.

Mr. TOBIAS. This is just exactly the way the apartment sets; this is west here.

Mr. JENNER. Put a "W" there and put an "E" up at the top for east.

Mr. TOBIAS. I get confused with this direction myself here.

Mr. JENNER. Calling your attention to the rear entrance from the parkway, the driveway, what is there to the north of that, another building?

Mr. TOBIAS. There is a house here.

Mr. JENNER. A single-family dwelling?

Mr. TOBIAS. Yes; an old lady 80 years old lives there.

Mr. JENNER. And is that all open except for that house?

Mr. TOBIAS. That's right. This is a regular driveway. We have our driveway here and she has her driveway too, you see.

Mr. JENNER. All right; put another driveway in there. I'm going to mark that second driveway, if I might. [Counsel Jenner marked the instruments as stated.] There is a single-family dwelling, then?

Mr. TOBIAS. She keeps—this old lady there keeps roomers.

Mr. JENNER. She does?

Mr. TOBIAS. What I mean, she just has just a room.

Mr. JENNER. Is that house about in here?

Mr. TOBIAS. Yes; that would be on the other side of the driveway here.

Mr. JENNER. The other side of where I have marked this second driveway?

Mr. TOBIAS. Yes; facing Elsbeth.

Mr. JENNER. What is the open space, say, between your building line and the single family dwelling?

Mr. TOBIAS. Oh, that must be—that can't be more than 25 feet because there are 2 driveways there.

Mr. JENNER. Could a man dry sighting a weapon, holding a rifle outside that rear entrance, do so without being detected and without people noticing it?

Mr. TOBIAS. Well, you've got the streets on Elsbeth and people in that house might see it, because her roomers are right there by that door.

Mr. JENNER. Now, people who are passing by or looking out of your window or looking out from this rooming house could see that?

Mr. TOBIAS. Yes.

Mr. JENNER. Did anybody ever say anything to you about Oswald having a weapon?

Mr. TOBIAS. No.

Mr. JENNER. A firearm?

Mr. TOBIAS. No.

Mr. JENNER. Using it—sighting it?

Mr. TOBIAS. No.

Mr. JENNER. Was there ever an occasion when you noticed that there had been brought near the premises or on it or in his possession a package?

Mr. TOBIAS. No; I never did see it because he always used his back door and I was over on the other side.

Mr. JENNER. If you will pardon me—a package that to you you would recognize as a rifle?

Mr. TOBIAS. No.

Mr. JENNER. That possibly was a rifle?

Mr. TOBIAS. No.

Mr. JENNER. Or, a bunch of curtain rods or window shades or something of that nature?

Mr. TOBIAS. No. No; I've never seen nothing like that. I don't even remember the parcel post man ever leaving anything there—a package or anything. I never was in his apartment but twice, I don't think, while he lived there. I went in there with the exterminators twice, once a month, and we exterminated the place for cockroaches, that's one thing we don't like around here, and, of course, I had to get her permission to go in there.

Mr. JENNER. Did you speak with Marina?

Mr. TOBIAS. Yes; and she was an awful nice girl.

Mr. JENNER. She was?

Mr. TOBIAS. Yes; she was.

Mr. JENNER. Did she understand you when you spoke to her?

Mr. TOBIAS. Well, she was—would come out in her front yard—I sat in her front yard a lot and she would come out and bring the baby out and, of course, I think she could talk more English than what she put on she could, because he didn't want her to anyway.

Mr. JENNER. How do you know that?

Mr. TOBIAS. Because she told the wife that he didn't want her to learn it.

Mr. JENNER. Did she give any reason?

Mr. TOBIAS. Yes; she said people will be mean to her. She got acquainted with them. She got acquainted with them, and she used to come over to the house and sit with the wife a lot and the wife would talk to her.

Mr. JENNER. And you moved in and around a lot, did you?

Mr. TOBIAS. Do you mean me—I was out around a lot?

Mr. JENNER. Yes; I mean you—you were around and you saw her with the child and you saw her in the apartment?

Mr. TOBIAS. Yes; I was around all the time—there is no night that goes by before I got to bed that I don't make a trip around the house.

Mr. JENNER. You had an accident; when was that?

Mr. TOBIAS. In October, I think it was.

Mr. JENNER. And were you confined in your apartment for quite a while?

Mr. TOBIAS. Yes; I was there a week before I went to the hospital and I was in the hospital a week or better, and then I come home and I didn't do much but lay around—I had an awful concussion.

Mr. JENNER. That's what I understand—are you feeling better now?

Mr. TOBIAS. Oh, I'm getting along all right now, only lost the hearing out of this ear.

Mr. JENNER. But you did see Marina in and around your apartment and you saw her out in the walk, walking the baby and she was friendly, was she?

Mr. TOBIAS. She was always friendly.

Mr. JENNER. A very nice girl?

Mr. TOBIAS. Yes.

Mr. JENNER. Clean and neat?

Mr. TOBIAS. Yes.

Mr. JENNER. And attended to her child?

Mr. TOBIAS. Well, she took care of her baby, that's for sure, and it was always clean.

Mr. JENNER. And she attempted to be pleasant and talk to you people to the limited extent she was able to do, is that a fair statement?

Mr. TOBIAS. I didn't hear you.

Mr. JENNER. I mean, she would say a few words to you—she had a limited command of English?

Mr. TOBIAS. That's right.

Mr. JENNER. But you tried to communicate with her and she with you?

Mr. TOBIAS. Yes.

Mr. JENNER. At least to a limited extent?

Mr. TOBIAS. Well, I talked to her and, of course, she wouldn't say nothing back and Oswald, I tried to talk to him several times and all I could get of him was a grunt. He was a kind of a guy that wouldn't talk to you at all.

Mr. JENNER. Is that right?

Mr. TOBIAS. Yes; and he was a peculiar duck.

Mr. JENNER. How did your other tenants feel toward Oswald?

Mr. TOBIAS. Well, they didn't like it.

Mr. JENNER. They didn't like what?

Mr. TOBIAS. They didn't like the way he beat her all the time.

Mr. JENNER. They complained to you that he manhandled her?

Mr. TOBIAS. Yes; there was one man that came over there one night and he told me, he said, "I think that man over there is going to kill that girl," and I said, "I can't do a darn thing about it." I says, "That's domestic troubles

and I don't jump into a man and a woman's fighting," which I don't. If he hurts her bad, then I'll have to take it up, but not until, so he knocked a window out of the back door.

Mr. JENNER. When was that, when did that occur?

Mr. TOBIAS. Sir?

Mr. JENNER. When did that occur?

Mr. TOBIAS. While he was living there—along toward the last. I think it was the last month he was there.

Mr. JENNER. How did that come to your attention?

Mr. TOBIAS. Well, I was going by there—and I cleaned the halls, and I was sweeping out the hall and I seen the window was broken and I spoke to him about it and he said, "I'll get it in" and he never did get it in.

Mr. JENNER. Did he tell you how it happened?

Mr. TOBIAS. No.

Mr. JENNER. Did he have any covering up over it?

Mr. TOBIAS. He got to fighting so much around there that I told the man that owned it, Mr. Jurek, so him and his wife went over there one night and told him that he was making too much noise with their fighting and they had to quit or move, so they moved.

Mr. JENNER. You found this fellow pretty close-mouthed and laconic?

Mr. TOBIAS. Yes; he was—he didn't say nothing to nobody.

Mr. JENNER. On the other hand, you found her to be pleasant, neat and a delightful young lady?

Mr. TOBIAS. That's right.

Mr. JENNER. A good mother?

Mr. TOBIAS. She came over too, when he came over to use the telephone.

Mr. JENNER. When was that—do you remember a particular incidence?

Mr. TOBIAS. Oh, well, one time—yes—somebody by the name of George called.

Mr. JENNER. Did you answer the phone on that occasion?

Mr. TOBIAS. No; mother answered it and I don't hardly ever answer the phone because I can't hear good and this fellow wanted Oswald and she asked him, I understand, who it was and she said it was George and I went over and told Oswald that he was wanted on the phone and they came over there and they both talked and they both talked in their language.

Mr. JENNER. You heard his end of the telephone conversation, did you?

Mr. TOBIAS. No; you couldn't—because they talked in their language.

Mr. JENNER. You heard him, is all I asked you?

Mr. TOBIAS. All I could hear—I could hear him talking but I didn't know what they were talking about.

Mr. JENNER. You were present in the room, is all I mean.

Mr. TOBIAS. Yes; we were there.

Mr. JENNER. And you heard him speak over the telephone?

Mr. TOBIAS. Yes.

Mr. JENNER. And he spoke in some foreign tongue?

Mr. TOBIAS. Yes.

Mr. JENNER. Which you couldn't understand?

Mr. TOBIAS. That's right.

Mr. JENNER. And the whole conversation was in this foreign tongue?

Mr. TOBIAS. Yes; they both talked.

Mr. JENNER. You didn't hear the other fellow on the other end?

Mr. TOBIAS. Oh, no.

Mr. JENNER. You assumed that he was likewise talking in the same language?

Mr. TOBIAS. I imagine so—yes.

Mr. JENNER. Were you curious about that?

Mr. TOBIAS. Yes—I didn't like it, because when anybody says anything, I like to know what they are talking about.

Mr. JENNER. Did you say anything to him about it?

Mr. TOBIAS. No; because it's a private phone and I pay my own phone bill, and I don't figure it's up to the people in the apartments to be using my phone all the time, and we let him understand that.

Mr. JENNER. You did?

Mr. TOBIAS. Yes.

Mr. JENNER. Did you ask him what language that was he was speaking in?
Mr. TOBIAS. Well, he came over—when he first came in he told us he was Czech.

Mr. JENNER. When was this—this 3 weeks other time?

Mr. TOBIAS. No; that was after he moved in, and my landlady is Czechoslovakian.

Mr. JENNER. Your landlady is Czechoslovakian?

Mr. TOBIAS. My landlady is Czechoslovakian herself, and so one day when Marion was over at the house, Mrs. Oswald was in there—she had come in there and sat down.

Mr. JENNER. This was an occasion when Marina, or do you mean the landlady, Marion came in?

Mr. TOBIAS. I say Mrs. Jurek was there.

Mr. JENNER. Mrs. Jurek was in your apartment?

Mr. TOBIAS. Yes; she came to collect the rent and Mrs. Oswald was in there.

Mr. JENNER. She was visiting?

Mr. TOBIAS. And my wife says, "Mrs. Jurek, Mrs. Oswald is Czechoslovakian." Mrs. Jurek says, "All right, speak something. I'm Czech too." She says, "No, we're not Czech, we're Russian, but my husband doesn't want us to say that because people will be mean to us."

Mr. JENNER. How do you know she said that?

Mr. TOBIAS. I was there.

Mr. JENNER. Did you hear Marina say, "No; I'm not Czech, I'm Russian."

Mr. TOBIAS. Yes.

Mr. JENNER. "And my husband doesn't want people to know that because people will be mean to me?"

Mr. TOBIAS. Yes.

Mr. JENNER. She said that much in English so that you would understand it?

Mr. TOBIAS. Yes, sir.

Mr. JENNER. That's quite a bit of English.

Mr. TOBIAS. Well, I know. That's what I'm trying to tell you—she knew more English than she let on she did.

Mr. JENNER. That's of interest to us—she was able to communicate that whole idea to you in English?

Mr. TOBIAS. That's right.

Mr. JENNER. And did she speak some Russian then to this lady?

Mr. TOBIAS. No—after she told Mrs. Jurek she was Russian, that was it, because Mrs. Jurek didn't—she was Czech and she didn't know no Russian.

Mr. JENNER. I take it that Marina visited in your apartment rather frequently?

Mr. TOBIAS. Oh, she come over there very seldom—she came over there.

Mr. JENNER. Very seldom?

Mr. TOBIAS. Yes; she come over there a couple of times a week.

Mr. JENNER. She did come over that often, though?

Mr. TOBIAS. Yes; she would come over there and sit and the wife would talk to her, because my wife is a great hand to sew, and she would watch the wife and the little baby would play, but what burned me up—I'm a great lover of children, and when I tried to get next to that little baby sitting in a wheelchair—

Mr. JENNER. In a stroller?

Mr. TOBIAS. In a stroller and as I would walk up to it and try to talk to it, she just acted as if she was scared to death.

Mr. JENNER. Is that so—was that unusual?

Mr. TOBIAS. Well, it is to me.

Mr. JENNER. I mean, in your experience?

Mr. TOBIAS. Yes; because I haven't found a baby yet that I couldn't take over.

Mr. JENNER. Did you finally win the baby over?

Mr. TOBIAS. No—they didn't stay there that long. That's why he moved—he moved in that trailer, in that stroller.

Mr. JENNER. When was that?

Mr. TOBIAS. That was after—when he left my place. When he moved from

my place up around the corner around a block and a half and he moved everything in that stroller.

Mr. JENNER. Was that after the owners of the building had come and told him that he was making too much noise or too much trouble and that they suggested he might find another apartment?

Mr. TOBIAS. That's right.

Mr. JENNER. Let's see, this was on a Sunday, wasn't it, March 3?

Mr. TOBIAS. Well, now—I think that he stayed there, a couple of days, if I'm not mistaken over his rent period.

Mr. JENNER. He had paid his rent, though?

Mr. TOBIAS. Yes; he had paid his rent. You see, the last month that he paid, the books will show you that he come in there with \$60 and that's all he had, he said, and then he would come back later with the \$8, which he did do.

Mr. JENNER. Mrs. Tobias has furnished your rent receipts and we have recited that into the record, so we have a record of that. He didn't move out on the 3d, he lacked a couple of days, is that right?

Mr. TOBIAS. Well, there might have been a day or two in there in his getting out.

Mr. JENNER. Did he pay for those extra days?

Mr. TOBIAS. No.

Mr. JENNER. Did you ever ask him to pay?

Mr. TOBIAS. No—I didn't. We asked him to pay for the window, but he didn't pay for it either.

Mr. JENNER. Did he ever come back and ask you for his \$5 deposit, the key deposit?

Mr. TOBIAS. No, he never did—not to me.

Mr. JENNER. Did he surrender the key?

Mr. TOBIAS. Yes.

Mr. JENNER. What was the appearance of the apartment when he moved out?

Mr. TOBIAS. I didn't understand it.

Mr. JENNER. What was the appearance of the apartment when he moved out?

Mr. TOBIAS. Well, it was in pretty good shape.

Mr. JENNER. It was?

Mr. TOBIAS. It was pretty clean—there was one thing I noticed and that was when I went in there with the exterminator—we have beds in there, the beds that we have in there has these kind of bookshelves at the top of them, and he had worlds and worlds of books.

Mr. JENNER. He did?

Mr. TOBIAS. They were all Russian—you would see this Russian and this Russian and this Russian and that, but I didn't touch one of them.

Mr. JENNER. But they were either Russian language books?

Mr. TOBIAS. Well, that I don't know.

Mr. JENNER. Well, they were books about Russia?

Mr. TOBIAS. They were on Russia, because the headline on the side of it here was Russian.

Mr. JENNER. On the heel of the book?

Mr. TOBIAS. And it would just be Russian I or Russian II or something like that and that was to me kinda—looked kinda odd to me; of course, I didn't think nothing of it.

Mr. JENNER. Were they subscribers to newspapers?

Mr. TOBIAS. I think he took the Morning News, if I'm not mistaken.

Mr. JENNER. He paid the rent promptly?

Mr. TOBIAS. Yes; by the month.

Mr. JENNER. By the month and in cash?

Mr. TOBIAS. That's right, and the only time he got behind was that one month—that one time there with the \$8 and then he made that up.

Mr. JENNER. Did you ever discuss with him where he was working?

Mr. TOBIAS. No.

Mr. JENNER. How he was making his money?

Mr. TOBIAS. No; you didn't discuss nothing with that boy.

Mr. JENNER. He didn't volunteer it and even if you tried, you couldn't have gotten anything—is that about it?

Mr. TOBIAS. His card—when he made out his card—when he made out his card, that's where I slipped up a little, I guess. He made out his card that he was in the service. Of course, I should have questioned him more, which I didn't do, but in the business in the apartment house you get so darned many jokers in there.

Mr. JENNER. I wouldn't doubt it—was there an occasion when Marina moved out for a short time?

Mr. TOBIAS. Yes.

Mr. JENNER. Describe that, please.

Mr. TOBIAS. Well, now, this is when I was goofy-headed.

Mr. JENNER. You mean that followed your accident?

Mr. TOBIAS. I hadn't been home from the hospital very long, but we came back from somewhere—I don't know where, and we seen a car out there and they were loading it up and the wife jumped out of the car and she said, "Well, I guess the Oswalds are moving. We'll find out."

She goes around and goes in the front door and back down to the door and she meets a man and she says, "What are they doing—moving out?" And he tells her that he's moving Mrs. Oswald away for a short time. So, I don't know whether it was the same guy or another guy, but anyway, there was a fellow that came around to the front with an armload of stuff—but the man I seen was a tall man, about 6-foot tall and dark complected and a slight mustache. That was the man that I saw.

Mr. JENNER. How big a man was he?

Mr. TOBIAS. He was a tall man—6-foot tall.

Mr. JENNER. At least 6-foot—he might have been taller?

Mr. TOBIAS. He could have been taller.

Mr. JENNER. How tall are you, Bob?

Mr. DAVIS. Six foot four inches.

Mr. JENNER. Mr. Davis will stand up and he is 6 foot 4 inches.

Mr. TOBIAS. He was about like him—maybe a little shorter, but just about that height.

Mr. JENNER. About that build?

Mr. TOBIAS. Yes—just about the same build.

Mr. JENNER. What did he weigh—a couple of hundred pounds or a hundred and ninety?

Mr. TOBIAS. Well, probably a hundred ninety to two hundred pounds.

Mr. DAVIS. I weigh about 195.

Mr. TOBIAS. That's what I weigh.

Mr. JENNER. What did this man say?

Mr. TOBIAS. He said he was moving Mrs. Oswald for a few days—he told the wife that. He never said nothing to me.

Mr. JENNER. Did you see the automobile they were in?

Mr. TOBIAS. Yes.

Mr. JENNER. What was it?

Mr. TOBIAS. It was a convertible—a red one.

Mr. JENNER. Red?

Mr. TOBIAS. Yes.

Mr. JENNER. Do you know what make it was?

Mr. TOBIAS. No, I don't—I had seen it there before.

Mr. JENNER. When did this occur?

Mr. TOBIAS. Well, I guess maybe she moved out in March.

Mr. JENNER. Was—with respect to your illness, was it before your illness or after—before your accident or after?

Mr. TOBIAS. That was after my accident. You see, I was goofy-headed right around in that period of time.

Mr. JENNER. From your concussion?

Mr. TOBIAS. Yes; in fact, I have been goofy-headed all of my life, but I was worse then.

Mr. JENNER. You said you saw this red convertible around the apartment on prior occasions?

Mr. TOBIAS. Well, I had seen the car there once before.

Mr. JENNER. At least once?

Mr. TOBIAS. Yes.

Mr. JENNER. It might have been more?

Mr. TOBIAS. Well, no, I won't say any more than that, but I know I have seen it there once before that time.

Mr. JENNER. Had you seen this man there before?

Mr. TOBIAS. No; I never seen him before. You see, they can drive right down that driveway and park in front of this door here, and I couldn't see them.

Mr. JENNER. Well, they could come in from the rear, couldn't they, they could come in off of Davis Street?

Mr. TOBIAS. Well, they could come up around off of Davis and come up through here too.

Mr. JENNER. Did they have anybody visit there, in addition to this man?

Mr. TOBIAS. Well, there was a lady came there to see about the baby one day and she said she had got a call that the baby was sick and they didn't have no money to buy it any medicine and my wife took her over there and she said she had been trying to get in, but there wouldn't nobody answer the door and my wife went over there and she hammered on the door and Oswald, instead of him coming to the front door, he goes out this back door and comes all the way around to the front.

Mr. JENNER. That's kind of strange.

Mr. TOBIAS. That's right—that's the kind of guy he was, and then there was a blonde headed woman there one time.

Mr. JENNER. A blonde?

Mr. TOBIAS. She was looking for Oswald—for the Oswalds, too.

Mr. JENNER. Describe her?

Mr. TOBIAS. She got in and she went in the house.

Mr. JENNER. Would you describe her, please?

Mr. TOBIAS. Well, I imagine she weighed around 120 pounds and was around 5 foot 3 inches or 4 inches.

Mr. JENNER. A slender woman?

Mr. TOBIAS. Yes; she was a slender, blonde headed—a pretty woman. This other woman that came there wanted to see about the baby, and she was kind of a dark-haired woman and I imagine she would weigh around 100 pounds or 110, but she was rather short, she was about 5 feet tall.

Mr. JENNER. She was 100 pounds and 5 feet what?

Mr. TOBIAS. She was around 5 foot—she wasn't too large.

Mr. JENNER. She was kind of slender too, then, a little heavier than the other one?

Mr. TOBIAS. Yes, she was a little heavier.

Mr. JENNER. Did either of these ladies identify themselves in any way?

Mr. TOBIAS. No.

Mr. JENNER. Did either of them say they lived in Dallas or worked in Dallas?

Mr. TOBIAS. Well, let me see—there's one of them, I think this dark-headed woman, said she worked here in Dallas.

Mr. JENNER. Is that the one you described first?

Mr. TOBIAS. No; the dark-headed woman—the blonde—I don't know about her, the wife talked to her.

Mr. JENNER. Did you see the Oswalds after they left, after they moved out of the apartment?

Mr. TOBIAS. Yes; I don't know that I ever seen him, but I seen her as she went by the house a couple of times wheeling the baby and I didn't even know where they moved to until one night my car was in a wreck and I didn't have nothing and the wife and I walked a lot and I went around the corner and I seen her upstairs in an apartment window and that was where they moved to. I don't know how long they stayed there. She went by the house not more than 3 or 4 weeks ago here and she had a bunch of men in the car one night and waved—she knew me.

Mr. JENNER. She waved to you 2 or 3 weeks ago?

Mr. TOBIAS. Yes.

Mr. JENNER. Did you get a good look at her?

Mr. TOBIAS. Yes.

Mr. JENNER. You recognized her?

Mr. TOBIAS. Oh, yes—she was sitting in the back seat. She had the little girl with her.

Mr. JENNER. Was that a convertible?

Mr. TOBIAS. No, no; that was a big car—I don't know what kind of car it was.

Mr. JENNER. You have seen some pictures of Jack Ruby posted in the newspaper and on television?

Mr. TOBIAS. Yes.

Mr. JENNER. This man that came to move Marina out of there for a temporary visit, did he look like Jack Ruby?

Mr. TOBIAS. No.

Mr. JENNER. How long was she away?

Mr. TOBIAS. Oh, she wouldn't have been away, well, I imagine she was gone about 2 weeks. I never did know when she came back.

Mr. JENNER. She was gone temporarily, a week to 2 weeks, or something of that kind?

Mr. TOBIAS. She was gone longer than that—she was gone a couple of weeks at least.

Mr. JENNER. Did she ever talk to you about that sojourn of hers?

Mr. TOBIAS. No.

Mr. JENNER. Did you ever ask her?

Mr. TOBIAS. No.

Mr. JENNER. Did your wife?

Mr. TOBIAS. I didn't ask her nothing.

Mr. JENNER. Do you know whether your wife did?

Mr. TOBIAS. No—I don't know whether she did or not.

Mr. JENNER. At least your wife never reported it to you?

Mr. TOBIAS. If my wife said anything, or if she had said anything to my wife, she would have told me. My wife and I been together 43 years.

Mr. JENNER. Give me your observations, I know you have already done it to some extent, but give me your observations as to the personality of this man.

Mr. TOBIAS. Ruby?

Mr. JENNER. No.

Mr. TOBIAS. You mean Oswald?

Mr. JENNER. Yes—you saw him off and on for about 4 months.

Mr. TOBIAS. Well, now, he was the kind of a guy that went around with his lips tight and if you did say anything to him he would answer you just as darn quick as he could and just be sharp as he could and so he didn't have to do that to me only a couple of times and I didn't say nothing more to him.

Mr. JENNER. You got the message?

Mr. TOBIAS. And I figured that if he didn't want to talk to me, I didn't want to talk to him. He come over and paid his rent, he paid his rent and I give him a receipt, and that was all there was to it.

Mr. JENNER. You never had any pleasantries on that occasion?

Mr. TOBIAS. No, no; there was no good morning or no good night or nothing about it, and he would get up and go to the store to get the groceries and she would carry the groceries and he would lead the way.

Mr. JENNER. You saw that on more than one occasion?

Mr. TOBIAS. I saw it a lot of times.

Mr. JENNER. She did the lugging?

Mr. TOBIAS. Yes—sure.

Mr. JENNER. Did he have an automobile?

Mr. TOBIAS. No.

Mr. JENNER. Was there ever any conversation with him or conversation occurred in your presence as to whether he could drive an automobile?

Mr. TOBIAS. No—no.

Mr. JENNER. And when they moved away, they moved away in the perambulator?

Mr. TOBIAS. They moved away in that stroller.

Mr. JENNER. They couldn't have had very much in the way of household equipment?

Mr. TOBIAS. They didn't have very much—all he had was books and what little dishes they had and that wasn't very many and the baby bed.

Mr. JENNER. You did see Marina from time to time after they moved out of the apartment?

Mr. TOBIAS. Well, I have seen her maybe, I'll say three or four times—that's all I've seen her. She would go by and she would always wave a hand at me and she would go down—I don't know to where to heck she ever went to, but she always—when she was even living there, she would go out onto Davis and I would watch her as she would go on up to Zangs Street going towards town. Whether she was going to go see somebody or just going for a walk, that, I don't know.

Mr. JENNER. Mr. Tobias, is there anything that occurs to you that you think might be helpful to the Commission?

Mr. TOBIAS. No; I told you just like I told the FBI—I have tried to be honest with all them and I have sat down and studied it and after the FBI had come out there and see if I could think of anything else and I told you just like I told the other 10—there has been 10 of them out there. I even had one guy from the Detroit Times down there. Of course, I was raised in Michigan and I told him to keep my name out of it and he did and he didn't put it in there. All my people are up there and I didn't want them to get tangled up in it.

Mr. JENNER. Well, I have concluded my questioning. If there is nothing further you want to add, we appreciate this very much, your coming in, and you might think that you are not furnishing us anything, but there are kernels, you know, and pieces of the puzzle—there are small ones and big ones. I offer Tobias Exhibit No. 2 in evidence.

Mr. TOBIAS. Well, like I told my wife—anytime we can help out we will and if you want us again, we are willing.

Mr. JENNER. I appreciate your cooperation. These are your original receipt books and we have recited them in the record and now return them to you and thank you very much for bringing them.

Mr. TOBIAS. I have one of these I keep ever since I been in that apartment and I been there for 3 years and a half and I have got every receipt I ever wrote and I keep it on records and lots of times I have to go back to them and there's only one person that doesn't get into them and that's the credit department.

Mr. JENNER. By the way, Mr. Tobias, this deposition will be written up in due course and you may read it and sign it. If you wish, you may waive that—it's a privilege and a right you have if you want to sign it, and if you want to waive it that's all right.

Mr. TOBIAS. It would be sent to me?

Mr. JENNER. You would have to come in here to read it.

Mr. TOBIAS. Okay.

Mr. JENNER. If you want to come in and read it you call Barefoot Sanders' office, that's the U.S. Attorney's Office, and they will tell you when it is ready to be read. Mrs. Tobias decided she would forego that privilege—she didn't want to come in and read it.

Mr. TOBIAS. Well, I'll talk to her too.

Mr. JENNER. Okay; you'll call in and Mr. Sanders will probably call you, but you will hear from him.

Mr. DAVIS. Thank you very much.

[At this point Mrs. Tobias, the wife of the deponent, entered the deposing room.]

Mr. TOBIAS. The wife wants to talk to you about something.

Mr. JENNER. All right.

Mrs. TOBIAS. Now, you said something about signing this; how is that going to be?

Mr. JENNER. Well, your husband decided he would like to see his and you might like to see yours, so you might as well see yours?

Mrs. TOBIAS. You will call us—you will let us know?

Mr. TOBIAS. We will come in here, mother, and if you want to sign it, and if you don't want to sign it we won't sign it.

Mrs. TOBIAS. Okay.

Mr. JENNER. Now, wait a minute—you come down and read it and if there

are any errors in it, that you want to correct, you correct them, but you aren't going to refuse to sign it, are you?

Mr. TOBIAS. No; I don't imagine I will.

Mrs. TOBIAS. Do you know what he said, Mr. Jenner?

Mr. JENNER. What?

Mrs. TOBIAS. We got this letter and he said, "I thought we was going to get around this Warren Commission—I didn't think we were going to have to go before the Warren Commission."

Is this going to be the end of it or is there still going to be some more?

Mr. JENNER. Well, I can't tell you whether it will be the end of it or not.

Mrs. TOBIAS. Well, we may go from here—that letter said any place in the United States and if it did we would have to go; okay?

Mr. JENNER. That's right. If you have to come to Washington, your transportation will be paid.

Mr. TOBIAS. That's all right, but just make it summertime.

Mrs. TOBIAS. Well, of course we will be glad to come.

Mr. JENNER. All right, thank you both for coming.

TESTIMONY OF MRS. JESSE GARNER

The testimony of Mrs. Jesse Garner was taken on April 6, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mrs. Jesse Garner, 4911 Magazine Street, New Orleans, La., after being sworn by Mr. Wesley J. Liebeler, examiner, testified as follows:

Mr. LIEBELER. My name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy. Staff members have been authorized to take testimony from witnesses by the Commission pursuant to authority granted to the Commission by Executive Order No. 11130 dated November 29, 1963, and joint resolution of Congress No. 137.

I understand, Mrs. Garner, that Mr. Rankin wrote to you and your husband last week advising you I would contact you concerning the taking of your testimony.

Mrs. GARNER. Yes; he did.

Mr. LIEBELER. And that he enclosed with the letter a copy of the Executive order and of the joint resolution to which I have referred, as well as a copy of the rules of procedure adopted by the Commission relating to the taking of testimony of witnesses. Is that not correct?

Mrs. GARNER. That's right.

Mr. LIEBELER. We wish to inquire of you today, Mrs. Garner, concerning your knowledge of Lee Harvey Oswald which you may have gained as a result of your being the manager or one of the managers of the apartment building in which Oswald lived while he was in New Orleans from approximately May through September 1963. Before we get into the details of that, however, would you state your full name for the record?

Mrs. GARNER. Mrs. Jesse Garner.

Mr. LIEBELER. Where do you live?

Mrs. GARNER. 4911 Magazine.

Mr. LIEBELER. Where were you born?

Mrs. GARNER. Vacherie, La.

Mr. LIEBELER. Have you lived all of your life in Louisiana?

Mrs. GARNER. Yes.

Mr. LIEBELER. Can you tell us when you were born?

Mrs. GARNER. March 16, 1919.

Mr. LIEBELER. Am I correct in understanding that you and your husband are the managers of the premises known as 4905-11 Magazine Street here in New Orleans?

Mrs. GARNER. Yes; we are.

Mr. LIEBELER. How long have you been the managers of those premises?

Mrs. GARNER. Four years.

Mr. LIEBELER. Will you describe briefly for us the nature of the premises?

Mrs. GARNER. The house, do you mean?

Mr. LIEBELER. Yes.

Mrs. GARNER. Well, it is a double house. I live in one side, and the other side has two apartments, and I have two apartments in the back, unattached to the house, upstairs and downstairs.

Mr. LIEBELER. Am I correct in understanding that the half of the house in which you and your husband live is known as 4911 Magazine Street?

Mrs. GARNER. Right.

Mr. LIEBELER. And the front apartment, which I understand is one-half of the rest of the house—

Mrs. GARNER. Yes.

Mr. LIEBELER. That is 4907 Magazine Street?

Mrs. GARNER. Right.

Mr. LIEBELER. In the rear of the other side of the house is a separate apartment numbered 4905 Magazine Street?

Mrs. GARNER. Right.

Mr. LIEBELER. Did there come a time in the spring of 1963 when you made the acquaintance of Lee Harvey Oswald?

Mrs. GARNER. When I talked to them, or what?

Mr. LIEBELER. Yes.

Mrs. GARNER. Or when I rented him the place?

Mr. LIEBELER. How did you first come in contact with him, and what was your conversation with him, and what was the result of the conversation you had?

Mrs. GARNER. The only thing was when he come to rent the apartment, there was another lady that brought him but they were in the car, but I didn't notice the car. I didn't pay attention, and when she came to the door to ring the bell, she told me he was looking for an apartment and his mother and her was good friends, and she knew him from a baby. Little Lee she called him, and that she had two places, I don't remember exactly where she said—I think somewhere on Prythania, and he went there first and they never had nothing empty, and she took him riding and they saw my sign and stopped. I showed him the apartment, and she took him through it, and she said it was very nice. She looked at the screen porch and said it would be very nice for the baby. We stood on the screen porch, and he asked me did I have any table lamps, they didn't have any and his wife was going to come later, and we stood on the porch talking and she was telling me how long she knew him, since he was a little boy, and she was friends with his mother and he had gotten married overseas, and she hadn't met his wife and hadn't seen him for a long time, and that is when he took a picture out of his wallet and showed a picture of his wife and baby. Not the baby, I don't think he had a picture of the baby. Maybe he did, I don't remember. Well, I told him, I said, well, that is nice, overseas girls make nice wives at times, because I had one living upstairs not too long before that, and I said they were real nice. He said, "Yes, one thing, they don't give you no lip." I will never forget that. That is one thing he said, and that's all I can really remember he said, and he paid me the month's rent.

Mr. LIEBELER. How much was that?

Mrs. GARNER. \$65.

Mr. LIEBELER. How did he pay that to you? Was it in cash?

Mrs. GARNER. Cash; and he said that his wife would be coming in that Sunday, the weekend you know. I think it was, it must have been on the ninth. I don't remember exactly when the ninth was. What day was it?

Mr. LIEBELER. The 9th of May, according to the calendar with which the reporter has graciously supplied us, was a Thursday.

Mrs. GARNER. Thursday. That weekend, that is when she came in.

Mr. LIEBELER. Do you remember the name of this woman that was with Oswald?

Mrs. GARNER. No; she never said her name and I didn't ask her, but I know she was a middle-aged woman in about her middle fifties or late fifties, well kept, reddish looking hair with a ball in the back, and she wore glasses; a well kept woman.

Mr. LIEBELER. Did they say specifically they had stopped at your place because they had seen the sign advertising the apartment for rent?

Mrs. GARNER. Yes; the sign, yes. She took him riding and seen the sign out.

Mr. LIEBELER. Do you remember any other conversation with either Oswald or this lady that first time you met Oswald?

Mrs. GARNER. No; that is about all, because then they left.

Mr. LIEBELER. Did Oswald move back to the apartment, or move into the apartment, before his wife came or did they come together and move in together?

Mrs. GARNER. No; he was in there a couple of days before she came.

Mr. LIEBELER. Do you remember exactly when he moved in? Did he come back later on the 9th, or did he come on the 10th?

Mrs. GARNER. The next day, the next evening.

Mr. LIEBELER. The next day. He moved in the next evening?

Mrs. GARNER. The next evening.

Mr. LIEBELER. That would have been Friday the 10th?

Mrs. GARNER. I don't know if he stayed there, but he was there.

Mr. LIEBELER. He did move some of his belongings in; is that correct?

Mrs. GARNER. Yes.

Mr. LIEBELER. Did you notice anything about his belongings, what kind of stuff he had?

Mrs. GARNER. I didn't see that. I didn't see anything of that.

Mr. LIEBELER. You didn't see any suitcases he might have had?

Mrs. GARNER. No.

Mr. LIEBELER. Do you remember when his wife came?

Mrs. GARNER. That weekend; on that Sunday. That was a Sunday.

Mr. LIEBELER. How did she arrive?

Mrs. GARNER. In this station wagon, that lady from Texas, that it had a Texas license, blue and tan station wagon or blue and white, something like that, and she also stayed a few days then when she brought the wife in, she stayed at least a week.

Mr. LIEBELER. This was a woman from Texas?

Mrs. GARNER. Yes.

Mr. LIEBELER. Whom you later learned was named Mrs. Paine? Is that correct?

Mrs. GARNER. Right.

Mr. LIEBELER. Now, did you notice how many people there were in the station wagon when it arrived?

Mrs. GARNER. No; I really didn't.

Mr. LIEBELER. Did you notice how many—

Mrs. GARNER. In fact, I didn't see the station wagon when it arrived; I didn't see it until the next day. I saw it parked out there with the Texas license and figured, you know, she had come in, his wife, because that is where he told me she was coming from, Texas.

Mr. LIEBELER. Did you later learn how many people were in the apartment, or came in the station wagon?

Mrs. GARNER. Yes; when my husband talked to Mrs. Paine outside, he told me she had two little girls. I didn't know it, I didn't see them.

Mr. LIEBELER. And did Oswald himself have a little girl?

Mrs. GARNER. A little girl, June.

Mr. LIEBELER. And Oswald's wife?

Mrs. GARNER. Yes. I didn't know she was in a family way. I didn't know she was going to have another baby when she rented the apartment, because when I first saw her she didn't look that way to me.

Mr. LIEBELER. You say Mrs. Paine stayed in the apartment about a week. Did you have any conversation with her during that time?

Mrs. GARNER. No; I never even saw the lady. I never saw her. I couldn't tell you what she looked like. My husband saw her.

Mr. LIEBELER. You say your husband had talked to her. Did he tell you what she had said?

Mrs. GARNER. No; I never asked him and he never said nothing.

Mr. LIEBELER. Did you ever have any direct contact with either Oswald or his wife after they moved into the apartment?

Mrs. GARNER. Well, the first thing, they was there a couple of weeks and I have a window fan in the kitchen, and I take the screen down to hose it and clean it, and I didn't put the screen back up. I just set it on the screen porch, and a couple of weeks later he come to me and asked me if I had a ladder and hammer, he was going to put the screen up.

Mr. LIEBELER. This was the screen that belonged on the window——

Mrs. GARNER. The screen belonged on the outside of the kitchen. I have a window fan and it gets dirty, and I take it off and hose it and clean it, but I didn't put it back. I left it on the porch, and he wanted to put it back.

Mr. LIEBELER. Was this a window fan in Oswald's kitchen?

Mrs. GARNER. It was in Oswald's kitchen, and he wanted to put the screen up and asked me was it all right to put the screen up, and asked me would I loan him a ladder and a hammer. The hooks belonged to the screen to hook the screen, they was off, but I loaned him two nails and told him to tack the screen on so far, so I could take the nails off, and that would be it, so his wife come outside in the meantime with the baby, and they was talking Russian and I couldn't understand what they were saying.

Mr. LIEBELER. Did you know it was the Russian language then?

Mrs. GARNER. No; I don't know. I just put two and two together when they come out with that Russian, but I knew she was Russian. He told me she was Russian when they come to rent the apartment. I don't know what made me say it, but I told him, I called him Lee, I said, "Lee, why don't you talk English to your little girl and your wife? That way she could learn to talk English, and when the little girl goes to school it wouldn't be as hard on her."

He said, "She has time enough to learn that," and he never had a nice word to say to me after that. I think that must have made him hate me or something like that, because he just passed me up all the time too, and never turned his head to look.

Mr. LIEBELER. Did he get the screen back up?

Mrs. GARNER. Yes; he tacked it back up, and I got my ladder and hammer back, and he never even said thank you or nothing.

Mr. LIEBELER. Did he tell you any specific reason why he didn't speak English to his wife and girl?

Mrs. GARNER. No; that's all he said, they had plenty time enough for that, something like that.

Mr. LIEBELER. Did you ever try to talk to Marina Oswald?

Mrs. GARNER. Yes; I did when she would be outside hanging clothes. I tried to talk to her and to the baby, I talked to both, and she would put her hands over her eyes and start crying. I asked her how she felt, and she would just do like this with her shoulders.

Mr. LIEBELER. She shrugged her shoulders?

Mrs. GARNER. Yes; and when she would see you she would not try to say hello, and she always wore little pedal pushers around the house with a little shirt, and her hair was straight pulled back and pinned down.

Mr. LIEBELER. This was Marina?

Mrs. GARNER. Yes.

Mr. LIEBELER. Did she have long hair?

Mrs. GARNER. Yes; long enough, about here.

Mr. LIEBELER. Down to her shoulders?

Mrs. GARNER. Yes.

Mr. LIEBELER. Did you have any other contact with Oswald yourself, personally?

Mrs. GARNER. Yes. One time I went for my rent, it was a few days past due, the rent, and I mean, you know, when you let them go they wait too long and they don't ever get it. It was a few days later, I was going around the drive to see about my rent and he was starting out the drive to catch a bus on the corner, and when he saw me he turned around and looked, figured I

was coming after the rent. I said, "Oswald, you got the rent? The landlady is coming for the rent." He said, "Yes, I have it."

He was fixing to go to the bus, so he turned around to walk up the drive to go get the money, and I said, "Go on where you have to go; I will get it later," and he just pushed me aside and went by me and went and got the money and handed it to me.

Mr. LIEBELER. Did he actually push you aside physically?

Mrs. GARNER. Yes, just like that, and I called to him and I said, "Never mind; go where you have to go and I will get it later," and he just took me like this and pushed me aside and just went, you know, just went by me like that.

Mr. LIEBELER. He actually laid his hands on you?

Mrs. GARNER. Put his hands on me just like that, and pushed me.

Mr. LIEBELER. Did he say anything?

Mrs. GARNER. He didn't say a thing. He come back and gave me the money and that was it.

Mr. LIEBELER. When was the next time you had any—

Mrs. GARNER. Well, I didn't talk to him any more than that, because I noticed how he was, wouldn't answer you when you say good morning or good evening, hello or good morning, so I just never bothered. The only thing, at night he used to come past behind the house and always wore trunks, yellow trunks with thongs, no top shirt, and he used to stuff all my garbage cans and all the garbage cans on the street, and never would talk to anybody, pass right by the door of the apartment of the other people and never did talk to anybody.

Mr. LIEBELER. You never had any conversation with him after this time when you asked him about the rent?

Mrs. GARNER. No, that's about it. The most I talked to him was when he rented the apartment, that is the day he took it, and that lady done most of the talking. In fact, she had given me her phone number to let me call and let her know how Oswald was doing, and the wife when the wife would come in. I figured what in the world I want that for and I just threw it away and didn't bother with it. I didn't think anything like this was going to come up.

Mr. LIEBELER. Did Oswald ever have any visitors to his apartment, do you know?

Mrs. GARNER. Yes. As I said, I never did see anybody else around there myself except this middle-aged man and middle-aged woman like I said that come and picked him up one weekend on a Saturday and come back that Sunday after, because I happened to be sitting on the box and saw them come up.

Mr. LIEBELER. Would this have been in July?

Mrs. GARNER. About in July, I imagine. I know there was a lot of mosquitoes around that time; I think it was July sometime. I am really not sure. It was hot.

Mr. LIEBELER. How many times did these people come to see Oswald?

Mrs. GARNER. That is twice I seen, once I seen both of them come in the evening one night, and they didn't stay very long, but I was sitting outside. And that weekend, it was just him come to pick him up.

Mr. LIEBELER. You saw the man come to pick up Oswald on two different occasions? Is that right?

Mrs. GARNER. One occasion they came.

Mr. LIEBELER. The man was with a woman on one occasion?

Mrs. GARNER. At night one time, and then when he come to pick him up for the weekend he was by himself.

Mr. LIEBELER. Altogether, he was there twice?

Mrs. GARNER. Yes.

Mr. LIEBELER. Once by himself?

Mrs. GARNER. Yes.

Mr. LIEBELER. And once with a woman; is that right?

Mrs. GARNER. Yes. If they was there before that, I didn't see them.

Mr. LIEBELER. You only saw him come twice?

Mrs. GARNER. Yes.

Mr. LIEBELER. Approximately how old was this man?

Mrs. GARNER. I don't know. Like I say, I am not too good at judging ages. I would say in his late fifties or early sixties, something like that. He had a high forehead, a high peak right here, and kind of greyish.

Mr. LIEBELER. Could you describe him for us, please? Was he a white man?

Mrs. GARNER. Yes.

Mr. LIEBELER. Did he appear to be Spanish or Cuban extraction to you?

Mrs. GARNER. No, no, no.

Mr. LIEBELER. He was fair complected?

Mrs. GARNER. Yes.

Mr. LIEBELER. Are those the only two people you ever saw visit Oswald?

Mrs. GARNER. Well, there was that Cuban or Spanish looking guy one time rang my bell in the late afternoon, kind of short, very dark black curly hair, and he had a stack of these same pamphlets in his hand he was spreading out on Canal Street there on the porch, and he had a stack of them in his hand and he asked me about Oswald, and I said he was living around on that side where the screen porch is, and I saw those things in his hand and I said, "You are not going to spread those things on my porch," and that was all, and I closed the door and went on about my business. I don't know, but I guess he went over there.

Mr. LIEBELER. How many pamphlets did this man have in his hand?

Mrs. GARNER. I don't know. You know how thin those things are, and he had a stack about that high.

Mr. LIEBELER. About 5 inches or 6 inches, maybe?

Mrs. GARNER. About that high.

Mr. LIEBELER. About the width of your hand?

Mrs. GARNER. Yes.

Mr. LIEBELER. What color were they, do you remember?

Mrs. GARNER. That I can't remember. They looked like yellow and pink, all different colors.

Mr. LIEBELER. Approximately how old was this fellow?

Mrs. GARNER. Well, he was young. I don't believe he was young as Oswald, but he was young, in his thirties I guess.

Mr. LIEBELER. Was he as tall as Oswald?

Mrs. GARNER. No, he was shorter.

Mr. LIEBELER. Shorter than Oswald?

Mrs. GARNER. Yes.

Mr. LIEBELER. Did he wear sunglasses, if you remember?

Mrs. GARNER. No, he didn't have sunglasses on because it was so late in the evening, just about dark.

Mr. LIEBELER. Was he of a light build, or was he heavy set?

Mrs. GARNER. No, I wouldn't say. He wasn't light, wasn't heavy; he was in between that.

Mr. LIEBELER. Did he have an accent, do you remember?

Mrs. GARNER. Yes. That's why I said he was either Spanish or Cuban. I don't know. He speaks broken English, like.

Mr. LIEBELER. Did you tell the FBI about this gentleman coming there?

Mrs. GARNER. Yes.

Mr. LIEBELER. Did you mention to the FBI that this man had——

Mrs. GARNER. The pamphlets?

Mr. LIEBELER. The pamphlets.

Mrs. GARNER. Yes.

Mr. LIEBELER. You told that to the FBI?

Mrs. GARNER. Yes.

Mr. LIEBELER. Do you remember approximately when this fellow came to see Oswald?

Mrs. GARNER. That I don't remember. I know it was around that time, just right after he was picked up on Canal Street for distributing them. It was a few days after that.

Mr. LIEBELER. Did you learn about his arrest?

Mrs. GARNER. Yes.

Mr. LIEBELER. On Canal Street?

Mrs. GARNER. Yes, I read it in the papers.

Mr. LIEBELER. You read about it in the newspaper?

Mrs. GARNER. Yes.

Mr. LIEBELER. Did you have any conversation with Oswald about that incident?

Mrs. GARNER. No, I don't think I did myself. No, I didn't talk to him about that, because it was just before that happened on Canal Street he had put them on the screen and I had my husband take them down, and after that, that is when he was picked up on Canal Street.

Mr. LIEBELER. What was this incident with the screen? Would you tell us about that?

Mrs. GARNER. Those pamphlets, "Hands off Cuba," or something like that. He had pamphlets on the screen porch in the front, and I told my husband go take those things down, I didn't like them there. He went and told him to take them down, and he said who suggested that, and he said I did and he took them down and never gave us no trouble about it.

Mr. LIEBELER. Let me show you a picture that is marked Exhibit No. 1 to the affidavit of your husband Jesse J. Garner, and I ask you if the leaflet that you see in that picture is a picture of a leaflet like the one Oswald put on the screen?

Mrs. GARNER. Yes, that's it.

Mr. LIEBELER. And do you recognize the person in that picture?

Mrs. GARNER. Yes, that is Lee Oswald. I would recognize him from the back of his head.

Mr. LIEBELER. It appears to be a picture of him handing out pamphlets or sheets of paper on which appears the language, "Hands off Cuba," and some other writing that can't be read.

Mrs. GARNER. They had some other writing on the bottom, but I never read it. I saw this "Hands off Cuba," and I didn't like it on the porch and I made him take them down. That must have been taken on Canal Street; it looks like it.

Mr. LIEBELER. Do you recognize the surrounding area, the background of the picture?

Mrs. GARNER. That's what I said, it looks like it. It is either Canal or Royal somewhere. I don't know. It might not be here; I don't know.

Mr. LIEBELER. You don't recognize the background for sure?

Mrs. GARNER. No.

Mr. LIEBELER. When this incident—

Mrs. GARNER. Let me get my glasses. Maybe I can see better.

Mr. LIEBELER. When this incident concerning the leaflet on the screen of the porch occurred, was that before or after Oswald had been arrested?

Mrs. GARNER. That was before.

Mr. LIEBELER. Before he was arrested?

Mrs. GARNER. Yes.

Mr. LIEBELER. How long before?

Mrs. GARNER. That I don't remember. I don't remember exactly all that, but I know—I can't very well see, but it looks like around here somewhere.

Mr. LIEBELER. Aside from the two different people you have previously mentioned as having visited Oswald, one the Cuban or Spanish fellow and the other two for a total of three people you saw come to visit Oswald, did you ever see anybody else come to visit in his apartment?

Mrs. GARNER. Not that I know of.

Mr. LIEBELER. Late in September sometime, as I understand it, this station wagon that brought Oswald's wife to the apartment in the first place returned?

Mrs. GARNER. Yes; it did.

Mr. LIEBELER. Did it not?

Mrs. GARNER. Yes.

Mr. LIEBELER. Did you see who was driving the station wagon at that time?

Mrs. GARNER. No; I didn't see who was driving it. All I saw was the station wagon.

Mr. LIEBELER. You never saw the person who came in the station wagon that time?

Mrs. GARNER. I did not.

Mr. LIEBELER. Did your husband see that person?

Mrs. GARNER. Yes; my husband.

Mr. LIEBELER. At this time.

Mrs. GARNER. Yes; my husband saw her and spoke to her. I never did see her.

Mr. LIEBELER. He told you it was a lady, did he not?

Mrs. GARNER. Right.

Mr. LIEBELER. And the lady, from reading the newspapers, you and your husband assumed that this was Mrs. Ruth Paine of Irving, Tex.?

Mrs. GARNER. That's right.

Mr. LIEBELER. But you yourself never met or talked to Mrs. Paine?

Mrs. GARNER. I never did.

Mr. LIEBELER. Did you become aware of the fact that Oswald was employed during the time that he lived in your apartment? Did you know anything about his job?

Mrs. GARNER. When he rented the apartment he told me he was working at Reily Coffee Co. on Magazine, whatever you call it. It is a coffee company, and as far as I know I didn't think he worked there as long as he did, because he was always home, unless he worked at night.

Mr. LIEBELER. When did you learn that Oswald had been dismissed from the job, or no longer worked at Reily Coffee Co., if you ever learned that?

Mrs. GARNER. As I said, it seemed like when he rented the apartment, I didn't think he worked 2 or 3 weeks. Well, but I learned later he didn't get laid off until July 19, something like that, unless they changed shifts, because he was working in the day at first and I used to see him get off the bus in the evening coming home, but then after that I didn't see him any more. He was always sitting on the screen porch reading. He must have been working at night. He was always on the side porch, probably reading all the time.

Mr. LIEBELER. You say he read a lot?

Mrs. GARNER. He sure did.

Mr. LIEBELER. Did you see at any time what he was reading?

Mrs. GARNER. Well, it always was books, like those pocket books and papers, real big books, regular books.

Mr. LIEBELER. You never saw the names of any of the books?

Mrs. GARNER. No; you couldn't get that near him.

Mr. LIEBELER. What else did he do with his spare time besides reading?

Mrs. GARNER. That's all I ever saw him do. To say if he ever went out or anything like that, he would go back and forth, catch the bus and go, and didn't stay long and come back. How many times he went out at night or anything like that, I don't know. I really couldn't tell you because I wasn't on that side. The few times I did see him I just happened to be out there.

Mr. LIEBELER. You mentioned something about him wearing a bathing suit.

Mrs. GARNER. That's all he always wore, all the time. Always he had thongs on and yellow shorts, bathing trunks, and nothing on top walking around the yard like that.

Mr. LIEBELER. Also the Commission has been informed that Oswald spent a considerable amount of time spraying bugs or insects of one sort or another.

Mrs. GARNER. He did. He done that, yes. He was always around the back of the house where the bathroom window was, spraying some sort, and the screen porch he would spray.

Mr. LIEBELER. Did you ever talk to him about this spraying activity of his?

Mrs. GARNER. No; I never did.

Mr. LIEBELER. Do you know whether your husband did?

Mrs. GARNER. No; he didn't. I don't guess he did; he never said anything about it, but there were plenty of ants and I guess that is why he was spraying. They always had a lot of ants, you know, and roaches. I know they had a lot of roaches.

Mr. LIEBELER. Cockroaches?

Mrs. GARNER. In that apartment, when they left.

Mr. LIEBELER. Did he ever complain to you about them?

Mrs. GARNER. No. We never had them before he moved. Whenever we used to spray, we had the pest control, but when he moved out they had plenty of them. They left the place filthy, too.

Mr. LIEBELER. The place was dirty when he left?

Mrs. GARNER. Was it? The icebox was broken, the freezer door was broken off, the stove was broken, the mattress was ruined.

Mr. LIEBELER. What was wrong with the mattress?

Mrs. GARNER. I guess the baby.

Mr. LIEBELER. Do you know whether his wife, Marina, liked the apartment?

Mrs. GARNER. I don't know. She never did say anything about it.

Mr. LIEBELER. She never did say anything about it?

Mrs. GARNER. I never did talk to her about any apartment.

Mr. LIEBELER. Did you yourself personally see when this station wagon left?

Mrs. GARNER. No; I didn't see it.

Mr. LIEBELER. It arrived late in September 1963?

Mrs. GARNER. I didn't see when it left; no.

Mr. LIEBELER. When was the last time you saw the station wagon, please?

Mrs. GARNER. Well, whatever day that was, Sunday or Monday, whenever they left. It was about that morning. Like I said, early that morning they was packing it up, and then later on through the day between 10 and 11 I looked out there and it was gone.

Mr. LIEBELER. This would be either Sunday or Monday, September 22 or 23? Is that right?

Mrs. GARNER. That's right.

Mr. LIEBELER. You are not exactly positive which it was?

Mrs. GARNER. I am not sure whether it was Sunday or Monday.

Mr. LIEBELER. Your husband is pretty sure it was Monday.

Mrs. GARNER. He is sure it was Monday; yes.

Mr. LIEBELER. The 23d of September.

Mrs. GARNER. Yes.

Mr. LIEBELER. And you have no recollection that is contrary to that; is that correct?

Mrs. GARNER. No; I haven't.

Mr. LIEBELER. Did you see Oswald leave, when he finally left the apartment?

Mrs. GARNER. No.

Mr. LIEBELER. Do you know when he left?

Mrs. GARNER. Well, I figure he left that same night, whatever day that wagon left, myself. I don't think he come back. He might have come back in that apartment to get his stuff, whatever he had. I don't think he stayed there that night at all, that's what I believe.

Mr. LIEBELER. Your husband said in the discussion we had with him previously that he heard some noise in the apartment the night the station wagon left.

Mrs. GARNER. He might have heard him packing up stuff getting ready to leave. I don't think he come back after he left that night; I think he left that night.

Mr. LIEBELER. Your husband did say he thought he heard these noises about 7 or 7:30 in the evening. Is that right?

Mrs. GARNER. Yes.

Mr. LIEBELER. You say you think the noise he heard was just the noise of Oswald getting his stuff and leaving?

Mrs. GARNER. Yes; getting his stuff to get moving.

Mr. LIEBELER. In any event, you never saw Oswald around the place at all after the day the station wagon left; is that right?

Mrs. GARNER. No; I didn't.

Mr. LIEBELER. Did you discuss with anybody who lived in the neighborhood or in the apartment house when actually Oswald did leave? When we think about this question, let's first of all confine ourselves to the period of time prior to the assassination. Were you concerned about when Oswald left or how he left, prior to the time of the assassination?

Mrs. GARNER. You mean how he left?

Mr. LIEBELER. That is, did you talk to any of the neighbors or anybody in the building?

Mrs. GARNER. When they seen him leave?

Mr. LIEBELER. Did they see him go?

Mrs. GARNER. Yes. I don't remember asking anybody, just figured that he had skipped and left that night. I didn't bother asking anybody about that, but later I was talking to Mr. Rogers, one of the tenants, and he said yes, he seen him leave about that time that evening, the bus was coming and he ran out with his suitcase.

Mr. LIEBELER. That was after the assassination, you talked to Mr. Rogers?

Mrs. GARNER. Yes; definitely after.

Mr. LIEBELER. After you had been interviewed by the FBI and Secret Service?

Mrs. GARNER. Yes.

Mr. LIEBELER. Mr. Rogers—what is his full name; do you know?

Mrs. GARNER. Eric Rogers; is all I know.

Mr. LIEBELER. Does he still live there?

Mrs. GARNER. Yes.

Mr. LIEBELER. Mr. Rogers told you he saw Oswald the same evening that the station wagon left? Is that right?

Mrs. GARNER. Yes.

Mr. LIEBELER. And he saw Oswald come out of the apartment house and run to catch a bus?

Mrs. GARNER. Yes.

Mr. LIEBELER. Is that right?

Mrs. GARNER. Yes.

Mr. LIEBELER. And it was about dark?

Mrs. GARNER. Yes.

Mr. LIEBELER. Did Mr. Rogers say how many suitcases Oswald had in his hand?

Mrs. GARNER. He just said with his suitcases or suitcase. I don't remember exactly what he said.

Mr. LIEBELER. You are not able to tell us whether Oswald had one suitcase, two suitcases with him when he left, or what?

Mrs. GARNER. No.

Mr. LIEBELER. And Mr. Rogers didn't tell you?

Mrs. GARNER. No; I didn't ask him. I don't remember. I don't remember, really if it was the same day the station wagon left or not he told me, and I don't think he even said that day it was, but it must have been right after that, you know, what night or the next day. I feel like it was that night. It must have been, because I know he didn't have any reason to stay around there any longer.

Mr. LIEBELER. Mr. Rogers didn't specifically say it was the same day?

Mrs. GARNER. No.

Mr. LIEBELER. Did he ever say what kind of luggage Oswald had?

Mrs. GARNER. No.

Mr. LIEBELER. You never saw Oswald with any suitcases of any kind?

Mrs. GARNER. I never was in the apartment. After they rented the apartment, I never went in the apartment.

Mr. LIEBELER. And you never saw him outside with any luggage?

Mrs. GARNER. No.

Mr. LIEBELER. And you never saw what kind of luggage they were packing in the station wagon?

Mrs. GARNER. I saw boxes, but I never did see any luggage. I saw boxes, and baby beds and playpens and stuff like that.

Mr. LIEBELER. But you don't remember noticing any specific suitcase of any kind?

Mrs. GARNER. No.

Mr. LIEBELER. Did you form an opinion as to whether Marina Oswald could speak English or not?

Mrs. GARNER. Well, I didn't think she could speak English at all. When I heard her on television say a few words, something like that, I was surprised because at home she never said anything. And another thing, she would nod,

try to tell you hello when he wasn't there, but if he was there like they was sitting on the steps or something, or they would go through the drive and he was there, she wouldn't even look at you.

Mr. LIEBELER. She was more friendly and outgoing when Oswald wasn't there?

Mrs. GARNER. Yes; when he was there, she wouldn't have nothing to say.

Mr. LIEBELER. Did you ever see a rifle or gun of any kind in the apartment, or around the apartment?

Mrs. GARNER. No.

Mr. LIEBELER. Or the station wagon, or just anywhere?

Mrs. GARNER. No, sir.

Mr. LIEBELER. You never had any reason to believe that Oswald had a rifle in his possession?

Mrs. GARNER. No; I never knew about that, never saw anything looked like a gun or anything like that. Like I said, they have asked me that so many times before, and they just packed this station wagon and if he had a gun I don't guess he put it where anybody could see it, and whatever was in the station wagon could have been, I mean anything with value, because they took a few days packing it to leave and it sat out there at night on the street.

Mr. LIEBELER. Without locking, or do you know whether they locked the station wagon?

Mrs. GARNER. I don't know whether they locked it, but that don't do much good in this city. It don't do any good to lock your doors; what good does it do? I nail mine; that is better yet.

Mr. LIEBELER. Did you discuss with anybody besides Mr. Rogers whether or not Oswald left on the same day his wife did, or how he left?

Mrs. GARNER. Do you mean in the neighborhood?

Mr. LIEBELER. Yes.

Mrs. GARNER. I never talked too much to them, you know, unless I might be talking to Miss Eames next door and said he might have left that same night or something like that, but that's about all.

Mr. LIEBELER. Was that Mrs. Eames?

Mrs. GARNER. Yes.

Mr. LIEBELER. Mrs. Doris E. Eames?

Mrs. GARNER. Yes.

Mr. LIEBELER. She lives at 4907 Magazine Street?

Mrs. GARNER. Yes; right next to Oswald's apartment, in other words, and their kitchen windows was even to each other, across from each other.

Mr. LIEBELER. Did Oswald get any mail that you know of while he lived in the apartment 4907 or 4905 Magazine Street?

Mrs. GARNER. Not that I know of. I never went around the mailboxes to find out that, never went around the mailbox to see what kind of mail, and after he left I checked the mailbox and my husband found a light and gas bill and sent it back to the company.

Mr. LIEBELER. I believe you said Oswald actually owed you about 2 weeks' rent when they left. Is that right?

Mrs. GARNER. Fifteen days, something like that, 2 or 3 weeks. I think it was 3 weeks' rent, because the last time when I sent my husband to see about the rent, I told him it was going to be 3 weeks, and, "You know he isn't going to catch up with that and pay another month's rent and stay here by himself."

Mr. LIEBELER. He moved in on the 9th of May; is that right?

Mrs. GARNER. Yes.

Mr. LIEBELER. And he left about the 22d of September or the 23d?

Mrs. GARNER. About the 22d or 23d.

Mr. LIEBELER. So he would have had to pay up the rent through the 9th of September?

Mrs. GARNER. Through the 9th, the 9th of September; that was when.

Mr. LIEBELER. That was when the rent came due again?

Mrs. GARNER. Right.

Mr. LIEBELER. And he paid his rent for the month?

Mrs. GARNER. You see, he was paid up to the 9th of September.

Mr. LIEBELER. He was paid through the 9th of September?

Mrs. GARNER. Right; and after the 9th he started on another month but never paid me.

Mr. LIEBELER. He left owing rent for the period from September 9 until the time he left?

Mrs. GARNER. The 24th or 23d, whatever date it was.

Mr. LIEBELER. Do you know Mr. Louis N. Rico?

Mrs. GARNER. Yes; I think that is my tenant in the back in the detached apartment, away in the back downstairs, Louis Rico.

Mr. LIEBELER. They don't live there any more?

Mrs. GARNER. No; they moved.

Mr. LIEBELER. Do you know whether they had anything to do with Oswald?

Mrs. GARNER. No; he never did talk to him. Oswald wouldn't bother with nobody.

Mr. LIEBELER. Did you ever see Oswald drive a car?

Mrs. GARNER. No.

Mr. LIEBELER. Do you know whether he could drive?

Mrs. GARNER. No; I couldn't answer that. I don't know.

Mr. LIEBELER. You had no way of knowing where Oswald went when he left your apartment house, do you?

Mrs. GARNER. No; I sure don't.

Mr. LIEBELER. As far as you know, Oswald intended to stay on in the apartment, at least that is what he had told your husband?

Mrs. GARNER. That's what I figured all the time, and every time I passed he was sitting on the porch, or either sitting by the lamp inside of the living room when it was dark, reading.

Mr. LIEBELER. Can you think of anything else you remember about Oswald? Is there anything else you know about him that the Commission ought to know that I have not asked you about?

Mrs. GARNER. Well, like I say, every time I talk, I tried to think, and there is really nothing. I just usually always stay by myself and never go to the door unless I have to. The only thing is—I did hear a couple of times like they were arguing and she would be crying. I guess they were arguing, I couldn't understand the Russian language and she would be crying, and that went on a couple of hours at a time, and I figured that was family trouble. I couldn't even understand what they were saying.

Mr. LIEBELER. Did they seem to have more family trouble than most people, or do you think they got along fairly well?

Mrs. GARNER. It is just about twice I heard it in the months they were there.

Mr. LIEBELER. You didn't have the impression—

Mrs. GARNER. I didn't think they was arguing, because when they talk that language it sounds like they are arguing all the time to me, but those two times she happened to be crying, and I could hear her raising her voice higher and him too. He was just abrupt.

Mr. LIEBELER. You didn't have the impression they were having any particular difficulty with their marriage, did you?

Mrs. GARNER. No.

Mr. LIEBELER. They didn't seem to have—

Mrs. GARNER. It didn't seem that way to me. You never did see them together in the daytime. I saw them once when they left for that weekend, and that is the only time they had left there together.

Mr. LIEBELER. She stayed at home pretty much?

Mrs. GARNER. She stayed home all the time, and I see her coming from the grocery store once in awhile.

Mr. LIEBELER. I don't believe I have any more questions at this time, Mrs. Garner, if you can't think of anything else you would like to add. I think we can terminate the deposition. I do want to thank you for the patience that you and your husband have shown to me and for the cooperation you have given us in coming down here and testifying. On behalf of the Commission I want to thank you both very much.

Mrs. GARNER. I am only too glad to do it. Anything else we can do, it would be all right.

AFFIDAVIT OF JESSE J. GARNER

The following affidavit was executed by Jesse J. Garner on May 5, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF LOUISIANA,
Parish of Orleans, ss:

Jesse J. Garner, being duly sworn says:

1. My name is Jesse James Garner. I was born July 17, 1908, in Hattiesburg, Mississippi. I have resided in New Orleans for the last 52 years.

2. I am presently employed as a cab driver for Toye Brothers and have been so employed for the last twenty years.

3. My wife and I reside at 4911 Magazine Street, New Orleans, Louisiana, where we have resided continuously for the last four years.

4. Number 4911 Magazine Street consists of one-half of a house located at 4905-11 Magazine Street. The other half of the house is divided into two apartments which go by the number 4905 and 4907 Magazine Street.

5. Lee Harvey Oswald occupied the apartment known as 4905 Magazine Street from May 9, 1963, to on or about September 23, 1963. He paid a rental of \$65.00 per month for the apartment, which was furnished, and was directly responsible to the utility company for payment of gas and electric bills.

6. I first talked to Oswald about a month after he moved into the apartment. I spoke to him about payment of the rent, because he was a few days late in paying his rent for the second month he lived in the apartment. He told me he would have the rent in a few days. I later learned that he did pay the rent to my wife shortly thereafter.

7. Oswald appeared to be a quiet sort of man and I did not talk to him about anything other than the rent that first time that I met him.

8. Sometime after that, my wife called to my attention that Oswald had attached to the screen of his porch two hand circulars which read something to the effect that the United States should lay hands off Cuba. These circulars were about 4" by 6".

9. I have examined a photograph which has been marked as Exhibit No. 1 to this affidavit and state that the photograph shows Oswald handing out a circular which is of the same kind he had attached to the screen of his porch.

10. I asked Oswald to remove the circulars and he asked me who "rejects" to them. I told him that I objected to them and that I was the only person who had to object to them. Oswald then took them down without further comment and the subject was never mentioned between us again.

11. The next and last time I talked to Oswald was on Sunday morning, September 22, 1963, when I noticed he had almost finished packing a station wagon with his family's personal belongings. I asked him if he was moving, since I was concerned that he then owed about 15 days rent. Oswald told me that he was not leaving but that his wife was going to Texas to have her baby after which she was going to return to New Orleans.

12. I did not see the station wagon leave, but I believe it left for Texas sometime on Monday morning, September 23, 1963, but it could have left sometime on Sunday morning.

13. I didn't pay too much attention to the station wagon or to what Oswald was doing, because I thought he was going to remain in the apartment, as he had said.

14. I never saw Oswald again after my conversation with him on Sunday morning, but I thought I heard him in his apartment during the evening (about 7:00 to 7:30 p.m.) of the day on which the station wagon had left, i.e., either Sunday or Monday, September 22 or 23, 1963.

15. I did not see or hear any activity in the apartment on the day after the station wagon left for Texas. The next day which I believe would have been Wednesday, September 25, 1963, I entered Oswald's apartment and found that he had left and taken all of his belongings with him.

16. I never personally observed anyone visit Oswald or his family during the time they lived at the above address.

17. Oswald never seemed to respond to greetings from me and seemed to be an unfriendly type of person.

Signed on May 5, 1964, at New Orleans, La.

(S) Jesse J. Garner,
JESSE J. GARNER.

TESTIMONY OF RICHARD LEROY HULEN

The testimony of Richard Leroy Hulen was taken at 10:50 a.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Will you please stand up and be sworn?

Mr. HULEN. Yes.

Mr. JENNER. Do you swear that in the testimony you are about to give you will tell the truth, the whole truth, and nothing but the truth?

Mr. HULEN. I do.

Mr. JENNER. State your name, please.

Mr. HULEN. Richard Leroy Hulen.

Mr. JENNER. And you are connected with the YMCA?

Mr. HULEN. Correct.

Mr. JENNER. In what capacity?

Mr. HULEN. I am the associate director of the health club.

Mr. JENNER. And you are appearing in lieu of whom?

Mr. HULEN. Mr. John F. Campbell.

Mr. JENNER. And he is the head of the health club, I take it?

Mr. HULEN. Correct.

Mr. JENNER. And at present he is out of the city?

Mr. HULEN. Correct.

Mr. JENNER. The YMCA that we are talking about is located where?

Mr. HULEN. At 605 North Ervay in Dallas, Tex.

Mr. JENNER. We are in the Federal Court House. How far away is that from here?

Mr. HULEN. Two blocks.

Mr. JENNER. I should say to you, Mr. Hulen, that I am Albert E. Jenner, Jr., a member of the legal staff of the President's Commission, that the Commission was authorized pursuant to Senate Joint Resolution 137, as the group to investigate the tragedy of November 22, 1963, of the assassination of the late President John Fitzgerald Kennedy, and President Johnson in Executive Order 11130, shortly after the adoption of the Senate joint resolution, appointed the Commission and authorized it to proceed and to take testimony and swear witnesses.

We have been engaged in this investigation now for sometime and we are particularly interested in a man known as Lee Harvey Oswald. It is our understanding that he was a guest on some occasion at the YMCA that you have identified. Would you describe your duties and those of Mr. Campbell and describe the health club, and I should also add we are interested in a man by the name of Jack Ruby or Jack Rubenstein, and I may ask you some questions about him as well.

Mr. HULEN. Well, of course, Mr. Campbell is in charge of the department. He does the hiring and the firing of the employees, orders supplies and supervises the operation in general and I take my orders from him.

Mr. JENNER. You are his assistant?

Mr. HULEN. I am the assistant.

Mr. JENNER. How long have you been associated with the YMCA?

Mr. HULEN. Well, since 1945.

Mr. JENNER. And during—you were doing this work at the downtown YMCA?

Mr. HULEN. Yes, sir.

Mr. JENNER. And the health club is what sort of activity?

Mr. HULEN. The health club is a businessmen's club. We have seven masseurs, we have a steam bath, we have a dry heat bath, we have ultraviolet lights and infrared lights, bar bell equipment and a lot of gymnasium equipment, such as jumping ropes and bicycles and bar bells and medicine balls and stall bars and check weights and I could go on and on.

Mr. JENNER. I think that's enough. You have businessmen who come in, do they join the club or pay a fee?

Mr. HULEN. Yes; we have a yearly membership fee.

Mr. JENNER. If some guest who is a guest of the YMCA, wants to have a rubdown, let us say, or he wants to exercise, is it possible for him to use the facilities of the health club without paying the yearly fee?

Mr. HULEN. Not without paying a fee. He is a member if he lives in the dormitory—he is a member of the YMCA, but not of the health club. So, if he uses our facilities, he pays for them, whatever it might be—ultraviolet; steam bath or massage, and would you want the prices?

Mr. JENNER. Off the record.

(Discussion between Counsel Jenner and Mr. Davis off the record, pertaining to facilities and services at the YMCA.)

Mr. JENNER. All right. Back on the record. Referring to these yearly members, do you become acquainted with them?

Mr. HULEN. Most of them.

Mr. JENNER. Did you become acquainted during your history with the YMCA with a man in town here known as Jack Ruby or Jack Rubinstein?

Mr. HULEN. Yes, sir; I did.

Mr. JENNER. Was he a member of your club?

Mr. HULEN. Yes; he was.

Mr. JENNER. And you have produced here for me a photostatic copy of what is entitled and identified for the record, "Membership application," and it appears to be on its face a photostatic copy of a membership application for one Jack Ruby. From where did you obtain that exhibit?

Mr. HULEN. From the membership office.

Mr. JENNER. And this card, of which the document I have in my hands is a photostatic copy, is a record which is kept in the usual and regular course of business?

Mr. HULEN. Yes; that's correct.

Mr. JENNER. Do you know of your personal knowledge that this is a photo copy of the original of the membership application and card which is maintained and is presently in the possession of the YMCA?

Mr. HULEN. Yes; I do.

Mr. JENNER. Now, I would like to have you explain some of the things here for me—on the form, which has been marked Hulen Exhibit No. 1, under the printed designation, "Firm name," appears as typed, "Club Vegas," sir. Would you explain what that is?

Mr. HULEN. I think if you will look at it a little closer, that is his business address.

Mr. JENNER. That is the business address of Jack Ruby or Jack Rubinstein. Club Vegas is some kind of a club here in Dallas?

Mr. HULEN. Yes, sir.

Mr. JENNER. All right, or at least it was at the time this application was made out?

Mr. HULEN. Yes, sir. And is still operating, incidentally.

Mr. JENNER. And it says opposite, "Type of membership,"—there appear two initials, "SH" what do they signify?

Mr. HULEN. Special health.

Mr. JENNER. What does that mean?

Mr. HULEN. That means all of the facilities will be available to that member except the massages.

Mr. JENNER. On the reverse side of the card there appears the heading, "Membership account," and then there are columns in which there are long hand entries. These columns are headed, "Date due, amount, payments, card," and some entries. For example, for purposes of explanation, the first entry on the

reverse side on this form I have described under "date due," appears 9-10-58. I take it that is a date meaning September 10, 1958?

Mr. HULEN. Yes, sir.

Mr. JENNER. In the next column which is headed "Amount," there appears \$65. Then, under "Payments," that column is split in two—the left hand one reads and is headed by the word "Date," and the entry there is 9-2. I assume that is September 2, but no year, and then under the column headed, "Amount," appears \$30. Would you explain that type entry?

Mr. HULEN. Well, at the time, in 1958, our membership fee for the special health club membership was \$67, and there is a \$2 cash saving if a member pays cash, which would indicate that that's where we get our amount \$65, and to receive benefit of the cash payment, that is, the interest or penalty, it is supposed to be paid in 30 days, but apparently this wasn't paid in 30 days, but he still received benefit of cash payment.

Mr. JENNER. Does that form indicate that the health fee was paid?

Mr. HULEN. Oh, yes; yes, indeed.

Mr. JENNER. It was paid—on what date?

Mr. HULEN. It was 11-12-62, the last payment. The first payment was made on 9-10-58, wait a minute, I am wrong. It was then when he joined, the first payment was 9-20. In other words, that 9-10 was their billing date and he joined on 9-2 and they billed him on 9-10, and his second payment which was supposed to have been paid in 30 days was paid on 11-12-58. I'm sorry, but I'm not too familiar with this. I'm just groping here myself. This is handled in another office. You will notice that the date due here was 9-10-59, again, you see, and this will denote what happened and his next is—there are several periods that he wasn't active, as you will notice there.

Mr. JENNER. Yes; I noticed it. Now, it would appear that the first two columns, the date due and amount represent entries of sums to be paid?

Mr. HULEN. Correct.

Mr. JENNER. And the second set of columns under the heading "Payments," indicates payments that were made?

Mr. HULEN. That's correct.

Mr. JENNER. Now, as to this initial fee, it was due on the 10th of September 1958, in the amount of \$65, and then in the next two columns that he paid on September 2, \$30, and he paid on November 12, \$35 or a total then by that time of \$65, that had been billed or was to have been paid by September 10?

Mr. HULEN. Yes, sir.

Mr. JENNER. He actually completed his payment on November 12?

Mr. HULEN. Yes, sir.

Mr. JENNER. Then, the next entry appears to be one of \$65 for the following year, that is for 1959, due on November 1, 1959, and then there is an entry under the "Payments," column of the receipt of \$65, on the 22d of October, that is, there was a prepayment there in 1959.

Then, for 1962, the "Due Date," was April 20, 1962—\$74. Apparently your fee went up?

Mr. HULEN. Yes; it did.

Mr. JENNER. And there are entries of two payments, one a \$25 on the 18th of April 1962, and the second of \$49, on the 3d of August 1962, so he was then paid up?

Mr. HULEN. Yes.

Mr. JENNER. And for 1963, there is an entry of a payment due on the 1st of June 1963, of \$30 and there is an entry of apparently a prepayment on the 23d of May 1963, of \$60.

What does that indicate, that is, here for 1962, he was a \$74 member and in 1963, he appears to be only a \$30 member?

Mr. HULEN. Oh, I've got it now. If a person for some reason cannot take out the yearly membership and he has been a member in the past, we would let him have a 3-month membership which would explain the \$30. At that date he was on the 3-month membership.

Mr. JENNER. I see.

Mr. HULEN. A short-term membership, we call it.

Mr. JENNER. At the bottom of this form there is written, "Do not renew," 11-28-63, meaning November 28, 1963. What does that mean?

Mr. HULEN. Mr. Urquhart, who is our office secretary, laughingly told the stenographer in the membership office that if Ruby ever came back for a membership, not to let him in, not to accept his membership, and she wrote that on there just for her own information. Actually, it was a joke.

Mr. JENNER. If he had returned to renew his membership, the renewal would have been granted him?

Mr. HULEN. No.

Mr. JENNER. It would not have been?

Mr. HULEN. No.

Mr. JENNER. Why is that?

Mr. HULEN. I don't know, Mr. Urquhart made the statement that it is, it was—

Mr. JENNER. Well, I'll try to bring that out, is the entry "Do not renew," of November 28, 1963, is that something in jest?

Mr. HULEN. Yes, sir. In my opinion, I think he was just being facetious.

Mr. JENNER. Mr. Urquhart was being facetious?

Mr. HULEN. Mr. Urquhart was being facetious.

Mr. JENNER. In any event, Mr. Ruby did not renew his membership?

Mr. HULEN. No, sir.

Mr. JENNER. In 1963?

Mr. HULEN. Not to my knowledge.

Mr. JENNER. "J.C.," I assume is John Campbell?

Mr. HULEN. Correct.

Mr. JENNER. And there appears at the very bottom of the form opposite an asterisk, which in turn refers us to the initial entry fee, there appears in writing, "Wants to pay up in month's time. Okay, J.C." That indicates to me, and would you confirm or correct me that when Ruby joined initially he asked for time to pay up and wanted a month to pay up.

Mr. HULEN. I think that means that if he made the complete payment of the yearly membership in 2 payments within 30 days, that he would receive benefit of the discount.

Mr. JENNER. I see, and the fact is he didn't pay up within 30 days, his payment, first payment was made on the 2d of September of \$30, and his second payment of \$35, was made on November 12, 1958, so you gave him the benefit of the discount even though he didn't pay up in the 30 days?

Mr. HULEN. Yes; that explains—

Mr. JENNER. So, he had a full year \$65 membership for the year 1958, that is, 1 year from the time he joined which was September 10, 1958, and he re-joined at the same rate on—\$65, a year, on November 1, 1959, and then in 1962, he had a \$74 membership, which was really an increase in your charge?

Mr. HULEN. That's right.

Mr. JENNER. For 1 year commencing October 1, 1959—but he didn't get around to paying it, apparently until the following spring, which was the \$25, on the 18th of April and the \$49, on the 3d of August, and then on June 1, 1963, he took out a 3-month or a 90-day short-term membership?

Mr. HULEN. Yes; a short-term membership.

Mr. JENNER. That expired on September 1st of that year, is that correct?

Mr. HULEN. That's correct.

Mr. JENNER. I offer Hulen Exhibit No. 1 in evidence. Did Ruby ever live at the YMCA?

Mr. HULEN. Not to my knowledge.

Mr. JENNER. Do you know whether the records of the YMCA have been checked to determine or confirm that?

Mr. HULEN. No, sir; I don't.

Mr. JENNER. But as—at least as far as your personal recollection is concerned, you do not recall his ever having been a guest in what you call the dormitory?

Mr. HULEN. No, sir; I don't.

Mr. JENNER. I take it you recall Mr. Ruby using the Health Club facilities?

Mr. HULEN. Yes, sir; I do—very well.

Mr. JENNER. And do you ever recall having any contact with or seeing a person known as Lee Harvey Oswald?

Mr. HULEN. No, sir.

Mr. JENNER. At the suggestion of Mr. Sorrels, of the Secret Service, have you caused an examination to be made of the guest record of the YMCA to determine whether a person by the name of Lee Harvey Oswald or Lee Oswald was ever a guest at the YMCA?

Mr. HULEN. I wouldn't be in a position to know—I'm not familiar enough with that and I have nothing whatsoever to do with it so I don't know what has been done or what has been requested.

Mr. JENNER. You have brought to me today a longhand sheet which appears on ruled notepaper and is what purports to be a list of registrations for one Lee Oswald during the year 1962, and another entry, one for the year 1963, Hulen Exhibit No. 2. From whom and from what source did you obtain this document?

Mr. HULEN. From Mr. McRee's secretary, who is the resident manager.

Mr. JENNER. McRee is the resident manager?

Mr. HULEN. Mr. McRee is the resident manager.

Mr. JENNER. And his secretary furnished you this slip of paper?

Mr. HULEN. That's correct.

Mr. JENNER. Did she advise you from what source she obtained these entries?

Mr. HULEN. I made the entries myself from her records of the payments.

Mr. JENNER. I understand—you prepared this and it is in your handwriting?

Mr. HULEN. That is correct; yes.

Mr. JENNER. And from what source did you obtain the information on this piece of paper?

Mr. HULEN. From her receipts of payment for room rent.

Mr. JENNER. And those are records that are kept by the YMCA in the usual and regular course of business?

Mr. HULEN. Yes, sir.

Mr. JENNER. And you personally examined them?

Mr. HULEN. Yes, sir.

Mr. JENNER. Did you find, when you personally examined those receipt records, any receipts in the name of a person named Lee Oswald.

Mr. HULEN. Yes, sir.

Mr. JENNER. You actually saw on the receipts the name "Lee Oswald"?

Mr. HULEN. I sure did. Yes, sir; I did.

Mr. JENNER. And then you have listed under the first heading of "Lee Oswald," a series of dates, October 15, October 16, October 17, and October 18, 1962, in each instance. Then, in parentheses following those entries in the the same sequences appears the name Burge and the name Burgess and the name Burge again and then the name Barker. Following those in the same descending sequence are serial numbers: "L-18198." In your last column and in the same sequence are dollar figures: "3.25, 2.25, 2.25 and again 2.25." Now, would you explain those entries, please?

Mr. HULEN. Well, he checked in on 10-15-62.

Mr. JENNER. That is Lee Oswald?

Mr. HULEN. Lee Oswald check in on 10-15-62. The desk clerk at that time was a Mr. Burge, and the L-18198, was the number of the receipt which was given Lee Oswald, and the amount of \$3.25, was \$2.25 for the night's lodging and \$1 deposit on the room key, which is refunded when it is returned to the front desk. Shall I go on?

Mr. JENNER. Yes. And then there is an additional set of entries below those we have now described and they read, "Lee Oswald, [spelling] T-o-r-o, Calif.," and the next line October 3, 1963—Barker?

Mr. HULEN. Barker was the desk clerk, and the M-15593 was the number of the receipt and \$3.25 was the room fee and a \$1 deposit on the key.

Mr. JENNER. Now, those entries record the fact then that Oswald was a guest at the YMCA October 15th through October 19th, both inclusive, and again on October 3, 1963?

Mr. HULEN. Through October 18th, I believe it is, isn't it?

Mr. JENNER. It shows he was a guest at the YMCA October 15, 16, 17, 18, and 19, of 1962, and again on October 3 and to October 4, of 1963?

Mr. HULEN. That's correct.

Mr. JENNER. Now, the examination of the receipts for lodging of guests at the YMCA reveal only those entries you have now described and are listed on this sheet of paper with respect to Lee Oswald?

Mr. HULEN. That's correct.

Mr. JENNER. The years—during the years 1962 and 1963?

Mr. HULEN. Correct.

Mr. JENNER. And had he been a guest and registered in on any other occasion during the years 1962 and 1963, would there have been and would there be now a registration entry and a receipt for payment of the character you have described?

Mr. HULEN. Yes, sir; I am sure there would be.

Mr. JENNER. Now, we would like the YMCA to furnish us photostatic copies of those five receipts just as you have furnished us a photostatic copy of Mr. Ruby's membership application.

Mr. HULEN. I would be glad to do it.

Mr. JENNER. We would appreciate it very much.

Mr. HULEN. Yes, sir.

Mr. JENNER. And if we can have those this afternoon, we would like it.

Mr. HULEN. I'm sure we can arrange it and give them to you. Shall I bring them right here?

Mr. JENNER. Yes; please do and we will give them to Miss Oliver and she can incorporate them in the transcript. I offer Hulen Exhibit No. 2.

To be best of your recollection and drawing on whatever knowledge you have, you don't recall anybody by that name, Lee Oswald, ever having used the Health Club facilities?

Mr. HULEN. No, sir; not to my knowledge.

Mr. JENNER. And you know Jack Ruby well enough—do you recall this person Lee Oswald ever having been in the company of Jack Ruby at the YMCA?

Mr. HULEN. No, sir.

Mr. JENNER. You have seen pictures of Lee Oswald on television and in newspapers and magazines?

Mr. HULEN. Yes, sir; I have.

Mr. JENNER. And that person is clear in your mind—do you recall his physical characteristics?

Mr. HULEN. Yes, sir; I do.

Mr. JENNER. So that you are able to say with a reasonable degree of certainty, so far as you are concerned, that you never saw that person using the Health Club facilities and you never saw him in the company of Jack Ruby?

Mr. HULEN. That is correct.

Mr. JENNER. Tell us what kind of a fellow Ruby was?

Mr. HULEN. Well, I found—

Mr. JENNER. In your general impression?

Mr. HULEN. I found Jack Ruby to be friendly and courteous and a well-behaved person. He seemed to have a lot of enthusiasm about anything that he liked. He generated a lot of enthusiasm around that. For instance, any athletic events or sports he discussed—he discussed that with the other members, which is the usual topic of well-known weight lifters, for instance, there are several—Reeves and Stanko and I can name several of them.

Mr. JENNER. Was Ruby a weight lifter? Did he dabble at that?

Mr. HULEN. Well, I should define weight lifting and body building. Weight lifting is competing, like you have in the Olympics, which is heavy lifting. In other words, you go to your maximum. Now, in body building, you take a minimum amount of weight and exercise longer—in other words, if you work with the heavy weights you can't work as long with the heavy weights as you can with the lighter weights, and Ruby was more of a body builder. In other words, he worked with the lighter weights over a longer period of time. In other words, he was not after, in my opinion, he wasn't after a large body or bulging muscle, he just wanted to stay in a good general physical condition.

It wasn't necessary for me to set up any kind of a program for him. He had had experience in the past and he knew pretty well what he wanted to do, so actually there was very little, if any, supervision on my part. He used the fa-

illities and behaved very well and I found him to be a nice person to talk to—to visit with.

Mr. JENNER. All right, sir. Leave the deposition open for the moment, Miss Oliver, because Mr. Hulen will return with the photostatic copies of those records and we will close his deposition when we take care of that.

Mr. HULEN. Now, I will be tied up until about 1. Would 1:30 or 2 o'clock be agreeable with you?

Mr. JENNER. 2 o'clock is fine.

(At this point the witness Hulen left the deposing room, the proceedings of the deposition to be resumed at 2 p.m., of this same date, April 1, 1964, and were resumed as follows:)

Mr. JENNER. Mr. Hulen has kindly returned this afternoon with copies of the receipts to which he made reference in his testimony and of which he supplied a longhand list on ruled notebook paper, Hulen Exhibit No. 2. Now that we have the originals, we can substitute them. They are five in number, and I identified them as entitled "Receipts Young Men's Christian Association of Dallas Downtown Branch." They are signed respectively by "Burge [spelling] B-u-r-g-e" and "Barker." We will work them in order of dates, as Hulen Exhibits Nos. 3, 4, 5, and 6, and the receipt of October 3 as Hulen Exhibit No. 7. I take it they were desk clerks?

Mr. HULEN. The desk clerks.

Mr. JENNER. Mr. Burge registered in Mr. Oswald on October 15, 1962, is that correct?

Mr. HULEN. That's correct—yes, sir.

Mr. JENNER. And the receipt shows the room number, room No. 415. Does that indicate the room to which he was assigned?

Mr. HULEN. Yes.

Mr. JENNER. And then there is \$2.25, and underneath, opposite that, "Deposit—\$1, total \$3.25." And that represents the charge for the room and key deposit you testified about this morning?

Mr. HULEN. Yes; that's correct.

Mr. JENNER. The next one is dated October 16, 1962, also—name: Lee Oswald, same room, \$2.25, initialed, however—it looks like "HB", or is this "W. Burgess."

Mr. HULEN. Correct; Burgess.

Mr. JENNER. He is also a registration clerk or desk clerk?

Mr. HULEN. Yes, sir.

Mr. JENNER. The next is dated the 17th of October 1962, in the name of Lee Oswald, the same room number, \$2.25, signed by Mr. Burge, whom we have already identified. The next is dated October 18, 1962, the same name—Lee Oswald, same room number, same amount, but this time signed by just one word, "Barker." Is this a Mr. Barker or Miss Barker?

Mr. HULEN. Yes—Mr. Barker.

Mr. JENNER. Is he also a room clerk or registration clerk?

Mr. HULEN. Yes; he is.

Mr. JENNER. And the last in this series is dated October 3, 1963, and in this instance it is in the name of Lee H. Oswald, and it shows an address, whereas, none of the other of the first four had an address, and the address is listed here as Toro [spelling] T-o-r-o, Calif. [Spelling] C-a-l.

I notice something on the first of the series which I notice again on this one of October 3, 1963, which is the printing on the line entitled, "Membership fees," and there is the word written in longhand, "service." That's true of the first and the last of these receipts—what does that indicate?

Mr. HULEN. That indicates that he was a serviceman and that, in my opinion, that waives the membership fee.

Mr. JENNER. The room number on the October 3 receipt is 601. That, as in the case of the others, indicates the room to which he was assigned?

Mr. HULEN. Yes.

Mr. JENNER. On this visit on October 3?

Mr. HULEN. Yes, sir.

Mr. JENNER. That line says, "Room 601 to 10/4," meaning October 4, I assume.

Mr. HULEN. I imagine—yes, sir.

Mr. JENNER. \$2.25 is shown for the room and a dollar for the key deposit,

which I take it means he was charged \$2.25 for that Room 601, for 1 day or 1 night, plus a dollar to cover the key deposit?

Mr. HULEN. Yes, sir—that's correct.

Mr. JENNER. I think that concludes Mr. Hulen's deposition. I offer Hulen Exhibits Nos. 3 to 7, both inclusive. And we may close the deposition at this point.

Mr. Hulen, I didn't mention this this morning, but you may read over your deposition when Miss Oliver has completed it and if you will call in to the U.S. Attorney's Office here, Mr. Barefoot Sanders or his secretary will know when it is ready for you to read it.

Mr. HULEN. All right, sir.

Mr. JENNER. And if you have any corrections, we would like to have them and then you sign the deposition, or you may waive the signature now, if you wish.

Mr. HULEN. All right, I will waive the signature.

TESTIMONY OF COLIN BARNHORST

The testimony of Colin Barnhorst was taken at 11:40 a.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Please stand and be sworn.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. BARNHORST. I do.

Mr. JENNER. Mr. Barnhorst, I am Albert E. Jenner, Jr., a member of the legal staff of the President's Commission which was authorized to be created by Senate Joint Resolution 137, and President Johnson in Executive Order 11130, appointed the Commission and specified its powers pursuant to the legislation I have just identified to you. The duties of the Commission are to investigate the assassination of President John Fitzgerald Kennedy on the 22d of November 1963.

And that entails our inquiry into various facts and circumstances and incidents, some of them involving a man known as Lee Harvey Oswald. We understand that Mr. Oswald was a guest at the YMCA here in downtown Dallas, and we would like to ask you a question or two in that respect.

Mr. JENNER. What is your age, by the way?

Mr. BARNHORST. Twenty-one.

Mr. JENNER. Are you employed by the downtown YMCA here in Dallas?

Mr. BARNHORST. Yes.

Mr. JENNER. That is located where?

Mr. BARNHORST. 605 North Ervay.

Mr. JENNER. When did your employment commence?

Mr. BARNHORST. October 14.

Mr. JENNER. What year?

Mr. BARNHORST. 1963.

Mr. JENNER. State the nature of that employment and your hours?

Mr. BARNHORST. Desk clerk and mainly checking in and out guests—that is the primary duty and my duties involve making change and the usual reports and things like that. My hours are from 4 to midnight 4 nights a week.

Mr. JENNER. 4 in the afternoon until midnight 4 nights a week?

Mr. BARNHORST. Then on Friday night—midnight to Saturday morning 8 a.m. every week, and every other week from midnight to 8 a.m., on Thursday night, so I alternate 6 days and 5 days. The particular week of all this I had worked Thursday night also.

Mr. JENNER. Were you on duty at any time so as to bring to your attention the fact that Lee Harvey Oswald was or had become a guest at the YMCA?

Mr. BARNHORST. You mean at the time—

Mr. JENNER. At the time.

Mr. BARNHORST. Well, I wasn't working there when he was a guest. I know when he was there, but I wasn't working there.

Mr. JENNER. That's right. Have you personally examined the records of the YMCA in that respect?

Mr. BARNHORST. Yes.

Mr. JENNER. And those records are of what character?

Mr. BARNHORST. They are a daily report on transients in and out with permanents in and out and the number of rooms, and a copy goes to the residence manager and a copy stays at the household and a copy is sent to and, well, it is placed on our desk copy.

Mr. JENNER. And have you examined those records for both the years 1962 and 1963?

Mr. BARNHORST. No; only the month of October 1963.

Mr. JENNER. Only the month of October 1963. In examining that month did you examine each day of the month, that is, the records relating to each day of that month?

Mr. BARNHORST. Originally—yes, and I have looked at them also, actually, I guess for September, because I had stayed there one night and I had looked back to see which room I was in and I was just curious and in looking back—later on—I saw there was a Lee H. Oswald. He was in room 601, because I looked at it last night after the man called me and it is still on the desk.

Mr. JENNER. He occupied the room 601 when?

Mr. BARNHORST. Until the morning or early part of the afternoon of the 4th of October. I say that because the clerk who was on was Eva Marshall. Her name was beside the checkout. So, she was the one who would have checked him out and she works on the day shift and at that time she was working day shift and that would have been about 10 days, I guess, before I went to work there and she was filling in there because the clerk had quit, which is why they hired me. I don't know who the clerk was. I only found the checkout, I didn't ever see the check-in—I think I did see it one time. And I think it was October 3, the day before.

Mr. JENNER. The check-in was October 3?

Mr. BARNHORST. I remember that from sometime ago, but I just happened to see the checkout.

Mr. JENNER. Tell me what kind of records you keep—you keep a receipt?

Mr. BARNHORST. Well, maybe I can describe these when he checks in to see step by step what happens, because there is a little blue card with a stub on it and we call this a transient register card. He fills in his name and the phone number and membership, if any, and a number of other details, if it has anything to do with such as when his membership expires, if he is in the service, his service number or some other things, and then we fill out a triplicate receipt for his room rent. In this case he paid for 1 night and then we give him a receipt and a receipt stays in the register and a receipt goes in the drawer and, of course, we fill out the rest of the stub—the receipt number, the amount paid, and we fill out his name and his room number on the stub and the price of it and so forth for the operator to put his name up on the board, and he came in fairly early on the 3d, because the operator—

Mr. JENNER. What is the board you mentioned something now about? You mentioned something new.

Mr. BARNHORST. This is a board we have for locating anyone in the building at that time, who is staying in the building. It is a PBX machine and is in the nature of a board up on the wall and it has several sections. It is a flip-type board and you put a little narrow slip of paper with their name and room number on it. That's for the telephone operator.

Now, he must have come in fairly early on the 3d, if he came in in the evening, because in fact, he did come in in the evening. Mr. Barker checked him in because I know the evening operator typed his name in and so that would place him coming in in the evening sometime before 10 o'clock, because that's about when she leaves, and after that they are typed up by the—either the night clerk or the next operator in the morning. Then, in the evening, it is put on a ledger sheet and we have two types—we have one for the permanent guests for their

personal account, and for just general transients that pass through, we have a group account. We just put the last name and the amount paid and whether or not they paid a membership fee. And, I might mention he didn't pay a membership fee when he came in. There is only two ways a person can pay that and that is either be in the service or have a membership card and I don't think he was registered as a member. He may have tried to pass himself off as a serviceman, but that's just in passing—that's not on the record—but—then, we make this daily report which is what I saw his name on last night. That is a long sheet and it has a list of room numbers in numerical order and then the name of the person who checked into that room that day and anybody who checked out of the room that day, and any transfers.

Mr. JENNER. Mr. Hulén, when he testified a few moments ago, testified with respect to his having checked over receipts showing payment for lodging and he assembled a list and he is going to obtain photostatic copies of them and return them this afternoon and return with them. Are you returning to the YMCA after you leave here?

Mr. BARNHORST. No, I can—it's just across the street.

Mr. JENNER. Well, I would appreciate it if you would speak with Mr. Hulén who made copies of the entries from the records—I would like to have in addition to the copies of the receipts, photostatic copies of the registration card you have mentioned.

Mr. BARNHORST. Yes.

Mr. JENNER. And this is a check-in card, did you call it a check-in card?

Mr. BARNHORST. A transient register card, and do you want the daily report?

Mr. JENNER. Yes.

Mr. BARNHORST. How about this one in our ledger book?

Mr. JENNER. I would like that as well.

Mr. BARNHORST. Because the clerk would be Mr. Michaels, depending on what night of the week it was. Probably Mr. Michaels—chances are it was he that made out that report. He is not with us now, but he didn't report any membership fee paid at the time.

Mr. JENNER. And that would indicate that none was paid?

Mr. BARNHORST. Yes.

Mr. JENNER. Is there a difference in charge or rate for a room depending upon whether you are a member of the YMCA or a serviceman?

Mr. BARNHORST. From what I know, Mr. Oswald—he should have paid \$3.75 or \$2.25 for a room, 50 cents for membership and \$1 for the key deposit. No doubt he paid the room rent because that's on the record and the key deposit or else he wouldn't have gotten a room, but the key deposit isn't listed in the ledger at all. It is a separate account because we refund it and in the ledger we list memberships and we separate that from the key deposits. Because it is in a separate account. Now, I didn't see any membership fee by his name.

Mr. JENNER. But does an ex-serviceman receive this reduced rate?

Mr. BARNHORST. Not if he has been out a minute or more, at least I never give it to him. Now, I always check the ID cards. Mr. Barker, I believe, does not, but of course any serviceman could rattle off his service number 20 years after he got out and I found that out quite early so I have been checking them and I have had several fellows who were trying to get away with it—they usually had forgotten it or say they would be back in a minute and they don't come back and it was embarrassing to me, and Mr. Barker has been there a long time. He wouldn't write up a membership unless he was a serviceman.

Mr. JENNER. These registration cards show—

Mr. BARNHORST. They don't show which one it is.

Mr. JENNER. Would they show the address that the guests gave?

Mr. BARNHORST. We always ask for an address, try to get an address from them. Occasionally we don't. Occasionally they just sort of don't put it on there and you say, "Well, I would like to have an address on there." And they will say, "I plan to stay here." It should show an address on there of some kind.

Mr. JENNER. And among the papers I have asked to have photostated will that appear?

Mr. BARNHORST. If he gave an address, it will be there. Now, I came across one fellow—I told a couple of the FBI men, because so many of them were over there to talk to me—there's always around the YMCA somebody who knows a little about everything, you know these kind of people, but in this case there is a fellow down there who claims that he knew Lee in New Orleans. Now, he is a little character and his IQ matches his height. I'm not making personal opinions, you understand, but this fellow was no end of trouble to me. He did come by and he, I believe, stayed on the same floor, if I remember right.

Mr. JENNER. He was a guest?

Mr. BARNHORST. He was a permanent resident and he was one of these fellows who bounced from job to job every few days but he just happened to bounce in the same town all the time.

Mr. JENNER. What is his name?

Mr. BARNHORST. Joseph R. Hummel.

Mr. JENNER. [Spelling] H-u-m-m-e-l?

Mr. BARNHORST. Right.

Mr. JENNER. Is he still a guest there?

Mr. BARNHORST. No; he moved out 2 or 3 months ago. We have a forwarding address, I believe because his mail isn't here any more—that would indicate a forwarding address. In fact, I believe I put the forwarding address in the box. It's over there and I can probably get it for you.

Mr. JENNER. I wonder if you would do that and also give that to Mr. Hulén and tell him what you told me about that so he can explain it to me.

Mr. BARNHORST. The night watchman over there told me one time—I mentioned "Little" Joe, or heard "Little" Joe talking about it one night and I wouldn't put much stock in it because the night watchman says he has seen fellows come in there from some of these towns and "Little" Joe recognized them and called them by name, and evidently he has been in New Orleans possibly about that time, so if I didn't know that, I would just say the guy was a glory hound, but something like that sometimes a glory hound might be in the right place at the right time. So, the FBI—I don't know whether they did anything about it or not, but I just told them at that time that that wasn't the only person around that I know of that remembers knowing Oswald or when he was there, and if we didn't have the official records to show it.

Apparently he just passed unnoticed, because from the pictures I have seen, he's like a hundred and one guys I have checked in over there, and the only reason I would watch him if I suspected he might be a homosexual or something because in a transient hotel of any kind we watch for them and try to see if they are going to—to see the people they associate with, you know, what is going on and we do watch that. I don't think anyone has said that he associated with anyone, because it has been talked about some.

Now, Mr. Barker, the one who checked him in is the one clerk we have over there who the roof could fall in on—just so it didn't fall in over the part that was his desk—it wouldn't matter.

Mr. JENNER. It wouldn't matter to Barker?

Mr. BARNHORST. No.

Mr. JENNER. Is he still working there?

Mr. BARNHORST. Yes; he's about 79. He just lives and lets live. He checks them in and checks them out. Somehow, maybe it's better that way but I have never heard him, of course, say anything one way or the other, about it.

Mr. JENNER. What hours does Barker have?

Mr. BARNHORST. He works the same hours I do—four to midnight except he works the three nights of the week that I don't and then works on Saturday and Sunday from 8 a.m. to 4 p.m. He and I share the weekend pretty well.

Mr. JENNER. All right, Barker checked in Oswald, according to your records?

Mr. BARNHORST. According to my knowledge.

Mr. JENNER. On those records?

Mr. BARNHORST. Right. And Eva Marshall is the one who checked him out, and I am personally pretty positive it was Mr. Barker because the telephone operator that was on with him said that that is true.

Mr. JENNER. Mr. Barker signed the receipt of payment of \$3.25, for this day on October 3 and 4?

Mr. BARNHORST. It was \$3.25 then?

Mr. JENNER. It says \$3.25.

Mr. BARNHORST. It should have been \$3.25, you see.

Mr. JENNER. And Mr. Barker apparently charged him out on the 18th of October 1962, and he paid \$2.25 for the last day of that 4-day stay in October 1962. Mr. Burge apparently checked him in because the receipt is signed by Mr. Burge, on the 15th of October.

Mr. BARNHORST. If they still do the same thing as they did then that would pinpoint the time when he came in. Mr. Burge relieves us in the evening for our lunch hour, which is usually half an hour and that falls invariably between 5 and 7 because the cafeteria closes at 7:30.

Mr. JENNER. So, with Mr. Burge checking the man in, that would indicate that was at night or in the evening?

Mr. BARNHORST. In the evening.

Mr. JENNER. It would be sometime after 4 in the afternoon?

Mr. BARNHORST. Sometime after 5, because he wouldn't come in until 5.

Mr. JENNER. And if Mr. Barker either checked somebody in or checked somebody out, that would appear, wouldn't it?

Mr. BARNHORST. It depends on the day of the week. If it was on the weekend, it would be between 8 and 4. It would—if it was on a week-evening, I mean a weekday, it would be in the evening. That's presuming, of course, I'm pretty sure he worked the same shift then as he does now. Of course I don't know.

Mr. JENNER. Well, October 15, 1962, was a Monday?

Mr. BARNHORST. A Monday—well, then, that meant that he was very possibly working the shift I am working now, because he's off Monday and Tuesday now, but that would still be in the evening. I am presuming that he wasn't working full time for us then.

Mr. JENNER. But if he did work, it was at night?

Mr. BARNHORST. Yes. I'm pretty sure it would be. I don't think he was ever a day clerk.

Mr. JENNER. All right. I appreciate very much your coming in. You have been helpful and if you will relate to Mr. Hulén my desire for these additional records, photostatic copies, I would appreciate it. He said he was going to return about 2 o'clock this afternoon.

Mr. BARNHORST. All right.

Mr. JENNER. If he has those, you might speak with him—you see he is in the health department.

Mr. BARNHORST. Yes.

Mr. JENNER. I don't know just how familiar he is with these records, but he may be able to explain them.

Mr. BARNHORST. He might and he might not be. He probably might not be familiar with the midnight reports. We make these daily reports where his name would be at the desk.

Mr. JENNER. Where the guest's name would appear at the desk?

Mr. BARNHORST. I beg your pardon?

Mr. JENNER. The name of the guest.

Mr. BARNHORST. Yes; it would be on a permanent form. We have a sheaf of papers—we have a stack this high [indicating] and it goes back, that goes back to Noah and if we had Noah, it would be on that. It had everybody's else's name on there and it would go back oh, I know of course it covers Oswald because I saw it on there.

Mr. JENNER. You actually saw it?

Mr. BARNHORST. Yes.

Mr. JENNER. As a matter of fact as late as last night?

Mr. BARNHORST. Yes; and I remember it was "Lee H." Now, it doesn't necessarily mean on that report that the card was filled out "Lee H." It could have been filled out in the whole name, we abbreviate the names for space.

Mr. JENNER. Now, that room 601, was the room he occupied on the 3d of October 1963, or was it the room he occupied in 1962?

Mr. BARNHORST. In 1963. I didn't see the one in 1962.

Mr. JENNER. Whatever room number he occupied on his earlier stay in 1962—appears on these records you have described?

Mr. BARNHORST. Well; I would say it would be there unless it had been mutilated, and it's double checked by this Mr. McRee's secretary. He is the resident manager. It is double checked by her to see that all the stubs are matched by name on the checkin and all of the blue cards are matched by the name on the checkout, just in case there are two of them stuck together.

Mr. JENNER. I hesitate to press you but in view of your great familiarity with the records, if you would not be horribly inconvenienced, it would be helpful to me if you would return with those registration records, because you know how to explain them, at 2 o'clock, with Mr. Hulén.

Mr. BARNHORST. The photostats or the originals?

Mr. JENNER. The photostats.

Mr. BARNHORST. At 2 o'clock?

Mr. JENNER. Please, and you would be in a position to say that the photostats that you produce are actually photostats of the records and cards that you personally saw in the YMCA.

Mr. BARNHORST. Yes.

Mr. JENNER. And if you will return, then I will not close your deposition now, but I will wait until 2 o'clock. Thank you very much. I appreciate your coming in.

Mr. BARNHORST. Well, I realize this is just details that you have to have.

Mr. JENNER. Yes; that's right.

Mr. BARNHORST. I'll be back at 2 o'clock.

Mr. JENNER. All right, thank you.

(At this point the witness Barnhorst was excused from the deposing room and returned to same at 2 p.m. on this same day, April 1, 1964, and his deposition was continued as follows:)

Mr. JENNER. Now, the balance of Mr. Barnhorst's deposition. You thought you might be able to obtain some records for me, Mr. Barnhorst.

Mr. BARNHORST. Yes, sir; I was not able to obtain the blue card record. The FBI has that. That's the notice from Mr. McRee in his handwriting.

Mr. JENNER. "The FBI"—I am reading the note, "The FBI has the register cards for October 3, 1963. 1962 has been destroyed and we didn't keep them that long."

Mr. BARNHORST. This is a sample register card just for your own information.

Mr. JENNER. Mr. Barnhorst has given me a sample of the blue "transient register card," which he described this morning. The card is entitled, "Transient register card." It has a stub entitled "Transient," and is light blue in color. We will mark it Hulén Exhibit No. 8.

Mr. BARNHORST. And that Toro, Calif.—I can identify that as a Marine base, I believe, you've probably heard the name of it.

Mr. JENNER. Yes.

Mr. BARNHORST. That would have appeared as an address on the blue card in October 1963, because that's the only place where Mr. Barker could have gotten the information.

Mr. JENNER. The receipt as to that occasion which I have described in the record, dated October 3, 1963, Lee H. Oswald, opposite the word "address," does have "Toro, Calif." So, in the normal course, I take it that that address would have been furnished to the registration clerk, and in this case, Mr. Barker?

Mr. BARNHORST. Yes; it would be on the blue card.

Mr. JENNER. Yes; the blue card, the sample of which you have furnished me?

Mr. BARNHORST. Yes; also, Mr. McRee, the resident manager, says that Mr. Oswald produced an identification card, which is not hard to believe because he could have simply claimed to have lost it, his ID, when he was in the service, and had them make him another one and turn in the one he had made. I've seen fellows do that quite often. It is usually used for getting into PX's and USO's. This is from our ledger sheets, these I have here that are dated in the red left-hand column—everywhere there is a red checkmark on there, Mr. Oswald's name appears with a receipt number, the amount paid, his last name, also that he never paid any membership fees, but only the room fees.

Mr. JENNER. All right, you have handed me three cards from the original records of the downtown YMCA—they are three sheets.

Mr. BARNHORST. Written on both sides.

Mr. JENNER. Yes; written on both sides. I will mark them commencing with the earliest date on the exhibits, as Hulen Exhibits Nos. 9, 10, and 11. Would you identify the sheets? What are they, what kind of record?

Mr. BARNHORST. They are original ledger sheets for a transient guest and they are for the purpose of recording temporarily that the registrar has paid certain fees, because oftentimes they lose their receipts. They come down and we copy into this register—which is placed in a file, the amount that they paid. It is to guarantee that there is no confusion on the amount that is paid.

Mr. JENNER. And do these three register cards that I have in my hand cover all the month of October 1963?

Mr. BARNHORST. No, sir; they don't.

Mr. JENNER. I'm sorry, do they cover the month of October 1962?

Mr. BARNHORST. I don't know whether they do—I doubt it—I think they would only cover the days before and after the time which you are interested in. They cover from October—October 15th through October 19th.

Mr. JENNER. May I call your attention to the last of the cards, which is marked Hulen Exhibit No. 11, the first entry on which is dated October 2, 1963, and that is for 1963, I'm sure?

Mr. BARNHORST. Yes; the 1962 cards, marked Hulen Exhibits Nos. 9 and 10, respectively, run from October 15th through October 19th.

Mr. JENNER. And they consist of two sheets?

Mr. BARNHORST. Yes.

Mr. JENNER. In selecting these two sheets covering the 15th through the 19th, did you examine the ledger sheets for the balance of the month?

Mr. BARNHORST. No, sir; Mr. McRee did.

Mr. JENNER. Mr. McRee did so?

Mr. BARNHORST. And he told me those are the only cards that have Mr. Oswald's name on them.

Mr. JENNER. So, they were selected from the ledger cards for October 1963, those which had some entry thereon with respect to Oswald?

Mr. BARNHORST. Yes. It was done by the receipt numbers, also.

Mr. JENNER. It was doublechecked, so that there appears a—on the third line of the 1962, card commencing with October 15th, an entry under date of October 15th, reciting item No. 18198 and the name, "Oswald," and \$2.25 and under the column, "balance," there is a strike line, and—indicating nothing due.

Mr. BARNHORST. Pardon me, that balance is not used for the purpose of something due. We substitute for that a membership fee. That strike line means he did not have a membership fee.

Mr. JENNER. There is a similar entry for the 16th, the 17th, and the 18th. These records then are for the recording of the fact that Oswald was a guest on those days, and that he paid the amounts of money recorded on the ledger sheets, which in turn correspond with the receipts which Mr. Hulen brought in?

Mr. BARNHORST. Yes, sir.

Mr. JENNER. The third of these ledger sheets—the first entry is opposite a date in 1963—October 2, 1963. I take it this ledger sheet was selected from among all of the ledger sheets for the month of October 1963, because it records the name Oswald on October 3, 1963, item No. 15593, \$2.25—is that correct?

Mr. BARNHORST. Yes. I have seen all of the ledger sheets for October 1963.

Mr. JENNER. And this is the only one that has any entry on it with respect to Oswald?

Mr. BARNHORST. That's the only one.

Mr. JENNER. And that one entry that does have, corresponds with the receipt on that date, produced by Mr. Hulen?

Mr. BARNHORST. Yes.

Mr. JENNER. May we have these photostated and then returned to you or did you make photostats?

Mr. BARNHORST. We do not keep this for any great length of time. Mr. McRee said we might turn this over to you.

Mr. JENNER. Thank you very much.

Mr. BARNHORST. As with all of the records.

Mr. JENNER. All right, we will retain them. Do you have other papers?

Mr. BARNHORST. Yes; these are the daily report sheets you requested. This is October 1963. These are for the specific dates at the top.

Mr. JENNER. Mr. Barnhorst has now produced and handed me—

Mr. BARNHORST. You see, the carbon was in the thing backwards when it was typed, so, they didn't do it over on the third copy, they just stapled a sheet behind it and attached it to the copies you read it through from the top because an error was made in putting it in the typewriter.

Mr. JENNER. The front of each of these two sheets, for the purpose of identification in the record consist of two sheets stapled together back to back and in the typing the sheet was reversed and must be read from back to front. The first, or facing sheet, is marked Hulen Exhibit No. 12, and it is entitled "Resident's Hall Report, Thursday, October 3, 1963." The left-hand column is headed "Permanent-in." The right-hand column is headed, "Transients-out continued." This records, as I look at it here, the registrations in and out on October 3, 1963, is that correct?

Mr. BARNHORST. Yes; approximately. It may include one or two who came in just the night before or who checked out, or men who would have been there and checked out the following day—would be on the next day's report.

Mr. JENNER. Is there an entry on this sheet with respect to Lee Oswald?

Mr. BARNHORST. Yes, room 601, on the "Transients-out," and I believe on the "Transients-in," I'm not sure. On this one it is the "Transients-in," room 601. He isn't on this sheet on "Transients-out." I don't recall it.

Mr. JENNER. Room 601—and he is shown checked in by Mr. Barker?

Mr. BARNHORST. Yes.

Mr. JENNER. And from your knowledge of the hours Mr. Barker worked, that check-in was either late in the day or early in the evening of October 3?

Mr. BARNHORST. Yes.

Mr. JENNER. The second set of papers you have produced consists of three sheets, each entitled, "Resident's Hall Report." They are dated at the top right-hand column as October 4, 1963, October 15, 1962, and October 19, 1962. They are marked respectively, Hulen Exhibits Nos. 13, 14, and 15.

Mr. BARNHORST. Hulen Exhibit No. 13 is for the day following October 3, 1963.

Mr. JENNER. That would be the same report for the following day, and is there an entry on this that relates to Mr. Oswald?

Mr. BARNHORST. Yes, sir; "Transients-out, Room 601."

Mr. JENNER. Under "Transients-out," Room 601, appears the name "Lee H. Oswald." Then, at the end of the line there there is a word that is apparently a name (spelling) E-v-a—

Mr. BARNHORST. Yes, sir.

Mr. JENNER. Who is that?

Mr. BARNHORST. Mrs. Eva Marshall.

Mr. JENNER. What does she do?

Mr. BARNHORST. She is the day clerk. She was probably substituting at the time for the clerk who quit.

Mr. JENNER. All right, and this indicates then that he checked out on the 3d of October and that the lady you have identified handled that checkout?

Mr. BARNHORST. Yes, sir.

Mr. JENNER. And the fact that she did it would indicate to you what, as to the time of day he checked out?

Mr. BARNHORST. It would probably be morning, but it also could be early afternoon.

Mr. JENNER. Exhibits 14 and 15 cover the period October 15-19, 1963?

Mr. BARNHORST. Yes.

Mr. JENNER. I offer the exhibits.

I think that's all we have with respect to you. You overheard what I said to Mr. Hulen with regard to reading the deposition. That applies to you as well. If you will check with Mr. Sanders, this ought to be ready next week. It is rather late in the week to have it ready. You may sign the deposition if you wish or you may waive that. If there are any errors in it, we would like to know. Thank you very much.

Mr. BARNHORST. OK.

TESTIMONY OF MRS. ARTHUR CARL (GLADYS J.) JOHNSON

The testimony of Mrs. Arthur Carl (Gladys J.) Johnson was taken at 3:40 p.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Joseph A. Ball, assistant counsel of the President's Commission.

Mr. BALL. Come in, Mr. and Mrs. Johnson, and sit down. My name is Joe Ball and Mrs. Johnson, I think we will start with you. Will you stand up, Mrs. Johnson, please, and hold up your right hand?

[Complying.]

Mr. BALL. Do you solemnly swear the testimony given before this Commission will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. JOHNSON. I certainly do; yes, sir.

Mr. BALL. Mrs. Johnson, my name is Joe Ball and I am a staff counsel for the President's Commission on the Assassination of President Kennedy. You have received a letter from us, did you not?

Mrs. JOHNSON. Yes, I did.

Mr. BALL. Asking you to appear today and you are appearing voluntarily?

Mrs. JOHNSON. Yes.

Mr. BALL. You will be asked questions concerning certain facts of which you have knowledge that have to do with our investigation of the assassination of the President, and particularly your knowledge of Lee Harvey Oswald and his place of residence and various things that you might know concerning Lee Harvey Oswald.

Mr. BALL. What is your address?

Mrs. JOHNSON. 1026 North Beckley.

Mr. BALL. How long have you lived there?

Mrs. JOHNSON. 21 years.

Mr. BALL. And you live there with your husband?

Mrs. JOHNSON. Yes, sir; I do.

Mr. BALL. What is his name?

Mrs. JOHNSON. Arthur Carl Johnson.

Mr. BALL. First of all, before I ask you any more questions, can you tell me something about your background, where you were born, where you went to school?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. How long you've been married and everything.

Mrs. JOHNSON. I was born in 1902 in Cherokee County at Alto and I was married to my first husband in 1920 and he is deceased. I had two children by him and he is deceased and I have been married to this Mr. Johnson will be 18 years in August.

Mr. BALL. You are a housewife by occupation?

Mrs. JOHNSON. No, I have a restaurant. I have a little restaurant of my own for 28 years, 1029 Young Street, Johnson's Cafe.

Mr. BALL. You still operate it?

Mrs. JOHNSON. Yes, sir; I still do.

Mr. BALL. You said you had lived at this place, 1026—

Mrs. JOHNSON. About 21 years.

Mr. BALL. North Beckley?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. You and your husband own that property?

Mrs. JOHNSON. I do; I owned it before I married. I don't own it. I am paying for it but I had bought the property before I married Johnson.

Mr. BALL. What size house is that, how many rooms?

Mrs. JOHNSON. Well, it has about 20-odd—22 rooms.

Mr. BALL. 22 rooms?

Mrs. JOHNSON. Yes.

Mr. BALL. In October, last October, November, 1963, who lived there?

Mrs. JOHNSON. October?

Mr. BALL. Yes, October and November last year; you and your husband lived there?

Mrs. JOHNSON. Yes; my husband and I; that's our home.

Mr. BALL. Anyone else live there with you?

Mrs. JOHNSON. I had a housekeeper.

Mr. BALL. What is her name?

Mrs. JOHNSON. Earlene Roberts.

Mr. BALL. Anyone else live there?

Mrs. JOHNSON. That's all except tenants.

Mr. BALL. Then you rented out rooms?

Mrs. JOHNSON. Yes; I rent out bedrooms, don't give board, just bedroom and living room privileges.

Mr. BALL. How many tenants did you have in October last year?

Mrs. JOHNSON. You know, I'm sorry I didn't bring my register. I couldn't tell you exactly; I imagine I had about 10 or 12.

Mr. BALL. Was it full?

Mrs. JOHNSON. No; I don't—I most always have vacancies.

Mr. BALL. You do?

Mrs. JOHNSON. I have had more even since this happened.

Mr. BALL. Oh, you have?

Mrs. JOHNSON. Yes; I have; people are funny about things like that, you know.

Mr. BALL. Well, now, you knew Lee Oswald, didn't you?

Mrs. JOHNSON. Well, I just knew him when I seen him. I knew him as a renter, that's all.

Mr. BALL. Where was he when you first met him, at what place?

Mrs. JOHNSON. At my home—I was between serving hours and I come home for relaxation and to kind of help out. I cooperate in keeping the house and seeing after it, too, and I had returned home that afternoon and he seen the room for rent sign—the first time that he came by, I happened to have just rented the last room that one time. Occasionally, I will have them full and then they just go vacant; people just come in and out, stay a week and then are gone, anyway, at that time, I didn't have a room.

Mr. BALL. The first time he came to see you?

Mrs. JOHNSON. Yes; that's something about 3 weeks before he came back.

Mr. BALL. This was 1026 North Beckley?

Mrs. JOHNSON. Yes.

Mr. BALL. He talked to you?

Mrs. JOHNSON. Yes; the first time and the last time; the first time, he told me he wanted a room and I told him I was very sorry, I just rented the last room and he said he was very sorry, he wanted to get near his work and he didn't have a car and it being on the bus line, he was sorry he missed it. I said, "You noticed the sign." I hadn't had time to take the sign up and I told him, "I will take the sign up and if you notice the sign up again, you might stop by and I will have a room" and sure enough, he came by this second time and so this tiny, little room—it was at one time my library; that's what it was built for, and he came by and I said I only have this small room at the present time. I run an ad, it seems like, at that time, and I said I only have the small room and he looked at it and said, "I will take this room with the understanding I can have a larger room at the time you have one go vacant" and I said to him that's agreeable, so, at the time, I had other vacancies which in just 2 or 3 days I had two or three more accommodations go vacant, so I told him I had other accommodations that are larger and he said, "I find this room to be light and comfortable." It was four windows on the outside wall; it was all light. He said, "I find it to be light and comfortable and worth the money, if you don't mind, I will remain in this room," so he didn't even look at the other rooms. He just remained in that room, what I call my library. When I utilized it into a bedroom, my father-in-law lived with a family of people on a farm and they went to Arkansas to live and he was getting old and he didn't want to be that far away from his son, so he wanted to come and make his home with us and I fixed this little library room—it was off and private from the other roomers—for "Pappy" to sleep in and the living room for him to sit in and he was—that's about 9 years before he was deceased.

Mr. BALL. Do you remember the date Oswald rented the room?

Mrs. JOHNSON. October 14.

Mr. BALL. What time of day did he come by?

Mrs. JOHNSON. It was between 4 and 5 o'clock, I do know that because I was home that day when he came back by and I said, when he came by, I said, "You did come back by."

Mr. BALL. Was your sign out at that time?

Mrs. JOHNSON. Yes; it was; he seen the sign.

Mr. BALL. How much did you charge him?

Mrs. JOHNSON. \$8 a week, refrigerator and living room privileges.

Mr. BALL. The refrigerator was located where?

Mrs. JOHNSON. In my kitchen—he wanted to know if he could put milk and lunch meat in my refrigerator and I told him he could.

Mr. BALL. Did he tell you what his name was?

Mrs. JOHNSON. O. H. L-e-e [spelling].

Mr. BALL. Did he sign anything with that name?

Mrs. JOHNSON. Yes, sir; I have it in my purse.

Mr. BALL. May I see it?

Mrs. JOHNSON. I will be glad to—I don't want you to keep it. I want you to—I brought it for your information. I knew you was going to ask that.

Mr. BALL. Now, is this in his handwriting?

Mrs. JOHNSON. This "O. H. Lee" is in his handwriting and this other is in the housekeeper's handwriting—Mrs. Roberts.

Mr. BALL. And these are the rates you gave him?

Mrs. JOHNSON. Yes.

Mr. BALL. I would like this marked as an exhibit to this deposition. Mark this Exhibit A.

[Exhibit so marked.]

Mr. BALL. Could we make a copy of this and return this to you, Mrs. Johnson?

Mrs. JOHNSON. Yes; I have been told that I could sell this and I haven't gotten any money. I think about \$30 is what I have received, all the trouble and all I've had and I've had to take the rugs up once or twice. People like to have driven us crazy before we asked for any information what to do. I hated to be rude to people. I didn't know what to do but they got so—

Mr. BALL. We will make a picture of this and give it back to you.

Mrs. JOHNSON. May I have something to erase this November 13, 15—I got that wrong, anyway. I was looking at the calendar and this, I was thinking it was November 13 that he left—he left my place on a Wednesday before this assassination on Friday.

Mr. BALL. That was the last time you saw him?

Mrs. JOHNSON. Yeah; the last time I saw him was on a Wednesday but my housekeeper seen him on a Friday morning right after this assassination, he came by the house hurriedly.

Mr. BALL. Were you at home at the time?

Mrs. JOHNSON. No; I wasn't. I was at my restaurant, so I got this copied wrong. It was November 20; the assassination was on the 22d and he left my house on the 20th and then didn't return until right after this assassination.

Mr. BALL. By this, you mean the last time you saw him was Wednesday, the 20th?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. He did not come home on Thursday night?

Mrs. JOHNSON. He did not; no, sir.

Mr. BALL. The 21st?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. Friday, the 22d, you did not see him, either?

Mrs. JOHNSON. No; I didn't. The housekeeper did.

Mr. BALL. We will make a copy of this and give the original back to you and we will mark this "A." Did he sign that "O. H. Lee" in your presence?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. On that day?

Mrs. JOHNSON. Yes, sir; the day he rented the room, they sign the register—they sign the register before I accept any money.

Mr. BALL. I'm talking about this "O. H. Lee" signature on this document; he signed that on that date?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. Did he give you the money?

Mrs. JOHNSON. Yes.

Mr. BALL. \$8?

Mrs. JOHNSON. Yes.

Mr. BALL. Did you ever know his true name was Lee Harvey Oswald?

Mrs. JOHNSON. No; not until we saw his picture flash on the television as the officers were out. Those particulars was found in his pocket after he killed Tippit, after his arrest. So I came from the restaurant, I guess 1 or 1:30, and these officers were there 1:30 or 2, something like that, anyway, it was after this assassination, and as I drove in, well, the officers were there and they told me that they was looking for this character and I told them I didn't think I had anyone by that name there but we went through the register carefully two or three times and there was no Oswald there and I had two new tenants, rather new tenants, so we had carried them around the house to show them and we was going to start in the new tenants' rooms and my husband was sitting in the living room and seen this picture flash on the television and he said, "Please go around that house and tell him it was this guy that lived in this room here"; and it was O. H. Lee.

Mr. BALL. That is the first time you learned his name was Oswald?

Mrs. JOHNSON. Yes.

Mr. BALL. You knew him as O. H. Lee?

Mrs. JOHNSON. Yes; I knew him as O. H. Lee.

Mr. BALL. The first time you knew the man to be Lee Harvey Oswald that you had known as O. H. Lee?

Mrs. JOHNSON. That's right.

Mr. BALL. Were you there when Oswald brought his clothes into the room?

Mrs. JOHNSON. No; what do you mean?

Mr. BALL. Now, you rented the room to him on the 14th?

Mrs. JOHNSON. Yes.

Mr. BALL. Did he move in on that same day?

Mrs. JOHNSON. Yes, sir; and he had his clothes with him.

Mr. BALL. He had his clothes with him?

Mrs. JOHNSON. Yes, sir; he just had a little old bag of clothes, these little bags you get when you are in the service.

Mr. BALL. A duffelbag?

Mrs. JOHNSON. Yes.

Mr. BALL. That's all he had?

Mrs. JOHNSON. That's all he had.

Mr. BALL. He was there only—you say he rented it on the 14th of October?

Mrs. JOHNSON. He rented the 14th of October.

Mr. BALL. Then he paid his rent every week until when?

Mrs. JOHNSON. Every week, every week, I tell you, when he rented the room, he told me that he was—I told him the rules of the house before I accepted any renter I rent to, I tell them the rules of the house.

Mr. BALL. What did you tell him?

Mrs. JOHNSON. That we definitely do not entertain in bedrooms, strictly the living room, and, too, they cannot come in intoxicated. If they drink, they must sober before they come in and I do not allow drinking at the home. That's the rules of the house and he accepted it.

Mr. BALL. He was there a little better than a month?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. Five or six weeks?

Mrs. JOHNSON. Yes; he was.

Mr. BALL. Did he eat any of his meals there at the home?

Mrs. JOHNSON. He had sandwiches and had milk. He drank about a half gallon of sweet milk a day. He kept a half gallon of sweet milk in my refrigerator a day and he kept lunch meat.

Mr. BALL. Anything else?

Mrs. JOHNSON. Jelly and preserves, something like that.

Mr. BALL. Did he eat in the evening after work?

Mrs. JOHNSON. Yes; he did, most every afternoon.

Mr. BALL. He ate where, in his room?

Mrs. JOHNSON. Sometimes take it in his room, but he was just spotless with it.

Mr. BALL. Did he eat in the kitchen with it sometimes?

Mrs. JOHNSON. Occasionally, if there was no one in the kitchen, he would sit in the kitchen, but if there was anyone in there, he would take it in his room and every bit of that was put in the trash can. He never kept anything cluttered, never kept anything outside, no papers, books, or nothing.

Mr. BALL. Did you see him eat anything but lunch meat?

Mrs. JOHNSON. I never did, just lunch meat, all he ever put in there and preserves, I think he had some preserves and milk; but he put about a half gallon of sweet milk in that box each day.

Mr. BALL. Did you ever see him eating his evening meal?

Mrs. JOHNSON. Well, I don't think I had seen him but I have seen him come in and get the lunch meat and carry it into his room.

Mr. BALL. Did he go out nights, any?

Mrs. JOHNSON. I just really never did see that man leave that room.

Mr. BALL. After he came back from work?

Mrs. JOHNSON. Yes; he stayed very closely but he did tell me he would be leaving to go home over weekends—no; he didn't say "home," he said, "I will leave to go to Irving over weekends and won't return until Monday."

Mr. BALL. Was he gone almost every weekend?

Mrs. JOHNSON. Every weekend but one and that was the weekend previous to the assassination.

Mr. BALL. What did he do that weekend?

Mrs. JOHNSON. Well, I actually didn't see him leave the house but I know he did because I heard some of the renters say they seen him leave and I also heard—remember something that he went to the rifle range—I read he was at the rifle range.

Mr. BALL. You say you did not see him leave. Were you there over the weekend?

Mrs. JOHNSON. I surely was.

Mr. BALL. But you did not see him leave?

Mrs. JOHNSON. That's right.

Mr. BALL. You say you heard some people say that; who said that?

Mrs. JOHNSON. I have read.

Mr. BALL. Don't tell me what you read.

Mrs. JOHNSON. I actually read it in the newspaper; I just don't remember.

Mr. BALL. Is there anybody that you know of at your house that you say saw Oswald leave the house the weekend before the assassination?

Mrs. JOHNSON. I'm trying to think. I just don't believe that I remember anyone who said definitely that they seen him leave.

Mr. BALL. Did anybody tell you that lived in your house there?

Mrs. JOHNSON. They could come in and out that door and we never would notice it because the house is large and we stayed a lot in the back of the house.

Mr. BALL. You mentioned rifle range. Where did you get information that Oswald went to a rifle range?

Mrs. JOHNSON. I read it in the paper.

Mr. BALL. Did anybody in your house tell you he went to a rifle range?

Mrs. JOHNSON. No.

Mr. BALL. Did you ever see him go to a rifle range?

Mrs. JOHNSON. No, sir.

Mr. BALL. Did he ever tell you he went to a rifle range?

Mrs. JOHNSON. No, sir; that man never talked; that was the only peculiarity about him. He would never speak. If we would speak to him and some of the men renters he would speak to the housekeeper and I everytime we would speak and we would speak to him just most every time we would meet him and, of course, he would speak after we would speak, but he would come in and watch television maybe 30, 40 minutes at a time and never speak to a man.

Mr. BALL. He would watch television sometimes?

Mrs. JOHNSON. Yes, sir; watch television with the other men renters and he

wouldn't speak to them. Maybe they would speak to him but he wouldn't speak.

Mr. BALL. Did you ever see him with a rifle?

Mrs. JOHNSON. Never did; and he never brought that rifle in my house; I just know he never had that rifle in there. He could have had this pistol, I don't know, because they found the scabbard.

Mr. BALL. The pistol holster is what they found?

Mrs. JOHNSON. Pistol holster is what I'm trying to say.

Mr. BALL. They found that after the assassination?

Mrs. JOHNSON. Yes sir; I seen the holster.

Mr. BALL. Had you ever seen it before?

Mrs. JOHNSON. No, sir; he kept that packed away. We never go through people's personal things. I instruct my housekeeper never go through people's personal things. We are not in a position to do that and it's rude and we do not.

Mr. BALL. How is this room furnished that Oswald rented?

Mrs. JOHNSON. A very small room; it had an old fashioned clothes closet that had a place to hang your clothes and drawer space for your underwear, your socks and everything, and then it also had a cabinet space anyone could have stored food or, well I mean bundles of things, you know, and then I had a dresser and a bed and a heater and a little refrigerated unit.

Mr. BALL. A refrigerating unit?

Mrs. JOHNSON. Yes, sir; a window unit.

Mr. BALL. You mean it cooled the room?

Mrs. JOHNSON. Yes, sir; and it had curtains and venetian blinds.

Mr. BALL. What kind of curtains did it have?

Mrs. JOHNSON. Well, it just had side drapes and panels.

Mr. BALL. Were the curtains on curtain rods?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. They were in the room when he rented it?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. Did Oswald ever talk to you about redecorating his room?

Mrs. JOHNSON. No, sir; never mentioned it.

Mr. BALL. Did he ever talk to you about putting up new curtains in his room?

Mrs. JOHNSON. No, sir.

Mr. BALL. Did he ever tell you he was going to get some curtain rods?

Mrs. JOHNSON. No; he didn't.

Mr. BALL. The room had curtain rods on the window when he came in there?

Mrs. JOHNSON. Yes, sir; sure did.

Mr. BALL. Also curtains?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. Was there one weekend when he was gone in which he didn't return on Monday but he came back the next day, on Tuesday?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. Was there?

Mrs. JOHNSON. Yes; there was one and it must have been on Labor—no—

Mr. BALL. Armistice Day?

Mrs. JOHNSON. Armistice Day; it was on Monday, was it not?

Mr. BALL. Yes.

Mrs. JOHNSON. That was Monday he wasn't home. He didn't come home until Tuesday; that's the first time and only time he failed to pay his rent when it was due. It was due on Monday.

Mr. BALL. When did he pay it?

Mrs. JOHNSON. I would say the next 5 minutes after he walked into the house from work.

Mr. BALL. What time did he come home from work on Tuesday?

Mrs. JOHNSON. Something like 5 o'clock, 4:30 or 5—5, I think.

Mr. BALL. Did he tell you where he had been?

Mrs. JOHNSON. No, no; he didn't tell us anything; no; we didn't ask.

Mr. BALL. Now, in the next weekend, that would be the weekend before the assassination, he stayed there?

Mrs. JOHNSON. He remained there.

Mr. BALL. Did you or did you not see him go out any that weekend?

Mrs. JOHNSON. I did not see him go out; I did not; no, sir.

(At this point Mr. Johnson left the room.)

Mr. BALL. Let me ask you this: did he, that weekend, that was the weekend before the assassination, on a Saturday, make a trip to a place where they wash clothes?

Mrs. JOHNSON. Well, I think that he did go across to that washateria. I think he did.

Mr. BALL. Did you see him go any place, go out of the house except for that on that weekend?

Mrs. JOHNSON. That's the only time and I had just forgotten that but I do remember he carried some clothes out of that house that morning and the washateria is right across the street, less than a block.

Mr. BALL. But he left his room?

Mrs. JOHNSON. And he wasn't gone long and I didn't see him return with any clothes but I do know he was gone just about long enough to do a wash.

Mr. BALL. Did he watch television every evening?

Mrs. JOHNSON. Not every evening but just every time he took a notion but maybe 95 percent of the time he would sit in his room.

Mr. BALL. Did he have any visitors?

Mrs. JOHNSON. No, sir; he never had a visitor.

Mr. BALL. Do you ever remember him spending an evening away from home except for these times you told us about?

Mrs. JOHNSON. Not an evening that I remember him being away but other than weekends he would. He would leave on Friday mornings and return Monday evenings.

Mr. BALL. Did he tell you when he rented your room where he was working?

Mrs. JOHNSON. No; he didn't, but he did tell me he would be returning to Irving each weekend.

Mr. BALL. Did he ever tell you where he was working?

Mrs. JOHNSON. No, sir.

Mr. BALL. Did he ever tell you what his job was?

Mrs. JOHNSON. No; he told me he was anxious to rent the room being on the busline and near his work and he didn't have a car and he would be returning to Irving.

Mr. BALL. Did you ever see him in the company of anyone?

Mrs. JOHNSON. Never did see him in the company of nobody.

Mr. BALL. Did he drink?

Mrs. JOHNSON. No, sir; no more than sweet milk.

Mr. BALL. He never drink intoxicating liquor?

Mrs. JOHNSON. No, sir; I don't believe he drank.

Mr. BALL. You never saw him drink anything?

Mrs. JOHNSON. No, sir.

Mr. BALL. You never saw him intoxicated?

Mrs. JOHNSON. No, sir.

Mr. BALL. Did he smoke?

Mrs. JOHNSON. I don't believe he did.

Mr. BALL. Miss Earlene Roberts was your housekeeper at this time?

Mrs. JOHNSON. Yes, she was.

Mr. BALL. How long have you known her?

Mrs. JOHNSON. I have known Mrs. Roberts, oh, I guess it was 6 years, something like that, 6 years.

Mr. BALL. Where did you first meet her?

Mrs. JOHNSON. I hired her as a housekeeper.

Mr. BALL. At 1026 North Beckley?

Mrs. JOHNSON. Yes, sir.

Mr. BALL. Has she been working for you for that period of time?

Mrs. JOHNSON. No, sir; I let Mrs. Roberts go a time or two, then I would hire her back.

Mr. BALL. Was there some reason why you let her go?

Mrs. JOHNSON. Well, she would just get to being disagreeable with renters and I don't know, she has a lot of handicaps. She has an overweight problem and she has some habits that some people have to understand to tolerate.

Mr. BALL. What are they?

Mrs. JOHNSON. Talking, just sitting down and making up tales, you know, have you ever seen people like that? Just have a creative mind, there's nothing to it, and just make up and keep talking until she just makes a lie out of it. Listen, I'm telling you the truth and this isn't to go any further, understand that? You have to know these things because you are going to question this lady. I will tell you, she's just as intelligent—I think she is a person that doesn't mean to do that but she just does it automatically. It seems as though that she, oh, I don't know, wants to be attractive or something at times. I just don't know; I don't understand it myself. I only wish I did.

Mr. BALL. She was working for you in October and November while Oswald was a renter with you?

Mrs. JOHNSON. Yes, she was. This Saturday night will be 3 weeks she left.

Mr. BALL. She quit 3 weeks ago?

Mrs. JOHNSON. Yes, sir; I didn't know she was going.

Mr. BALL. Where did she go?

Mrs. JOHNSON. I do not know. I called her sister to try to find out. I don't think she knows.

Mr. BALL. Who is her sister?

Mrs. JOHNSON. Mrs. Bertha Cheek.

Mr. BALL. She lives here in Dallas?

Mrs. JOHNSON. Yes; on Swiss, I think.

Mr. BALL. Have you talked to her within the last few days?

Mrs. JOHNSON. A number of times I talked to her, trying to find Earlene. I thought it was important we did come to this Commission and I wanted to ask Earlene just why she did leave because I didn't know there was a thing in the world wrong. Well, I carried her to Pleasant Grove to a doctor and spent a half day that I should have been even with my brother that had had a heart attack, been assisting my sister-in-law and her chores that day.

Mr. BALL. When was this?

Mrs. JOHNSON. Three weeks ago Saturday.

Mr. BALL. That's the day you took her to the doctor?

Mrs. JOHNSON. Yes; I took her every 2 weeks just as regular.

Mr. BALL. She quit that day?

Mrs. JOHNSON. That night, and everything was just as agreeable; I went and shopped for vegetables and her special meats for her diet. She is a diabetic, too, while she was in the doctor's office, and I had everything for another week for her diet.

Mr. BALL. Did she come to you and tell you she was going to quit?

Mrs. JOHNSON. No; she never mentioned such a thing. I thought everything was just agreeable.

Mr. BALL. What did she do, move out?

Mrs. JOHNSON. After midnight, after everyone was in bed.

Mr. BALL. She didn't tell you she was going?

Mrs. JOHNSON. She didn't tell me, she was going.

Mr. BALL. You haven't see her since?

Mrs. JOHNSON. I haven't seen her since.

Mr. BALL. Did a letter come to your house to Earlene Roberts from the Commission?

Mrs. JOHNSON. Yes.

Mr. BALL. What did you do with it?

Mrs. JOHNSON. I held it until the last minute and returned it to you.

Mr. BALL. Your letter and your husband's letter came to the house?

Mrs. JOHNSON. Yes.

Mr. BALL. You called Mrs. Cheek?

Mrs. JOHNSON. Yes, I did.

Mr. BALL. To find out where Earlene was?

Mrs. JOHNSON. Yes.

Mr. BALL. What did she tell you?

Mrs. JOHNSON. She told me she had called her and told her she had left my house and she said, "I just proceeded to tell her what I thought about it because you are so good and so nice to her. She should never have quit you like

that." She said. "You know how she is, she hasn't called back. She might swell up and pout and it will be months before she calls me again."

Mr. BALL. Do you know any reason why she should have left you?

Mrs. JOHNSON. Mrs. Cheek, the sister, says when she was talking to her she brought up a little old lady that does room with me and she is a retired woman who is drawing her social security and she was a housekeeper previous to this last time Mrs. Roberts was there—Katy Gage, a precious woman, gets along with everybody. She's got children but doesn't want to live with them. She prefers living with my husband and I, renting a room and lives with us. She tells—and Mrs. Cheek says first thing she brought up was Katy. She says she's jealous of Katy and I don't know why she is. There is no reason to be.

Mr. BALL. Did Earlene Roberts ever talk to Oswald in your presence; did you ever see them talk to each other?

Mrs. JOHNSON. Listen here, no; I don't believe that Lee talked to anybody. I just really don't.

Mr. BALL. Did Earlene ever talk to you about Oswald?

Mrs. JOHNSON. No.

Mr. BALL. Say she thought he was a peculiar one?

Mrs. JOHNSON. No.

Mr. BALL. She never mentioned him?

Mrs. JOHNSON. No; she just didn't like him because he wouldn't speak but that's all.

Mr. BALL. She told you she did not like him?

Mrs. JOHNSON. Yeah, she would say "I would like to know if he thinks he is too good to speak to me when he comes through the kitchen." I said, "If you speak to him, he will speak," I said, "I will speak to him" and he says, "Good morning" but he didn't speak if I didn't speak.

Mr. BALL. On the day of the 22d of November, were you home around 1 o'clock?

Mrs. JOHNSON. It must have been 1:30 or 2, something like that.

Mr. BALL. When you came home?

Mrs. JOHNSON. Yes; after serving lunch.

Mr. BALL. Did Earlene Roberts say anything to you whether or not this man had returned?

Mrs. JOHNSON. No; after these officers came in, well, then she began to tell them that he did come rushing in and she had gotten a phone call or had made one, anyway, she was on the phone—no, there was someone called her, that's what she said, said someone called her and she says, "Did you know that the President had been assassinated" and she says, "Why, no" and she says, "Well, it's on the television now" and she says, "I will run and turn it on" and she run in and turned this television on to get this information and this Oswald walked in hurriedly and she said, she said to him, "You seem to be in a hurry." She was the only one in that place. She said he didn't say a word but went on in his room and she said he changed his little zip-up coat, way I understand it, and just went right back out. He evidently got the gun; now, we don't know.

Mr. BALL. Did she tell the officers that?

Mrs. JOHNSON. Yeah, she told the officers that.

Mr. BALL. When they came out there, did they have a search warrant?

Mrs. JOHNSON. Yes, surely.

Mr. BALL. Did you permit them to search his room?

Mrs. JOHNSON. Yes; they taken everything immediately out of his room.

Mr. BALL. Did you look in the room while they were searching it?

Mrs. JOHNSON. I certainly did. It had French doors to it; folding open, you couldn't help but see everything, the books and all they took out of these chests of drawers. They was throwin' them down on the bed.

Mr. BALL. Did you see a pistol holster?

Mrs. JOHNSON. Yes, I did.

Mr. BALL. Where was it?

Mrs. JOHNSON. I don't know; they took it out of one of the drawers of this chest.

Mr. BALL. It was in a drawer?

Mrs. JOHNSON. Yes.

Mr. BALL. I think that's all. Now, you can look this over and sign it, if you wish, or you can waive your signature and we will have it written up and send it on to Washington.

Mrs. JOHNSON. How is this?

Mr. BALL. If you wish, we will have this written up and you can read it over and sign it or you can waive signature, if you wish, and you won't need to read it over and sign it. What do you prefer?

Mrs. JOHNSON. I would think that you people—of course, the way I worded it, it probably sounds terrible.

Mr. BALL. I thought it sounded very good.

Mrs. JOHNSON. I put it just as straight as I could because we did know such a little about this man but you know I have rented rooms a long time and I find people, around boys, especially, about this age, some of them are shy. They don't prefer a lot of yakking and you will get to where, actually, you appreciate a person that goes in his room and takes care of his own business rather than sit around and quiz and ask personal questions and wants to change from one television program to another. You get tired of that.

Mr. BALL. Are you satisfied to waive your signature, Mrs. Johnson?

Mrs. JOHNSON. Why, yes.

Mr. BALL. And leave it just as you said it?

Mrs. JOHNSON. I have said the truth, nothing but the truth.

Mr. BALL. Then, you won't have to sign it. We will send it on to the Commission this way.

Mrs. JOHNSON. I have told you the truth.

TESTIMONY OF A. C. JOHNSON

The testimony of A. C. Johnson was taken at 3:45 p.m., on April 1, 1964, in the office of the U.S. Attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. David N. Belin, assistant counsel of the President's Commission.

Mr. BELIN. Will you stand up and raise your right hand, Mr. Johnson?

Do you solemnly swear in your testimony to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. JOHNSON. I do.

Mr. BELIN. Please be seated, sir. Your name is A. C. Johnson?

Mr. JOHNSON. A. C.

Mr. BELIN. Where do you live, Mr. Johnson?

Mr. JOHNSON. 1026 North Beckley.

Mr. BELIN. That's here in Dallas?

Mr. JOHNSON. Yes, sir.

Mr. BELIN. How long have you lived there?

Mr. JOHNSON. I've lived there 17 years, I believe.

Mr. BELIN. Now what's your occupation?

Mr. JOHNSON. Carpenter.

Mr. BELIN. Are you originally from Texas, or did you move here?

Mr. JOHNSON. No, I'm from Kentucky—was born in Kentucky. My folks came here when I was 5 years old.

Mr. BELIN. They came here to Texas?

Mr. JOHNSON. When I was 5 years old. And I've been in and around Dallas ever since.

Mr. BELIN. Did you go to school here?

Mr. JOHNSON. Yes—not in Dallas, but country schools—county schools, you know.

Mr. BELIN. How far did you go through school?

Mr. JOHNSON. Sir?

Mr. BELIN. How far did you go through school?

Mr. JOHNSON. Uh—just grade school.

Mr. BELIN. Just grade school. And then did you go to work?

Mr. JOHNSON. Yes.

Mr. BELIN. Did you ever have any Army service at all?

Mr. JOHNSON. No.

Mr. BELIN. Just by general background, has your general occupation been a carpenter for most of these past 20 or 30 years?

Mr. JOHNSON. No; I've been a carpenter for about—uh—well, about 20 years, I guess.

Mr. BELIN. Before that, what did you do?

Mr. JOHNSON. I was raised on a farm.

Mr. BELIN. And you worked on a farm then?

Mr. JOHNSON. Yes.

Mr. BELIN. And you and your wife have this house at 1026 North Beckley and have people that room there by the week?

Mr. JOHNSON. Yes.

Mr. BELIN. About how many people do you have that room there?

Mr. JOHNSON. Well, when it's full, we have 17.

Mr. BELIN. Has it been full within the past 6 months at all, or not?

Mr. JOHNSON. No, no, it hasn't.

Mr. BELIN. By the way, how long have you been married, Mr. JOHNSON?

Mr. JOHNSON. Seventeen years.

Mr. BELIN. You've been married 17 years?

Mr. JOHNSON. Yes, sir.

Mr. BELIN. Now, sometime last fall, a person came to your house to rent a room who you knew by the name of O. H. Lee. Is that correct?

Mr. JOHNSON. That's right.

Mr. BELIN. When he first came, were you all full at that time or not—or don't you know?

Mr. JOHNSON. I believe that—uh—the little room he took was the only room available at that time.

Mr. BELIN. Had he come any earlier to try and find a room earlier—or not?

Mr. JOHNSON. Uh—Mrs. Roberts said he had been by once before.

Mr. BELIN. And was that little room available then, or not—or don't you remember?

Mr. JOHNSON. I don't remember exactly, I believe, though, that—uh—I believe he looked at it and decided he'd wait awhile. But the next time he came back, why he decided he'd take it.

My wife told him that—uh—if he wanted to take that room, why he could, you know, when we had a larger room and more convenient for him, why he could have it. And so he just—after he got this little room, why he just decided he'd stay in it.

Mr. BELIN. Could you describe that little room for us?

Mr. JOHNSON. Well, it's just a—a small room. I believe it's about 8 by 12, or something like that. It was a library room.

Mr. BELIN. Does it have any windows in it?

Mr. JOHNSON. It has—uh—three—four windows, I believe.

Mr. BELIN. On one side, two sides, three sides?

Mr. JOHNSON. One side.

Mr. BELIN. They're all on one side?

Mr. JOHNSON. All on one side.

Mr. BELIN. Do you have any curtains on those windows?

Mr. JOHNSON. Yes.

Mr. BELIN. Did you have curtains at that time on the windows?

Mr. JOHNSON. Yes.

Mr. BELIN. How were the curtains put up—by curtain rods, or by what?

Mr. JOHNSON. Yes. Curtain rods. Yes. They were just on regular curtain rods.

Mr. BELIN. There were already curtain rods in the room, then, when this O. H. Lee came there—is that correct?

Mr. JOHNSON. Yes, uh-huh.

Mr. BELIN. Could you describe the curtains at all, that were in there, if you remember them, or not?

Mr. JOHNSON. No; I couldn't.

Mr. BELIN. Would those curtains still be on there today? Or might you have different ones now?

Mr. JOHNSON. No; we'd have different curtains now.

Mr. BELIN. Do you know who he got his room from—from you or from your wife or from your housekeeper?

Mr. JOHNSON. I don't know.

Mr. BELIN. Who was your housekeeper, by the way?

Mr. JOHNSON. Earlene Roberts.

Mr. BELIN. Is she still there?

Mr. JOHNSON. No; she's moved.

Mr. BELIN. How long had she been a housekeeper for you?

Mr. JOHNSON. Well, that's something around a year—this past—the last time, I mean.

Mr. BELIN. She was a housekeeper for you prior to that time?

Mr. JOHNSON. Yes; about a year or a little better.

Mr. BELIN. Do you know how old Mrs. Roberts is—approximately?

Mr. JOHNSON. I believe she's in her fifties.

Mr. BELIN. Would you have any objections in stating for the record approximately how old you are?

Mr. JOHNSON. I'm 59.

Mr. BELIN. Fifty-nine. Did Mrs. Roberts say why she was leaving?

Mr. JOHNSON. No; she didn't.

Mr. BELIN. Did she give you any notice that she was leaving?

Mr. JOHNSON. No; didn't give us any notice.

Mr. BELIN. She just walked out?

Mr. JOHNSON. Just walked out.

Mr. BELIN. When did she walk out?

Mr. JOHNSON. It was in the night.

Mr. BELIN. Just the middle of the night?

Mr. JOHNSON. Well, we don't know what time. All the roomers had already gone to bed, so we don't know what time it was.

Mr. BELIN. Did she have any pay coming from you, or not?

Mr. JOHNSON. I don't know. My wife always pays her. Now, I couldn't tell you. I don't remember. I've even forgotten what night she moved. I think my wife paid her on Wednesday night—or on Wednesdays. But I couldn't tell you what day she moved.

Mr. BELIN. The last time she worked for you, when she left did she give you any notice?

Mr. JOHNSON. No. The last—the last time was the one I had reference to.

Mr. BELIN. I mean, the first time that she worked for you? Or don't you remember?

Mr. JOHNSON. Uh—I don't remember.

Mr. BELIN. All right. In any case, this man, O. H. Lee, came to rent a room from you or from your wife?

Mr. JOHNSON. Yes.

Mr. BELIN. Could you describe how you came to find out that this man had another name other than O. H. Lee?

Mr. JOHNSON. Well, it was when the officers came looking for him.

Mr. BELIN. When was this?

Mr. JOHNSON. Uh—after Tippit was shot, the police—

Mr. BELIN. This would have been on November 22, 1963?

Mr. JOHNSON. Yes.

Mr. BELIN. And can you state what happened?

Mr. JOHNSON. Well, they just came down there looking for—uh—Oswald.

Mr. BELIN. Did they say what his full name was?

Mr. JOHNSON. Yes, I believe they did.

Mr. BELIN. Lee Harvey Oswald?

Mr. JOHNSON. I believe they did.

Mr. BELIN. Did they say how they happened to come there?

Mr. JOHNSON. Well, uh—after he was—uh—apprehended out there, they searched him and found my address in his pocket.

Mr. BELIN. Your address of 1026 North Beckley?

Mr. JOHNSON. That's right.

Mr. BELIN. All right. What happened when the officers got there? They asked you if Lee Harvey Oswald lived there?

Mr. JOHNSON. Yes.

Mr. BELIN. How long had you been at the house when the officers arrived?

Mr. JOHNSON. Oh, probably 30 minutes.

Mr. BELIN. Do you remember about what time of the day they arrived?

Mr. JOHNSON. Well, it must have been around 1:30 or 2 o'clock—the best I remember.

Mr. BELIN. When did you get home that day from your work?

Mr. JOHNSON. Well, it was around 1 o'clock or maybe a little bit after.

Mr. BELIN. At the time you had gotten home, had you heard that the President had been shot?

Mr. JOHNSON. Yes. I heard that before I went home.

Mr. BELIN. Did you hear that the President had died before you went home?

Mr. JOHNSON. Yes.

Mr. BELIN. So you got home sometime after you had heard that the President had died?

Mr. JOHNSON. Yes.

Mr. BELIN. Where were you when you heard that the President had died?

Mr. JOHNSON. 1029 Young Street.

Mr. BELIN. And is that a business?

Mr. JOHNSON. We have a little restaurant there.

Mr. BELIN. You and your wife have a restaurant there?

Mr. JOHNSON. Yes.

Mr. BELIN. Was your wife there, too?

Mr. JOHNSON. Yes; we work together.

Mr. BELIN. And did you hear this on the radio?

Mr. JOHNSON. No. Uh—we have a friend that is a policeman, works for Cotton Belt Railroad. And he called us—called up here and told us. Of course, we had heard all the sirens and everything, you know, going, and we couldn't imagine what it was. And Nicholson called us and told us that he had heard it over the radio.

Mr. BELIN. He had heard over the radio that the President had been shot?

Mr. JOHNSON. Yes.

Mr. BELIN. And then, did you turn on your radio?

Mr. JOHNSON. Yes. We don't have one there in the place, so we went out in the car and sat there in the car and listened.

Mr. BELIN. All right. And was it while you were sitting in the car that you heard that the President had died?

Mr. JOHNSON. Yes; we didn't leave until we—it was announced that he was dead.

Mr. BELIN. How soon after that announcement did you leave?

Mr. JOHNSON. I'd say 5 minutes.

Mr. BELIN. All right. Then, how long did it take you to get to 1026 North Beckley?

Mr. JOHNSON. It takes us about 5 minutes.

Mr. BELIN. So that about 10 minutes after you heard on the radio that the President had been shot, you arrived with your wife at 1026 North Beckley?

Mr. JOHNSON. That's right.

Mr. BELIN. Did you see anyone? Was Mrs. Roberts there?

Mr. JOHNSON. Yes; she was there—at the television.

Mr. BELIN. She was watching television?

Mr. JOHNSON. Yes.

Mr. BELIN. Had this man, O. H. Lee, was he there when you got there?

Mr. JOHNSON. No; he had been there just—uh—before we got home.

Mr. BELIN. Did Mrs. Roberts tell you that he had?

Mr. JOHNSON. She told us that he come in and got a—uh—little coat or something and just walked in his room and right back out the door.

Mr. BELIN. Now, what was the occasion of Mrs. Roberts telling you that?
Mr. JOHNSON. Well, I—just general conversation, I suppose, you know. Uh—after she found out who it was—

Mr. BELIN. Oh, she told you this after she found out that this was Lee Harvey Oswald?

Mr. JOHNSON. Uh-huh; that he did come in and get his coat.

Mr. BELIN. Well, did she tell you this before the police came to your house?

Mr. JOHNSON. No; because she had no idea. Her sister, I believe it was, called her and told her to turn the television on, that Kennedy had been shot. And she was over there working with the television, tuning it in, when Oswald came in.

Mr. BELIN. When did she tell you this?

Mr. JOHNSON. Uh—just after we found out that it was—Oswald.

Mr. BELIN. After you found out that O. H. Lee was Lee Harvey Oswald?

Mr. JOHNSON. That's right.

Mr. BELIN. Well, you started to tell me how you found this out. I believe you said the police came sometime after you got home?

Mr. JOHNSON. Yes. And I saw his picture on television, you know. As quick as we found out who he was, why Mrs. Roberts just said something about that he had come by the house here.

Mr. BELIN. Well, let me backtrack a minute, now.

How soon after you got home did the police come—approximately?

Mr. JOHNSON. I'd say within 30 minutes.

Mr. BELIN. All right. 30 minutes after you got home, the police came. And what did the police say to you?

Mr. JOHNSON. They asked if—uh—we had anyone by that name living there.

Mr. BELIN. By the name of Lee Harvey Oswald?

Mr. JOHNSON. Yes.

Mr. BELIN. And what did you tell them?

Mr. JOHNSON. We told them, "No."

Mr. BELIN. All right. And then what did they say?

Mr. JOHNSON. Well, they wanted to see the rooms. They had described his age, his build, and so forth, and we had two more boys rooming there. Uh—and my wife was going to let them see the rooms.

Mr. BELIN. Your wife was going to let them see the rooms that you had—and you had a total of 17 roomers, I believe you said?

Mr. JOHNSON. Well, no. I don't know just how many roomers we had. We have 17 bedrooms—but I don't know just, at that time, how many roomers we had.

But, anyway, we had a couple of boys around his age that had moved in just a few days before, and, so, she was going to let them see their rooms.

Mr. BELIN. All right. And then what happened?

Mr. JOHNSON. Well, I saw his picture on television and I hollered at them and told them. They were out in the back, started around the house to the—uh—basement where these boys room. The bedrooms are all in the basement. And they were going back there.

And—uh—I just called them and told them, I said, "Why, it's this fellow that lives in here."

Mr. BELIN. You told them that you had seen the picture of this man on television?

Mr. JOHNSON. Yes.

Mr. BELIN. And did you tell them what this man was known to you as?

Mr. JOHNSON. Yes.

Mr. BELIN. What did they say?

Mr. JOHNSON. Well, they wanted to see the records, and we showed them—the register, I mean—and we showed them the register.

And then they searched his room.

Mr. BELIN. You showed them the register with this name of O. H. Lee?

Mr. JOHNSON. That's right.

Mr. BELIN. When was it, after that, that Mrs. Roberts said that he had been there that day?

Mr. JOHNSON. It was along about—during the conversation with these—uh—men.

Mr. BELIN. Did she see his picture on television at the same time you did?

Mr. JOHNSON. Yes.

Mr. BELIN. Did she say anything about him being O. H. Lee—or not?

Mr. JOHNSON. Uh—yes. We all—uh—were just discussing it, you know. And she told him—I believe she did—or my wife did. Said, “Well, that’s the reason we didn’t understand who they were looking for—because we didn’t know him as Oswald.”

Mr. BELIN. All right. Who recognized his face on television first? You or Mrs. Roberts?

Mr. JOHNSON. I believe I was the one—best I remember.

Mr. BELIN. Was Mrs. Roberts looking at television at the same time you were then, or not?

Mr. JOHNSON. Well, we were all talking—talking, like I say, to the officers and so forth. And—uh—I believe though that she was looking at it at the same time I was. My wife had just stepped out of the house with the officers.

Mr. BELIN. Now, what did Mrs. Roberts say about this man having been at the home earlier that day—this O. H. Lee, which they had identified as Lee Harvey Oswald?

Mr. JOHNSON. She just—uh—I believe she told them that he came in and got a little—uh—sport coat, or some sort of a little coat, and slipped it on and went right back out. And she said that she made the remark that he—said, “You must be in a hurry”—and he didn’t say anything; went on out the door.

And the next thing we knew or heard of him was after Tippit was shot.

Mr. BELIN. Do you remember anything else she said about Lee Harvey Oswald’s visit to your home?

Mr. JOHNSON. No. That’s just about it.

Mr. BELIN. Could you describe Lee Harvey Oswald at all? What kind of a person was he?

Mr. JOHNSON. Well, he was nice enough, I’d say, as a roomer because he always kept his room nice and he was very well-behaved. He didn’t—uh—talk to anyone. He might speak to you when he came in and he might not. I suppose it was according to the mood he was in, or something, I never did think too much about it—because—uh—we have so many roomers anyway that I don’t pay too much attention.

Mr. BELIN. Did he drink at all?

Mr. JOHNSON. Not that I know of. I don’t—if he ever did drink a bottle of beer, I never did know it; never did smell it, or anything.

Mr. BELIN. Did he smoke cigarettes—do you know?

Mr. JOHNSON. I don’t remember.

Mr. BELIN. Do you remember if he was right-handed or left-handed?

Mr. JOHNSON. [Pausing before reply] No.

Mr. BELIN. Did he stay out late at night or was he generally home relatively early in the evening?

Mr. JOHNSON. He was home—uh—usually right after work and just—uh—I suppose he’d go out and eat or maybe to the washateria or somewhere like that. If he was ever gone any other than this—the night before the assassination, I didn’t know it. It was after we had already gone to bed, if he did leave.

Mr. BELIN. What time did he leave for work in the morning, do you know?

Mr. JOHNSON. I believe, around 7:30, something like that. Now, I wouldn’t be sure because we leave out real early and I was never there. But I—I think that they said—Mrs. Roberts, I believe, or some of them—said he left around 7:30. Now, I wouldn’t say for sure.

Mr. BELIN. Do you know whether or not he took his lunch to work with him?

Mr. JOHNSON. No; I don’t.

Mr. BELIN. You don’t know?

Mr. JOHNSON. No.

Mr. BELIN. Is there a bus that goes by or near your house that goes near to where he worked?

Mr. JOHNSON. The bus comes right by the house.

Mr. BELIN. What bus is that?
Mr. JOHNSON. The Beckley bus.
Mr. BELIN. The Beckley bus? Does it stop right in front of your house?
Mr. JOHNSON. It stops right—uh—well, my house is the third house from the corner, and it stops right on the corner.
Mr. BELIN. And does that go right to or near Elm and Houston?
Mr. JOHNSON. It goes right by there.
Mr. BELIN. And can you pick up a bus near Elm and Houston to get right back to your house?
Mr. JOHNSON. Yes; I believe it goes right back down—uh—Elm.
Mr. BELIN. Did Lee Harvey Oswald generally stay at your home on weekends?
Mr. JOHNSON. No.
Mr. BELIN. Do you know where he went?
Mr. JOHNSON. Uh—no; I don't. I just assumed he went home.
Mr. BELIN. By "home," you mean to—
Mr. JOHNSON. Irving. I believe that's where his wife lived.
Mr. BELIN. Did he ever talk to you about his wife or family?
Mr. JOHNSON. No; never did.
Mr. BELIN. Did you ever hear him make any telephone calls to his wife, or to someone?
Mr. JOHNSON. Yes, he'd make calls but I never did know who he was calling. Because, like I say, he'd talk in a foreign language all the time.
Mr. BELIN. Were these toll calls, or not?
Mr. JOHNSON. No; so far as I know, he never put in a toll call.
Mr. BELIN. When you call Irving, Tex., is this a toll call, or not?
Mr. JOHNSON. No; it's the same exchange.
Mr. BELIN. You said that you heard him talk in a foreign language. About how often would he make these calls?
Mr. JOHNSON. Most every evening after work.
Mr. BELIN. I believe you said that he generally wasn't there on weekends. Is that correct?
Mr. JOHNSON. Yes.
Mr. BELIN. Were there some weekends when he might be there—or don't you remember?
Mr. JOHNSON. I don't remember.
Mr. BELIN. Were there any week nights when he wasn't there?
Mr. JOHNSON. Uh—so far as I know, the night before the assassination, the night of the twenty—that would be the 21st.
Mr. BELIN. Twenty-first of November?
Mr. JOHNSON. The night before the assassination.
Mr. BELIN. Yes.
Was there any other week night, apart from November 21, that he wasn't there—to the best of your recollection?
Mr. JOHNSON. No.
Mr. BELIN. Did he say anything to you before November 21 that he wasn't going to be there that night?
Mr. JOHNSON. No.
Mr. BELIN. He paid for the room by the week, didn't he?
Mr. JOHNSON. Yes.
Mr. BELIN. How much was his room rent?
Mr. JOHNSON. I believe, \$8 a week.
Mr. BELIN. Were your larger rooms more expensive?
Mr. JOHNSON. Yes.
Mr. BELIN. When a larger room became available was this ever told to him, or not?
Mr. JOHNSON. I believe my wife told him but—uh—but he just—said he'd just as soon stay on in that small room, that it was handy and that he'd just stay on.
Mr. BELIN. When a person stayed by the week, did he pay his rent in advance?
Mr. JOHNSON. Yes.
Mr. BELIN. What day of the week would his rent be due?
Mr. JOHNSON. Well, I don't know what day his—Oswald's—was due. They pay—if they move in on a Monday, they pay it—the rent is due on Monday.

Mr. BELIN. From one Monday to the following Monday, is that right?

Mr. JOHNSON. Yes.

Mr. BELIN. Now, with regard to this one night that he wasn't there. Were there any telephone calls for him on November 21?

Mr. JOHNSON. Not that I know of.

Mr. BELIN. Did he ever say why he was going home? Did you ever know ahead of time that he was going to Irving that night?

Mr. JOHNSON. No.

Mr. BELIN. Did you ever see him after the morning of November 21?

Mr. JOHNSON. No.

Mr. BELIN. Is there anything else that you can think of that might be relevant or important?

Mr. JOHNSON. No; I can't think of anything else because, like I say, I didn't really know the man.

Mr. BELIN. Is Johnny's Cafe the one that you say you and your wife operate?

Mr. JOHNSON. Johnson's Cafe.

Mr. BELIN. Johnson's Cafe?

Mr. JOHNSON. Yes; 1029 Young Street.

Mr. BELIN. You own that? I mean, you operate it yourself as proprietor?

Mr. JOHNSON. Yes.

Mr. BELIN. You're kind of a real businessman here. You rent a roominghouse, and you have a cafe, and you have carpenters. Anything else, Mr. Johnson?

Mr. JOHNSON. Well, I have an apartment house and a little rental property.

Mr. BELIN. Do you know anything about the assassination or about Lee Harvey Oswald, or anything or anyone connected with Oswald or the assassination that you might think would be of help?

Mr. JOHNSON. No; no. I don't.

Mr. BELIN. Since November 22, 1963, have you ever talked to your wife or Mrs. Roberts about Lee Harvey Oswald?

Mr. JOHNSON. Oh, yes. You know, we've discussed the thing—and—uh—I suppose you'd say that we're just more or less in shock or something, knowing that he lived there and that a thing like that happened. It's just—and all the publicity of the thing, and so forth.

Mr. BELIN. Has Mrs. Roberts said anything further about her observations of Lee Harvey Oswald to you?

Mr. JOHNSON. No.

Mr. BELIN. Do you know where we can locate her at all to talk to her?

Mr. JOHNSON. No; I sure don't.

Mr. BELIN. You got a letter, by the way, saying that we would be here to take the deposition?

Mr. JOHNSON. Yes.

Mr. BELIN. Did Mrs. Roberts leave before she got that letter or after?

Mr. JOHNSON. Why she left before. She's been gone for—I guess—3 weeks, or maybe 4.

Mr. BELIN. Before we start taking your deposition, you and I chatted briefly for a few minutes about your roominghouse, is that correct?

Mr. JOHNSON. Yes.

Mr. BELIN. Is there anything you can think of that we talked about that we don't have recorded here on this deposition?

Mr. JOHNSON. No.

Mr. BELIN. In our conversation, did you just relate to me all you knew about it, or did I try and lead you to say anything that wasn't true in any way?

Mr. JOHNSON. No.

Mr. BELIN. You just told me—

Mr. JOHNSON. I told you just what little I know about it.

Mr. BELIN. Anything else you can think of now?

Mr. JOHNSON. That's about all I know about the man.

Mr. BELIN. One other question; I might ask you if you've ever seen the shirt—Exhibit 150? Did you ever see Oswald wearing this, or don't you remember?

Mr. JOHNSON. I don't remember. He did wear sports clothes.

Mr. BELIN. Do you remember anything about the clothes he was wearing?

Mr. JOHNSON. No; because I didn't see him that day.

Mr. BELIN. You didn't see him that day. Well, on any day—for instance, here's another exhibit here—kind of a dark blue jacket—Exhibit 163. Have you ever seen Oswald wearing Exhibit No. 163?

Mr. JOHNSON. I couldn't say.

Mr. BELIN. Well, we certainly thank you, Mr. Johnson, for all of your cooperation. I know this has been time consuming on your part here.

Mr. JOHNSON. Well, we've always tried to cooperate because, you know they've brought so much publicity down on us there and we've kinda felt bad about it. So we've just thought the thing out and thought that it could happen to anybody that deals with the public, you know—rents rooms or anything.

Mr. BELIN. By the way—I don't know if I asked you. You can sign the deposition or you can waive the signing of it and just have the court reporter record it as she has it recorded here.

Do you want to sign it or do you just want to waive the signing of it?

Mr. JOHNSON. Well, it doesn't make any difference because it's—

Mr. BELIN. Well, if it doesn't make any difference to you, will you just then waive the signing of it and save your coming down the second time here?

Mr. JOHNSON. Yes.

Mr. BELIN. Well, we want you to know that we appreciate the fact that you've had people in and out of your house and everything else.

Mr. JOHNSON. We're glad to help in any way we can, you know.

Mr. BELIN. By the way, I might ask you one question that we forgot. When the police first came on November 22, did they have a search warrant at all or not? Or don't you remember?

Mr. JOHNSON. Uh—they didn't have one at the time, but they called and got one before they went into his room.

Mr. BELIN. They called and got a search warrant before they went in his room?

Mr. JOHNSON. Yes. They called over my phone.

Mr. BELIN. Over your phone? You heard them call?

Mr. JOHNSON. Yes.

Mr. BELIN. All right. I believe that's all. Thank you very much, sir.

TESTIMONY OF CLIFTON M. SHASTEEN

The testimony of Clifton M. Shasteen was taken at 9:15 a.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Would you rise and take the oath, please?

Mr. SHASTEEN. All right.

Mr. JENNER. Do you swear in your testimony to tell the whole truth and nothing but the truth?

Mr. SHASTEEN. I do. Now, I want to tell you before I start—there is some question—I just have to go back from memory.

Mr. JENNER. That's all right. All we mean when we say "the truth" is just to the best of your ability.

Mr. SHASTEEN. When I ever talked to him, I never dreamed I would ever see him again—you see?

Mr. JENNER. Sure. Did you receive a letter from Mr. Rankin, the General Counsel of the Commission?

Mr. SHASTEEN. No; the chief of police came out yesterday afternoon. He's a good friend of mine, and he came out yesterday evening and had me to call—

Mr. JENNER. The Secret Service—Mr. Sorrels?

Mr. SHASTEEN. Yes.

Mr. JENNER. I am Albert E. Jenner, Jr., and a member of the legal staff of the

President's Commission, which is a Commission appointed by President Lyndon B. Johnson to investigate the assassination of President John F. Kennedy and all of the circumstances surrounding that tragic event.

The Commission was authorized by Senate Joint Resolution 137, and President Johnson's Executive Order 11130, appointing the Commission and fixing its scope of operation and its power. Under the regulations of the Commission, the members of the staff are authorized to take depositions and swear witnesses.

We understand from various sources, FBI reports—that you may possibly have some information with respect to Lee Harvey Oswald in which the Commission is interested and there might be some other information on which we are not immediately advised that may come to your mind.

Mr. JENNER. As I understand it, your full name is Clifford—

Mr. SHASTEEN. Clifton [spelling] C-l-i-f-t-o-n.

Mr. JENNER. M is your initial?

Mr. SHASTEEN. Yes, sir.

Mr. JENNER. Shasteen. S-h-a-s-t-e-e-n.

Mr. SHASTEEN. Right.

Mr. JENNER. You live at 2214 Fairfax in Irving, Tex. As I understand it, you are the owner and operator of Clifton's Barbershop?

Mr. SHASTEEN. Yes.

Mr. JENNER. At 1321 South Storey in Irving, Tex.?

Mr. SHASTEEN. Right.

Mr. JENNER. You are a native of Dallas, are you?

Mr. SHASTEEN. Oh, I've been here about 20 years.

Mr. JENNER. Well, that's good enough and you are married and have a family and live in Irving, Tex., as indicated?

Mr. SHASTEEN. Yes.

Mr. JENNER. I understand that in the course of your looking at television on the 22d of November 1963, there occurred to you upon seeing some of the people shown on the screen that you had rendered some tonsorial services to Lee Harvey Oswald?

Mr. SHASTEEN. I'll tell you just as near as I can remember that day—what happened is the TV shop next to me, in other words, about two doors down—

Mr. JENNER. Next to your business?

Mr. SHASTEEN. Yes; I heard it over the radio and went to the house at noon and that was all you could see on television, just the flashing, but there wasn't anything definite, so I went back to the shop and as I went back to the shop this fellow in the TV shop said, "Why don't you come in and get a TV set and set it up in your shop in there and watch it?" So, I went in and got a TV set and the name didn't mean anything to me when they first mentioned the name.

Mr. JENNER. The name Lee Harvey Oswald?

Mr. SHASTEEN. It didn't mean a thing, but later on in the evening when we began to see the pictures, you know, after they had him over here—the first I remember seeing him to recognize that I had saw the face before was about—over there around 5 o'clock, when I saw him over at the jail or something and I seen him when they come out there and when he looked toward the cameras.

I didn't say anything to anybody. I had before told them, you know, what I said was just a gag—I said, "You can't tell. That guy might live here in Irving." You know how guys pop off or something, but I didn't know a thing about it. I was just going on, but anyhow, when that come on there, there was several in the shop and so I decided when I saw his picture—I remembered him coming in the shop and I just knew that. It finally dawned on me where I had saw him. I knew where he lived. Actually, I knew where the station wagon was that was parked, that I saw him and this lady in, so I just took out of the shop and told the boy, I said, "I'm going to run to the house and I'll be back in a minute."

So, I drove up there and my lands of living, you couldn't get within 4 blocks of that house, and knew then I was not mistaken, that that was the guy that came in my barber shop, and when I came back to the shop—when I got back to the shop somebody else had already seen me up there and said they saw Cliff up there and everybody in that community knows me. When we got back to the shop, then, we began to talk about it. All three of the barbers in there have

cut his hair, but I cut it more, I guess, than the rest of them did. I think the boy on the front chair cut it once and the boy in the middle chair cut it a couple of times, but I think I cut his hair three or four times. I don't know just exactly because since then—I have backed up and looked at it and tried to remember the dates he was in there and tried to tell you just the way it was—when he would come in, he was always disgruntled, and the only time I ever saw him smile—he had on a pair of yellow house shoes and I never saw any like them before.

Mr. JENNER. Sneakers?

Mr. SHASTEEN. Yes; slip-ons, only they were a little heavy—they were just a little heavier than just a common house shoe, and I admired them and I said, "Them looks expensive," and he said, "They are not."

He said, "I gave a dollar and a half for them." I said, "My goodness, where did you get a pair of house shoes for a dollar and a half?" And he said, "Down in Old Mexico."

Mr. JENNER. Down in Old Mexico?

Mr. SHASTEEN. And I said, "Man, I'd like to have a pair of them because I have to wear a shoe built up," you see and they were heavy enough that I could build that shoe up and he said, "Well, I'll get you a pair the next time I'm down there," and that is the only time he ever was nice and polite—in the conversation, any time anything would come up—anybody else would talk to him, he was just disgruntled.

I remember him particularly one time. The barber in the front chair, one Saturday morning, he cut his hair. You know, the barber chair is only so far from the sink, but there's not room for two men between that and the sink. Well, the fellow on the front chair cut his hair and he gets up and goes back in the middle chair and gets between the barber and his bench back there and stands back behind and combs his hair.

In other words, what he was trying to do—fixing to or wanting to, he just pushed him out. He was just rude and we all remembered that time, because this boy that works for me that's here, he is more or less highstrung type of guy. I mean he is a real good fellow but you wouldn't want to push him too far and I remembered that real well, and I saw him—the only time I remember seeing him, you know, other than just going in the grocery store across the street, Mr. Hutchison's food market, and I was down at the drugstore one night, down at Williamsburg's and he was in there.

Mr. JENNER. Williamsburg's—that's in Irving?

Mr. SHASTEEN. Yes; it's down on Rock Island and Rogers Road. And, why I remembered seeing him in there, I knew I couldn't understand his wife, and that was before—I believe it was before she had her baby. The best I remember she was pregnant.

Mr. JENNER. Had you seen her before?

Mr. SHASTEEN. That's the only time I had ever saw her, that I remember. You know, she may have come to the grocery store with him but I didn't pay any attention. Sometimes there were two women with him and I assumed it was Mrs. Paine, but Mrs. Paine has never been in the shop. I have saw her around, you know, like my brother-in-law used to live right across the street from her and the fellow that lives right on the corner and I'm trying to think of his name—

Mr. JENNER. On the fifth?

Mr. SHASTEEN. And Westbrook—that old gentleman, I knew him for years, but I don't never call his name and I can't think of it now to save my neck. I would know it if I hear it called, but anyhow, you know, I've stopped by and chatted with him a lot of times in the daytime. I've got some rent houses, you know, and I would get out of the shop and I would go by and see them and I would come by this fellow's house and I would stop there and I saw Mrs. Paine out in the yard and I know all of the people that live around there, nearly, around the Paine's house, but I never had any connection with Mrs. Paine or Mr. Paine.

Them is the things there about Oswald that I personally, you know, that I ever paid any attention to and one other time—when the boy in the middle

chair cut his hair. It was on Friday night and it was about 5 or 10 minutes to 7, the best I remember. Now, why I am saying this is the fact that I was going to a football game. My shop has a door in the back and then there is a storage room on one side and a restroom on the other, but when you open the two doors, you see, there is just a narrow place and it kind of makes it private back there, and I change clothes back there, and I had the door but, as he came in the front door, I started out—I went out the back. The next morning this boy that works in the middle chair—he didn't go to the football game, but the boy that works there, and I slipped off and went to the football game—business had kind of slowed up about that time. But anyhow, he really was inquisitive as to where I went. He wanted to know where I was going and what I was going to do—he asked this guy cutting his hair. You see, he didn't think nothing about it then. He just thought maybe he wanted me to cut his hair and that is the only time there.

Of course, there is some other things that happened but I could kick my own self for. There was a 14-year-old boy come in with him a few times, and—not every time, but I know he has been in there as much as two or three times with him, but he never did say nothing until about 3 or 4 days before this incident happened. This kid was in the shop—

Mr. JENNER. Three or four days before November 22?

Mr. SHASTEEN. Right. This boy was in the shop and the boy in the front chair was cutting his hair, and you know how men are talking, and there is this old saying, "If you haven't heard this you haven't been around barbershops." The guys are always talking about we spend too much money overseas and we give away this and we give away that and you know, just the general consumption of the whole country and how everything is going. They talk that in the barbershop and you hear it until you want to run.

Mr. JENNER. That's right, they solve all the problems of the world.

Mr. SHASTEEN. Yes; but anyhow, there was several guys in there and they were talking one evening and this kid was in there, and the best I remember, it must have been—well, some of the guys that were in there work the night shift, and I think they go to work around 3:30 or 4 o'clock, so, I know it was around 3 or 2:30, or 3.

Mr. JENNER. In the afternoon?

Mr. SHASTEEN. Yes; and this kid was in here.

Mr. JENNER. Were you there?

Mr. SHASTEEN. Yes; what I am saying is—after they were doing all this talking and the kid hadn't opened his mouth and the fellow on the front chair was cutting his hair and he is a quiet guy and he never says nothing about politics in no shape, form, or fashion. However, I try to keep all of us barbers out of politics because it isn't good business when you get politics in there you get out of the barber business and all this talk was going on and I could tell he was listening and directly he said, "I can tell you when you will stop all of this greed and everything."

And I said, "What do you mean, son?" And, he said, "Well, when you have one leader over everybody else." And, he said, leader—he didn't just say country. I remember that—how he said it. And, I said, "What do you mean 'one leader'?" And he said, "Well, when you don't have a leader in every little old country and them trying to scramble with one another" and he said, "Another thing, like you—you own the shop and these other fellows work for you and you get part of their money and he said when everybody has a say, when one man is not allowed to hog up the whole country and let another man starve," he says "that's when we are going to quit having wars and all this junk." And I said, "Where in the world did you get that kind of stuff?"

He never did answer me, but it made me so—if I knew then what I know now, I would probably have took him and bought him a steak to try to quiz him and find out who it was and where he got all of that. Instead, it made me mad, just to be honest about it—I would like to have took one of them razor straps and tore him up. If he had been a 14-year-old boy of mine that said a thing like that he would have got it, but he got up and left the shop and I haven't heard him since, and I didn't find out where he lived, who he was or nothing. The anger in him saying that is where I did it, and I—the guy that talks like

that, I know one thing I should, as Mr. Odum told me, I should have found out where he lived, where he went to school or something, but I didn't do it. It just made me so mad the thing I wanted him to do was get out of there.

Mr. JENNER. Mr. Odum is the FBI agent?

Mr. SHASTEEN. Well, he's one of them, and I know Mr. Odum—he came back. He wasn't the first one that came to talk to me, but he has come back several times and I met him several times—I don't know, I will be honest with you—I don't—I know how to call him at any time, but that's where your old temper gets away with you. I realize now that I should have just, when the kid said that, instead of saying anything back to him—I didn't have to agree with him, but I could have found out where he lived, what he did and that kind of thing, but you know it had to take something like this before it wakes up some of us and I never give it a thought.

Just like Oswald—I owned the shop and naturally I wanted to see every head of hair come in there that will, but the thing of it is—a guy like Oswald and that kid—you just disagree with them so much that you hope they don't ever come back and that's the attitude I felt, but I know I was wrong about it, but it's done and there ain't nothing I can do about it.

I just have watched and watched and I don't know a soul to ask, because Oswald is dead and he's the only one I ever saw that kid with—he is the only one that I ever saw that kid with and I don't remember seeing him since that time—I don't know who he was any more than nothing.

Mr. JENNER. How many times—you personally, now, without someone else having told you the boy was in the shop, how many times do you recall when he was in your shop?

Mr. SHASTEEN. The 14-year-old boy?

Mr. JENNER. Yes.

Mr. SHASTEEN. Three times—I know. In other words, I know he came with Oswald the night I'm talking about when he wanted to know where I was going and I went to the back door. You see, I seen them coming in and I did hurry to get out the back door.

Mr. JENNER. The boy came in?

Mr. SHASTEEN. He was with him that night and he was with him one other time.

Mr. JENNER. Can you fix that particular time?

Mr. SHASTEEN. Well, it was a couple of weeks and maybe 3 weeks before that night.

Mr. JENNER. Excuse me—the night you say you were going out to the football game—when was that?

Mr. SHASTEEN. It was Friday night and this was the last time Oswald came in and I'm just saying this as near as I think, but I think it was—in other words—was it Thursday or Friday that the President was killed?

Mr. JENNER. Friday the 22d.

Mr. SHASTEEN. Well, it was probably 2 weeks before that.

Mr. JENNER. Two weeks before that?

Mr. SHASTEEN. And it was about Monday night before that when the kid—it could be a week's difference there, but I don't think it is.

Mr. JENNER. The 22d was on a Friday. This football game incident occurred, you think, 2 weeks prior?

Mr. SHASTEEN. Yes.

Mr. JENNER. That would be the evening of the 8th of November?

Mr. SHASTEEN. I believe that's right, just as near right as I can get it.

Mr. JENNER. That was a high school football game on Friday night, as I remember?

Mr. SHASTEEN. Yes; like I say, it could have possibly been 3 weeks prior to that, but I'm almost sure it wasn't. I'm so nearly sure—I would say it was almost for sure.

Mr. JENNER. It could possibly have been the 1st of November but you are pretty sure that it was the 8th?

Mr. SHASTEEN. I just nearly knew it was the 8th, I think it was the 8th and I'll tell you why I think it was the 8th.

Mr. JENNER. All right.

MR. SHASTEEN. The fact is, he never did want his hair cut—he always wanted it to look like it was about a week old when he cut it and he got a haircut about every 2 weeks, and I don't think he ever went over 2 weeks—he either got a haircut on Friday night or Saturday morning, and in running that back through my mind, and I thought about it then and I have since.

MR. JENNER. And on that occasion was this 14-year-old boy with him?

MR. SHASTEEN. Yes.

MR. JENNER. And that is the occasion when you were sneaking out to the football game?

MR. SHASTEEN. Yes.

MR. JENNER. And you did see him and you did see the 14-year-old boy on that occasion?

MR. SHASTEEN. Yes.

MR. JENNER. Which of your employees cut his hair that night, if you know of your own knowledge.

MR. SHASTEEN. Buddy Lowe, the one that just works part time.

MR. JENNER. The new man—the middle chair?

MR. SHASTEEN. Yes, and the only thing—he had told me the next morning, you know, about it and I wondered why I didn't think something about the character, but the next morning, he said, "Man, that guy was really inquisitive about where you were going last night." That guy that come in with him. Of course, we don't know his name from Adam and we have lots of customers that we don't know their names.

MR. JENNER. When he came in with the 14-year-old boy, did the 14-year-old boy get his hair cut at the same time?

MR. SHASTEEN. No.

MR. JENNER. He just sat in the shop?

MR. SHASTEEN. He just come with him. I assumed, and I'm just saying this because I haven't ever saw him before and never saw him other than with Oswald, that he doesn't live in Irving.

MR. JENNER. He did not?

MR. SHASTEEN. I don't believe the boy lived there, because, you know, in other words—it has been in the back of my mind and the last—and when I see schoolkids, I'm always kind of wondering if I'm ever going to see him again and I never, had never saw that kid since.

MR. JENNER. You have never seen that boy since?

MR. SHASTEEN. No.

MR. JENNER. Now, normally, this man you have in mind has his hair cut every 2 weeks?

MR. SHASTEEN. Yes.

MR. JENNER. Either on Friday night or on Saturday morning?

MR. SHASTEEN. Right.

MR. JENNER. And there were occasions when you personally cut his hair?

MR. SHASTEEN. Yes; I think I cut it—I know of three times that I cut it and I might have cut it more than that, but I don't think that I did because you just can't hardly forget a guy like that or you can't miss knowing him when he is in your chair.

MR. JENNER. You cut his hair three times and your other barbers in your shop, your employees, also cut his hair, is that right?

MR. SHASTEEN. That's right.

MR. JENNER. And over what period of time—

MR. SHASTEEN. Oh, I would say we cut his hair five or possibly six times.

MR. JENNER. Five or six times?

MR. SHASTEEN. At least.

MR. JENNER. Five and possibly six?

MR. SHASTEEN. At least—being in the barber business and all and studying people and all, they might go an extra week, but ordinarily, you know, in cutting their hair, you can tell about how long they've gone—in other words, if you knew how they cut it before, you can tell just about how long they have gone for a haircut, and that's what I was referring to a while ago, and it was about 2 weeks before that, and the only times I can remember definitely out of the five times and possibly six he was in my shop—I'd say that all the five

or six times was in succession either, it might have been—he may have missed some haircuts and one or two in between somewhere in there.

Mr. JENNER. That is, you mean he might have had his hair cut somewhere else?

Mr. SHASTEEN. Yes.

Mr. JENNER. I'm just trying to figure out this 22d and the 8th—did this hair-cutting go back into the summer?

Mr. SHASTEEN. You know, that's—like I say, that's a saying—to point back, and you know, just to say that that is the first time this guy has come in here—I just can't pinpoint the first time. In other words, it has been hard and I have tried to think, especially after I got that call yesterday evening to come over here. I tried to run that back through my mind and I wouldn't say when was the first time he was in there and of course we have talked about it—me and the barbers, and it seemed to me like there was a dead spot in there. Sometime—maybe a month or 6 weeks that we might not have saw him, be the first time I cut his hair, but the last three haircuts—it seemed to me like he was pretty regular.

Mr. JENNER. What?

Mr. SHASTEEN. He was pretty regular—at the last three.

Mr. JENNER. So, if you had a dead spot, allowing for—let's say getting a haircut somewhere else occasionally, or not coming in precisely at the end of every 2-week period and having in mind that your present recollection is at least five or six occasions, that would run it back into the summertime?

Mr. SHASTEEN. Yes; it was. In other words, 2 or 3 or 4 months that we had been seeing him, but I don't know just exactly to the date or nothing.

Mr. JENNER. On how many of these occasions would you say—does your recollection serve you—as to whether he was accompanied by this 14-year-old boy?

Mr. SHASTEEN. Twice—in other words—the only times I remember seeing the boy was twice when he was with him. He was with him the night he got the haircut, the last time he was in the shop, and he was with him before that, the time before that this kid was with him. The two last times he was in the shop, this boy was with him, and that's the only time I ever saw the boy with him, but then about—in other words, what I am saying, he came in on Friday, was—we'll say it is the 8th there and then a week from this coming Monday the boy was in and got a haircut, but Oswald wasn't with him. The boy came in by himself and that tries to contradict what I said that I don't think he lived in Irving, but why I said I don't think he lived in Irving, I have never saw him before and I have been there 4 years and I have seen so many kids grow up and I know their names, but I know their faces, but I just have never saw him before, and that's one of those times that you are sorry that you, like I said, let your temper get away. Since then I have really wished—if I had done something, because this kid in my estimation, even though he is warped in his thinking, and I think he is warped, he could be helped if somebody could get ahold of him, but I was the one that had an opportunity to try to and I let it slip.

Mr. JENNER. What do you charge for a haircut?

Mr. SHASTEEN. \$1.25.

Mr. JENNER. And that is cash on the barrelhead, isn't it?

Mr. SHASTEEN. Yes, sir. I tell you that much—like somebody comes in and wants to know if they can get a free haircut, and when somebody goes to giving you something, you had better watch out—you had better be careful.

Mr. JENNER. And you manage the till?

Mr. SHASTEEN. Well, no, sir; each one of us, we all have our same drawers. I don't have a cash register, we have drawers, and that way, if they give the wrong change back, it's not anything out of my pocket.

Mr. JENNER. You cut hair and you have two—

Mr. SHASTEEN. I have one full time and one part time.

Mr. JENNER. You have three chairs?

Mr. SHASTEEN. Yes.

Mr. JENNER. On the occasions you saw this man would you describe his appearance so far as his attire is concerned? How was he dressed?

Mr. SHASTEEN. The best I remember is that he had on some kind of coveralls, nearly every time he came in.

Mr. JENNER. Coveralls?

Mr. SHASTEEN. Yes; he wore unionalls or coveralls, you know, sir. They were G.I., of some description and they were green or a khaki-colored. The only time he wasn't dressed that way when he came in the shop was the night I went to the football game and that night he had on a pair of old worn out dress pants of some kind, they were dark, and he had on a sports shirt with his shirttail out.

Mr. JENNER. Let me get at these coveralls—would you describe them?

Mr. SHASTEEN. They buttoned down the front.

Mr. JENNER. They buttoned down the front and they had sleeves—it was a one-piece unit?

Mr. SHASTEEN. Right.

Mr. JENNER. And covers you from top to bottom, full sleeves?

Mr. SHASTEEN. Now, one pair—one time I remember—he had pretty hairy arms. I remember that about him, you know, he had black hair on his arms, and one time he had on short sleeves. These coveralls had the sleeves cut off and they were ragged—I mean—they were long sleeves originally but they had just been chopped off. He is the type of guy that when you met him you couldn't hardly forget him. I'll say that. I mean, there is just something about him and I think I could say that for all three of us that worked there in the shop that every time he came in—we would ask him to come back, but right down deep we didn't want him back.

Mr. JENNER. Did he ever get a shave?

Mr. SHASTEEN. No; never did.

Mr. JENNER. Did he ever get a shampoo?

Mr. SHASTEEN. No; never did.

Mr. JENNER. Nothing but a haircut?

Mr. SHASTEEN. Just a haircut.

Mr. JENNER. And what color did you say these coveralls were?

Mr. SHASTEEN. Well, they were either—I don't know what color you call them old dungarees. You know, them old combat coveralls that the Army wears. That's what they were. Now, somebody, I believe that Mr. Odum is the one that asked me was they Marine coveralls or Army or something like that, and that, I don't have any idea on.

Mr. JENNER. They were the military type?

Mr. SHASTEEN. They were the military type. They wasn't the kind you just go down to the dry goods store and buy. I know that. He may have bought them at a surplus store for all I know.

Mr. JENNER. Now, were there occasions you saw this man that you have in mind on the street when he didn't come into your shop?

Mr. SHASTEEN. Yes, I saw him going to the grocery store when he didn't come to the shop.

Mr. JENNER. And you occasionally saw him—is the grocery store across the street?

Mr. SHASTEEN. Yes, sir.

Mr. JENNER. That's Hutch's Market?

Mr. SHASTEEN. Yes.

Mr. JENNER. And how was he dressed on those occasions?

Mr. SHASTEEN. Well, I think most usually, like I said, the only time I ever saw him with anything but those coveralls on was that night he came in the shop—he had those on—those old coveralls on when he was over there and another thing, they were big for him. I always noticed they were big enough for him and somebody else.

Mr. JENNER. They were very loose-fitting?

Mr. SHASTEEN. Yes.

Mr. JENNER. And even on those occasions when you saw him across the street at Hutch's, he had the coveralls, the military-type coveralls on?

Mr. SHASTEEN. Yes; of course. He could have went in there times I didn't see him. And I don't know how many times I saw him but I have seen him over there.

Mr. JENNER. Well, I just want the times that you saw him.

Mr. SHASTEEN. I wouldn't even commence to guess—probably three or four times over there.

Mr. JENNER. You saw him about three or four times across the street?

Mr. SHASTEEN. In other words, his store sits over here and my shop is here and these glasses, lot of them down here, a lot of times if somebody has been in the shop that you are paying attention to, you can even see them in the back mirrors, back there and he—and you just notice and you are always looking at the front door. I mean, since I own the shop I ask everybody in.

Mr. JENNER. Do you have the chair next to the window?

Mr. SHASTEEN. No; I have the back chair.

Mr. JENNER. You didn't cut the young man's hair?

Mr. SHASTEEN. No; he was in the front chair—the front barber chair with Mr. Glover.

Mr. JENNER. And would you describe this young man to me, how was he dressed?

Mr. SHASTEEN. Well, he had on blue jeans and they fit tight and he had on an old striped shirt, I remember him just like I see a picture over there right now and he was a husky kid, he wasn't what you call fat, but he was strong—broad-shouldered—he had a real full, and when I say full, I don't mean a round fat face, he was a wide-faced kid. You know, he was a nice looking kid. I mean, if he had had the personality and the teaching and the understanding to go with his looks, he could have done anything he wanted to do, but his personality to me made him look terrible and what he thought, and naturally when somebody disagrees with you to the point you get angry with them, you don't think much of their looks, but if you bring it down to his looks, he was blue-eyed, blonde-headed—he was not a light blonde he was a dark blonde. In fact a lot of people might call him brown-headed. But he wasn't nobody's dummy because a 14-year-old boy can't spit out—I wouldn't attempt to say just how he said everything, but the things that struck me when he belittled our country and our leaders as a whole—I might disagree with our leaders but I'll stick up for them when it comes time—down to the point.

Mr. JENNER. Sure, and you have a distinct recollection, do you, that there were occasions when you saw this man in the coveralls over at Hutch's Market that he was accompanied by somebody else?

Mr. SHASTEEN. Yes.

Mr. JENNER. And did you recognize any of the persons who were accompanying him?

Mr. SHASTEEN. No; I wouldn't say I did because most of the time—they headed—they got out of the car and we saw their backs, and I would see him and I just knew it was him. Once you cut somebody's hair that close you are close enough so that you know them outside or when you see them.

Mr. JENNER. So, you're not in a position, I take it, then, to say that you have a distinct recollection that Mrs. Paine accompanied them at anytime?

Mr. SHASTEEN. Well, now, that part of it I would have to take for granted because they were in his car. Now, she, I understand through one of the men who questioned me out at the shop, said he never did drive her car. Again, I'm going to disagree because I know that he did. He drove it up there and got a haircut.

Mr. JENNER. You have a distinct recollection that on occasions when this man came into your shop for a haircut, he drove an automobile up to your shop?

Mr. SHASTEEN. He drove that there 1955, I think it's a 1955, I'm sure it's a 1955 Chevrolet station wagon. It's either blue and white or green and white—it's two-toned—I know that. Now, why I say—why I take it for granted that Mrs. Paine was with him when he come to the grocery store—I do remember he wasn't driving when they would come to the grocery store, there would be a lady driving and I'm assuming that that was Mrs. Paine, because like I say, I have been—I have never been close enough to her and knew it, to speak to her, but she trades at the service station where I do and I saw her in there and I never did pay any attention to her and I saw her passing, met her in the road in the car and those things.

Mr. JENNER. Were there any occasions when you have a recollection as to his being accompanied by more than one person?

Mr. SHASTEEN. Yes; that's what I said—I saw him and two ladies get out and go in the store.

Mr. JENNER. On how many occasions did you see that?

Mr. SHASTEEN. Well, I was trying to think of that coming over here and I know of twice and one of the times that I'm saying—it was the next morning after he had gotten a haircut the night I went to the football game, the next morning they were over to the store. You see, I open up early around 7 in the morning and it was 8 o'clock, or so, not knowing the exact hour. I would say it was 8 o'clock or 8:30 when they were over at the store that Saturday morning.

Mr. JENNER. That would be the 9th of November?

Mr. SHASTEEN. Yes; because one reason it made me remember that, I had just come back—I had just come back from across the street to get some cigarettes and they come up and pulled in and I walked over and naturally I looked back across the street and I saw them getting out and he wasn't driving at that time. I will agree but whenever I saw him come with somebody else in the car he wasn't driving, but occasionally he drove himself up there to get a haircut and Mr. Odum says, "Now, that contradicts with some of the other information." I said, "I can't help what it contradicts with, that's just the fact and that's it."

Mr. JENNER. Was there ever an occasion when you saw him driving up that he had the 14-year-old boy with him?

Mr. SHASTEEN. Yes; the night he got the haircut.

Mr. JENNER. The night of November 8?

Mr. SHASTEEN. Yes; you see the difficulty was, I was wanting to get out of giving a haircut and I had just gotten through with a guy, and I was trying to get my tools put up and they pulled up in front and I kind of left them half cocked, half cleaned up, and I ran back in the closet to try to get away, because I saw there was two of them, you see, and I figured they both would want a haircut. When they pulled up with the headlights and I saw two get out I figured they both would want a haircut.

Mr. JENNER. This was night, was it?

Mr. SHASTEEN. Yes.

Mr. JENNER. And it was dark?

Mr. SHASTEEN. Well, yes; it was done dark outside—I couldn't tell who they were when they drove up but he was driving that night and I was hurrying trying to get out and I went out the back door, because ordinarily, if there had been two, one of them would have wanted me to cut his hair and the other one would want the other boy to, and I thought, well, maybe they can wait and let me go to the football game. It's hard for me to get away for a football game and that night was when the boy was with him and he drove up there.

Mr. JENNER. Do you recall being interviewed by FBI Agent Berry on the 3d of December?

Mr. SHASTEEN. Yes, sir. And he is from Oklahoma, I believe. He came on the 4th, I mean on the 2d, and came back on the 3d.

Mr. JENNER. Now, do you recall saying at that time that you had a recollection that he had been at your shop for the purpose of obtaining a haircut for the past 2 or 3 months?

Mr. SHASTEEN. Yes, sir.

Mr. JENNER. And when was the occasion in point of time that this business respecting the yellow shoes occurred—how far prior to that?

Mr. SHASTEEN. In other words on the 8th there, he got a haircut on a Friday night.

Mr. JENNER. Yes.

Mr. SHASTEEN. And I would say it was 2 or 3 weeks before that on Saturday morning, because I was the only one in the shop and he was the first one there that morning.

Mr. JENNER. On reflection, you fix it as 2 to 3 weeks on a Saturday morning prior to November 8?

Mr. SHASTEEN. Right.

Mr. JENNER. That would take us back to—that would be either the 25th of October or the 18th of October?

Mr. SHASTEEN. Possibly; yes, sir.

Mr. JENNER. Could it have been 2 to 3 months prior?

Mr. SHASTEEN. I don't believe so, not when he had the shoes on, the house shoes on that morning, because the thing that made me remember that was the fact that it seemed like I'd found something he agreed with me on. He even smiled about this; you know, he had a good look on his face when I complimented his house shoes.

Mr. JENNER. What time of day was this?

Mr. SHASTEEN. Oh, it was probably 6:45 in the morning.

Mr. JENNER. It was a Saturday morning?

Mr. SHASTEEN. Yes, sir.

Mr. JENNER. Do you recall telling Agent Berry that when he interviewed you on the 3d of December 1963, that your faint recollection of Oswald was when he appeared in the shop, your shop on a Saturday, "2 or 3 months ago at 6:30 in the morning," when you had just opened your shop?

Mr. SHASTEEN. Yes, sir. The first time I remember him was early one morning.

Mr. JENNER. And that you remembered him particularly because on this particular occasion he was wearing house shoes which you considered out of the ordinary?

Mr. SHASTEEN. Now, he wore house shoes every time he come over there in the mornings. I think he may have that a little bit crossed there when he and I talked about it.

Mr. JENNER. And that you also said you had commented to Oswald concerning the house shoes and suggested that they must be quite expensive and Oswald said, "No; not where I bought them," and you stated that he said he had purchased the shoes in Old Mexico for only a dollar and a half?

Mr. SHASTEEN. Right.

Mr. JENNER. Now, you will notice there is an inconsistency there—you were firm that the house shoes incident occurred 2 to 3 weeks prior to November 8, but in reporting this to Agent Berry on the 3d of December, you stated it occurred 2 to 3 months prior thereto.

Mr. SHASTEEN. I believe—to tell you the truth, I think in the round of the talking, I think he just taken that for granted. I don't believe on that morning—what we were talking about when I said what made me remember it—like even the night when I saw his picture on television and all, was the fact that that's the only time, about his house shoes, is the only time he ever was agreeable—I'll put it that way, in other words, but he didn't talk much then. In other words, when that was over he just hushed.

Mr. JENNER. This hasn't been called to your attention, but is it your testimony then, as I understand it, that you are firm that the incident occurred 2 to 3 weeks prior to November 8 rather than 2 to 3 months and you think Agent Berry misinterpreted it?

Mr. SHASTEEN. He either misinterpreted what I said——

Mr. JENNER. Or jumped to a conclusion?

Mr. SHASTEEN. Yes.

Mr. JENNER. Would you describe these coveralls a little bit further—they were full length?

Mr. SHASTEEN. Yes, sir.

Mr. JENNER. Did they zipper or button down the front?

Mr. SHASTEEN. Well, that I wouldn't—you know, to make a statement to say I knew, I wouldn't say, but I would almost say that they buttoned. At least they had a button at the top.

Mr. JENNER. And did he normally have them buttoned up to the top, or did he have them open at the throat?

Mr. SHASTEEN. Yes; he had them open, but another thing—you know—there are little things, like we get to thinking about now—I know that these old coveralls—he wore them like that [indicating].

Mr. JENNER. He wore them with the collar up?

Mr. SHASTEEN. Yes; and just flopping out.

Mr. JENNER. And you remember one occasion when the coveralls, while they were long sleeved, somebody had sheared off the sleeves on a particular pair?

Mr. SHASTEEN. Yes; they were just ragged, they were just chopped off.

Mr. JENNER. Otherwise, the sleeves were always long down to his wrists?

Mr. SHASTEEN. I'll tell you this—one of the barbers said his head was dirty when he cut his hair, but he was always clean when I worked on him.

Mr. JENNER. It's hard to explain.

Mr. SHASTEEN. Yes.

Mr. JENNER. Would you describe these house shoes, please?

Mr. SHASTEEN. Well, yes; they were—I wish I could find something—they were a darker yellow than this right here [indicating]. And they had a much tanner sole on them—it was almost what you call a brown sole. It wasn't a leather, it wasn't a rubber, it was like a neoprene.

Mr. JENNER. The soles were darker than the uppers?

Mr. SHASTEEN. Yes.

Mr. JENNER. Were they firm leather, or soft or pliable?

Mr. SHASTEEN. They were soft and nice, but they were sturdy house shoes. Of course—like I said, I build a shoe up—one shoe and they made me notice them, and they were the type you could have built one up and they would still have stood up and been nice.

Mr. JENNER. Were these house shoes that had flat soles without heels?

Mr. SHASTEEN. Yes—they didn't have no heels—they may have had a little heel, but I mean they didn't have an extra heel, because I looked at them good. I mean, I wasn't interested in them until he said he got them from Old Mexico, and I knew that was out.

Mr. JENNER. Were they the pull-on type or lace type?

Mr. SHASTEEN. No; they were the—just the pull-on type.

Mr. JENNER. Did they have any type of elastic in them?

Mr. SHASTEEN. No—no elastic—they were just like loafers to a degree, only they were nice shoes—it was just a slip-on and they had a spur piece in the back.

Mr. JENNER. A spur piece?

Mr. SHASTEEN. You know what I mean—the back wasn't so flexible—it was firm—a fitted heel. They were just real nice.

Mr. JENNER. They had a reasonably firm or higher heel?

Mr. SHASTEEN. In other words—what I'm talking about—up on the back part of them.

Mr. JENNER. The back part is what I'm talking about.

Mr. SHASTEEN. Yes.

Mr. JENNER. What we call the heel of the shoe—the back of the shoe, not the heel you step on.

Mr. SHASTEEN. Yes—this part here and then they had a round thing, you know, like this here [indicating] only it went out and dropped down to a point out here and had a seam sewed around the top, whatever it was.

Mr. JENNER. Like a moccasin type?

Mr. SHASTEEN. Yes; they looked like a moccasin to a degree and these loafers, as you called them, but they were in between.

Mr. JENNER. Were they perfectly plain other than the moccasin sewing?

Mr. SHASTEEN. Yes; I believe they were—they didn't have no—that's the reason I thought they would have been from Mexico is they, if they had had a lot of trimmings on them or something like that, but they didn't have.

Mr. JENNER. Did they have fasteners of any type on them?

Mr. SHASTEEN. No; that's why I liked them. They were just something I could've jumped in.

Mr. JENNER. No metal fasteners?

Mr. SHASTEEN. They didn't have nothing.

Mr. JENNER. Or even leather fasteners?

Mr. SHASTEEN. If somebody would find them I would still give two and a half for them.

Mr. JENNER. How many haircuts did he get—

Mr. SHASTEEN. Well—

Mr. JENNER. Six or seven, is that what you said?

Mr. SHASTEEN. No; he could have possibly gotten seven haircuts but I think about six haircuts is what he got. It could have possibly been five.

I know personally three times I cut his hair and I know that the front guy cut his hair one time, Mr. Glover, and Mr. Law cut his hair one time and Buddy—he might have cut it one other time and if he did that would've made six.

Mr. JENNER. Do you recall telling Agent Berry that in all this man had obtained six or seven haircuts at your shop?

Mr. SHASTEEN. I told him it was possibly six or seven, you know, in other words—he didn't pin me down to just exactly—he wanted to know if I thought it was and I told him it could have been seven times.

Mr. JENNER. Seven or eight?

Mr. SHASTEEN. No; I believe—I don't believe he ever got eight haircuts in there—I don't believe it could have been over seven.

Mr. JENNER. Well, what I'm getting at is that the agent reports as you said that Oswald had obtained seven or eight haircuts at your shop.

Mr. SHASTEEN. You see, I told him about the times I remembered and he said, "Could he possibly have been in here more than that?" And I said, "Sure he could have possibly been in here more than that, but to have an actual remembrance of him—I wouldn't."

Mr. JENNER. But in any event, your present recollection, after thinking it through further, is that it was six, and it might even have been as few as five?

Mr. SHASTEEN. It could have been five, but I personally know of five times he was in there and like I told him, he could have been in there two or three other times when I wasn't in there, because sometimes, it's not very often I do, but occasionally Mr. Law will open up in the morning and I won't be there right on time. Because, like I said, I went to a football game and that—there could have been other times that he came in that I wasn't there, but I asked Buddy did he ever remember cutting his hair and he said he thought he did cut it another time than the time—so if he did, there was six times, and of course, Mr. Glover, he doesn't keep up with whose hair he cuts as much as some of the others—he's not a friendly type guy, but Buddy said he might have cut his hair more than once.

The things that made us know when he cut his hair is like when Mr. Glover cut his hair, he went around and instead of using his back bar to look in the mirror and comb his hair, he went down to the one at the middle chair and just rudely pushed out of the way and he got up there and combed his hair and turned his water on, you know, and got some more oil and put on it, on his hair, and he didn't say thank you or excuse me or nothing. He just pushed in there—those things make you remember.

Mr. JENNER. Did he ever give you a tip?

Mr. SHASTEEN. No.

Mr. JENNER. Did he ever give any of the other barbers a tip?

Mr. SHASTEEN. No.

Mr. JENNER. Is it customary for your customers to give you a tip?

Mr. SHASTEEN. No, sir.

Mr. JENNER. Or customers to give your barbers a tip?

Mr. SHASTEEN. Well, naturally, they get more tips than I do because I own the shop. It would be a very small percentage, because in a community like that they just expect to pay what the price is.

Mr. JENNER. And no tips?

Mr. SHASTEEN. No; you know, you might get 50 cents or a dollar a day—something like if somebody might pitch something up there and say, "Get you some coffee." It's not that type of a barber shop—it's not a hotel type or anything like that or a bus station type.

Mr. JENNER. Did this man have any reaction to the haircuts you gave him?

Mr. SHASTEEN. Well, instead of saying—I get tickled thinking about it—I don't mean it's funny, but it is irritating. I mean, it's funny since it's over, but he never did say, "That looks nice," or "That's all right." He would say, "Aw, that's pretty good, that will do until I get another one or that will do for this time." He never did say, "That's a good haircut." I do remember him saying, "Take a 32d off of the temple." Well, you can't take a 32d off of a man's hair, you know.

Mr. JENNER. He did come back then?

Mr. SHASTEEN. Yes; we have talked about that—I don't care if we put it on the record—it's the truth with us barbers—we have laughed about it, but he's not the only one that said, "Take a third of it," you know. We laughed about his saying, "Take a 32d," or he would say, "Take a 16th off of the top," or something. I do remember him saying them things.

Mr. JENNER. Do you think he was just kidding about it?

Mr. SHASTEEN. Well, I don't know but to barbers that's silly, you know. It's just ridiculous for a man to say "Take a 32d," or raise his temples a 32d or take a 16th or something off of the top. You cut hair like the shingles on a house. You cut it to where it will feather in and not leave gaps. If you pulled it all up and cut it all the same length and turned it back down on your head, you would have a mess.

Mr. JENNER. It would look pretty bad?

Mr. SHASTEEN. It sure would.

Mr. JENNER. It might look like some of the haircuts I get, occasionally.

Mr. SHASTEEN. But those things—I believe that news reporter—I have forgotten which she was, but she asked me a while ago a few things about him and I said, "He's just the type of guy you couldn't forget but you just hoped he never come back."

But she wasn't—she wanted to know what kind of nature he was or something like that. That's what makes barbering interesting—you meet all kinds.

Mr. JENNER. Yes, sir; I'm sure you do.

Mr. SHASTEEN. Yes. And like you were talking about there he came back—one time one of the barbers—now this time I don't know, more know which time it was than anything, but there was somebody sitting out in the chair, and they made a remark about him saying take a certain amount off and after he left, I said, "Well, we get that amount off." And this fellow said, "How in the world do you do that?" And I said, "Well, we satisfy him—and if he is real satisfied, when he leaves, he comes back." I always make dry cracks and things like that, that breaks the monotony in the shop and I have practiced it, and it's hard for me to be serious sometimes, you know, about things, and you just have to break the monotony in the barber shop or people would get in there and get soured on the world.

Mr. JENNER. Now, Mr. Robert Davis has come in and he is a special assistant attorney general of Texas, and this is Mr. Shasteen, Mr. Davis. He owns and operates a barber shop in Irving, Tex.

Mr. DAVIS. Yes—Mr. Shasteen.

Mr. SHASTEEN. Yes.

Mr. JENNER. Did these coveralls have any pockets in them?

Mr. SHASTEEN. Yes.

Mr. JENNER. Would you give me—what do they look like, looking at them just the full front?

Mr. SHASTEEN. Well, the full front?

Mr. DAVIS. Yes; as I'm looking at you now across the desk here.

Mr. SHASTEEN. Well, the ones that were cut off at the sleeves, I can remember the most. They just had some old pockets up here—[indicating].

Mr. JENNER. On each breast area?

Mr. SHASTEEN. Yes.

Mr. JENNER. Was that a large pocket, large patch pocket?

Mr. SHASTEEN. No; they were just outside patch pockets and pockets on the front were patch pockets, I believe.

Mr. JENNER. Do you mean at the hip on either side?

Mr. SHASTEEN. They had some front pockets on either side.

Mr. JENNER. Just one pocket or two?

Mr. SHASTEEN. Now, you pin me down until—to say that, I don't know. I noticed the top, but I did notice the hip pockets they had two hip pockets on them. When he got his billfold out, I just wondered how in the world, if he ever sat down he didn't lose the thing. You know, they were big enough—that's why I said they were big enough for two. They sagged and the pockets just leaned back and you could have just walked up and reached in there and got his billfold and never touched him.

Mr. JENNER. None of these pockets had flaps or buttons on them?

Mr. SHASTEEN. I think the two of them up here maybe had a flap.

Mr. JENNER. The two top ones had a flap?

Mr. SHASTEEN. The hip pockets didn't—they didn't have no flap or button.

Mr. JENNER. They were patch pockets, too?

Mr. SHASTEEN. Yes.

Mr. JENNER. And these coveralls were so loose fitting that it made the pockets hang down?

Mr. SHASTEEN. Yes; they were just real loose. Even if you had a belt on them that pulled them around or something—I just couldn't stand to wear something shuffling through it like that.

Mr. JENNER. And the best of your recollection is that there were two breast pockets and at least one hip or side pocket.

Mr. SHASTEEN. Well, I'm sure they had side pockets in front.

Mr. JENNER. Were those also patch?

Mr. SHASTEEN. I believe they were.

Mr. JENNER. And they had two hip rear patch pockets?

Mr. SHASTEEN. Yes.

Mr. JENNER. Was there anything unusual about the pockets that drew your attention, I'm talking about the front ones, now?

Mr. SHASTEEN. No; not anything unusual about the front ones, but the hip pockets were gapped open and sagged down.

Mr. JENNER. Because these coveralls were so ill fitting?

Mr. SHASTEEN. Because they were just too big—they could have had about 6 inches cut out of them.

Mr. JENNER. You barbers are generally pretty talkative. Did you seek to engage this man in conversation when he came into your shop?

Mr. SHASTEEN. You couldn't do it.

Mr. JENNER. Did you seek to do it?

Mr. SHASTEEN. Oh, yes; naturally—she don't need to write this down because this ain't going to help you a bit what I'm fixing to say, but the theory I work on as a barber—if a man gets in a chair, and I tell my other barbers that, if he gets in a chair and you strike up a conversation with him and he doesn't want to talk, don't talk to him—you say just as little as you can.

Mr. JENNER. That makes sense.

Mr. SHASTEEN. But if the guy wants to talk, then talk to him, if he—if you can talk to him on his level or understand the thing he's talking about, but if a man gets in your chair and he doesn't want to talk, you can find it out without him turning around and saying, "Cut my hair, I didn't come in here to have a bull session." I mean, that's barber shop language, and I try to practice that, and nearly any time he come in I would mention the weather or a football game—I mean, a barber has to get up and read the paper every morning and turn the radio on because everybody that comes in, if you're not up on the latest things that's happening, you're going to be sitting back there and you can't talk to them.

I usually run through the paper real hurriedly and see the headlines at least and I turn the radio on and you just couldn't strike up a conversation with him and I guess if I had ever mentioned politics to him, but we try to avoid that as much as possible in the shop. Had I ever talked politics with him, I might have gotten him on that but since he was the type guy he was, I never cared to talk politics with him.

Mr. JENNER. Well, in any event, he evidenced no interest in the bull session, as you described it?

Mr. SHASTEEN. No.

Mr. JENNER. Is that true of your helpers?

Mr. SHASTEEN. The front chair barber—he is the type barber that doesn't talk a lot anyway and he would talk about fishing or wrestling a little bit, but I don't think he ever said half a dozen words to him altogether. He told him how he wanted his hair cut.

You might attempt to ask me what kind of haircut he wore.

Mr. JENNER. All right, go ahead.

Mr. SHASTEEN. You could just name it, because he didn't wear it long and he didn't wear it short. It was almost short enough to stand up but it was

too long to stand up. He just wore a rough shod haircut because many times I thought, "Boy, you sure ought to let this grow out up here where it will lay down and comb nice or either cut it off where it would stand up." But like I say, he wanted that little bit taken off. I tell you what he did do—He did try to make the barber work all he could. He seemed like he wanted you to do all the work and naturally, that's another thing, I have a bad attitude towards some people. If a guy doesn't ask me to do much, I'll do a right smart, but if he thinks I owe him something, he won't get any extras.

Mr. JENNER. What color hair did this man have?

Mr. SHASTEEN. Oh, he was dark headed—I wouldn't say he was real black, you know, what I mean, he wasn't jet black, but most people would call him black-headed.

Mr. JENNER. What color would you say your hair was?

Mr. SHASTEEN. Mine is dark brown, and what is not grey up it's covered up with oil.

Mr. JENNER. What color would you say mine is?

Mr. SHASTEEN. Oh, now I think your hair is—it's a shade of black. It's not a dark black. I would say his hair was about the color of yours—it might have been a little bit darker. It might have been a little smuttier. You see, hair is a funny thing—a guy can be dark headed and if he puts oil on it, he looks real black and if he washes the oil out it's got a smutty look and he never did wear much oil because about the only time he ever come in the shop, he never had his hair combed and he never had any oil on it or nothing and naturally after we cut his hair and put a little oil on it, it made it look darker.

Mr. JENNER. It darkened it up?

Mr. SHASTEEN. My hair is a whole lot darker with a little oil on it. Now, this fellow here, referring to Mr. Davis—

Mr. JENNER. Mr. Davis, you're talking about?

Mr. SHASTEEN. His hair, if you took the oil off of his hair and washed it out with some kind of heavy shampoo, it would almost be what you call a blonde or light red, is that right?

Mr. DAVIS. (No response.)

Mr. JENNER. How much hair did he have? A full head of hair?

Mr. SHASTEEN. To me, he didn't have a full head of hair. It was rather short and thin around here by the temples and the way his hair lies back, he would have been bald if he had been 40 years old.

Mr. JENNER. He had hair around the center, but he was losing his hair around the sides of the forehead?

Mr. SHASTEEN. Yes; there was just a little crease that started back here. Naturally, a barber would notice that because the hair is much finer back here, you see, than it was down here [indicating]. In other words, I have as much hair as I ever had but it's just so fine you can't see it and that's what happens to a guy when he gets bald-headed. The hair is still there but it just doesn't grow. It's just little fuzz, and that hair of his, in another 5 or 6 years he would have been bald-headed. You can believe it.

I can tell you another thing—I don't know whether I told this fellow or not, may have. There are little things you can't remember, but he just had a hard look, just sitting in the chair. I'll tell you this much—if a guy comes in the barbershop and he's got a pretty good disposition and he smiles and speaks to people, every barber will want to cut his hair, but if a guy comes in there and he kind of looks grouchy, in barber language we call it soldiering on one another. We might work on a guy just a little bit longer if this guy's next so somebody else will have to get him. He's just the type guy you don't care about working on. I mean, he was just that type. I believe I can speak for all three of the barbers because I have heard their opinion about him. They didn't care if he never came back.

And, he never helped the shop. Well, you will say, how can a customer help the shop? When you ask a man to come back, when he starts out the door and if he says, "Thank you," or "I'll be back," or "I'll see you in 2 weeks,"—that's the language that is used around the barbershop, that helps the feeling at the barbershop, but if ask a guy going out the door to come back and he didn't even grunt, you know, that just lowers its morale in a barbershop right quick.

I know that customers don't think about that, but we as barbers—that's our business and we watch that and you would be surprised, if a guy comes in and you give a haircut and you thank him, when he pays you, and the barber ordinarily when he leaves for that door, when he starts out, he asks him to come back and if he says, "I'll see you in 2 weeks," or "Thank you for asking me to come back," it just builds up the morale in a shop, but he wasn't that type.

Mr. JENNER. I might have misled you a little bit ago—I mentioned your being interviewed on the 3d of December. The fact is that interview was on the 2d, was it not, the 2d of December?

Mr. SHASTEEN. The fact is—why I say that, he came one day—I didn't put the dates down and I didn't try to remember them, but he came one day and I was real busy—the kids were trying to get a haircut for some program.

Mr. JENNER. The 2d of December was on a Monday?

Mr. SHASTEEN. Yes; I believe he came Monday and then he came back Tuesday. In other words, he came one day and he got there a little late and the kids were having their pictures made up at the school there nearby and they were sitting in there and he said, "Suppose I come back tomorrow?" He said, "I have some other places I need to go." And I told him it would be fine or I would take him in a few minutes.

Mr. JENNER. Do you recall Mr. Odum interviewing at a later time, the 16th of December?

Mr. SHASTEEN. Yes; but he didn't make any notes to my knowledge, but I cut his hair.

Mr. JENNER. He made notes all right, I can tell you that.

Mr. SHASTEEN. He did—I josh and go on with Mr. Odum a lot.

Mr. JENNER. Do you know him?

Mr. SHASTEEN. Yes.

Mr. JENNER. Likewise a Monday?

Mr. SHASTEEN. Yes; I believe it was. I cut Mr. Odum's hair about a week and a half ago. Do you know him? (Addressing Mr. Davis.)

Mr. DAVIS. No.

Mr. SHASTEEN. He's the type guy you like to have come in any time.

Mr. JENNER. Do you recall telling him on that occasion that you had never been able to identify the 14-year old boy, that this boy had been in your shop on one occasion about 2 months prior to that day, that is prior to December 16, and that would make it around the 16th of October?

Mr. SHASTEEN. Well, now, we—in other words, there were no customers in there, but the barbers and I think he was in there, as I told you, I think we were nearly positive about that, but if I told you I knew he was, I couldn't be sure about that.

Mr. JENNER. It was on a Wednesday or Thursday and Oswald's hair was cut on that occasion by your fellow barber, Burt Glover?

Mr. SHASTEEN. Yes; and Burt is the one that says that was on a Thursday.

Mr. JENNER. You see, this is what you told Mr. Odum, and that Glover says on the next Monday or Tuesday he cut the hair of the 14-year old boy?

Mr. SHASTEEN. Yes.

Mr. JENNER. And that would be sometime in October?

Mr. SHASTEEN. Evidently that's the time that I don't—that wasn't the time that he made the statement at all. If he got a haircut—but, if you know Burt like I know Burt, I don't know that Burt knows that that was the boy, but he still says it is. I think it was—I wouldn't be sure about it.

Mr. JENNER. All I have in mind here is your report to Agent Odum. Then you told him at that occasion, that is, when the boy got his haircut on Monday or Tuesday, that Oswald was not in the shop but that somebody else had brought the boy to the shop.

Mr. SHASTEEN. Yes; somebody let him out.

Mr. JENNER. Is that something Glover told you?

Mr. SHASTEEN. No. When he got his haircut, when he made the statement?

Mr. JENNER. Yes.

Mr. SHASTEEN. No; somebody brought him and somebody picked him up, but they didn't pull right in front of the shop. They just let him out in front in the street.

Mr. JENNER. Did you notice whether there was a woman or man or men that brought him to the shop?

Mr. SHASTEEN. I know what you're fixing to ask and I could kick my own self, but I didn't pay no attention to it.

Mr. JENNER. Do you recall what type of automobile—did you notice it at all?

Mr. SHASTEEN. Yes; I noticed the car. Now, I'll tell you the man's name that I know—I know it is in my estimation—it was in the 1958 bracket and as the old saying is, it didn't have the wings on it. This was the thing that I noticed.

Mr. JENNER. But it wasn't the station wagon you have described?

Mr. SHASTEEN. No; I think it was a 1958 Ford—them there old gun-colored, it was a dark color, but it wasn't black or nothing, and that's what let him out—the kid out in front.

Mr. JENNER. But this was the occasion the boy made the remark, "There wouldn't be no peace until all the people had the same amount of possessions and that most of our trouble now is caused because the poor people have so little and the rich so much?"

Mr. SHASTEEN. Right.

Mr. JENNER. And this boy indicated peace would come when all the people had the amount of—the same amount of wealth?

Mr. SHASTEEN. And had one leader—he didn't say "ruler," he said "leader." We talked about that and noticed it after he left.

Mr. JENNER. Do you recall making this statement to Agent Odum?

Mr. SHASTEEN. Yes. I have made it in my mind a dozen times since then—just thinking of a 14-year old boy having that kind of distilled stuff in his mind. It's not funny to me, it hurts me to see a kid with that kind of an attitude, because somebody is teaching him wrong and the thing that hurts me the most was the fact that I did have a chance to have took him and bought him a coke or took him and done something and talked to him and found out who he was and where I could have at least reasoned with him or turned him in where somebody—some of the authorities could have gotten abold of him or anything, but it made me mad and I didn't do it. That's why we shouldn't let our tempers—you fellows are lawyers and you know that you can't let your temper get too far, but some of us people do let our tempers get away and that's one time I let mine get away. I would much rather have took him and whipped him with one of the belts or razor straps than took his money.

Mr. JENNER. Well, I think of nothing else.

Do you have anything in mind to ask him, Mr. Davis?

Mr. DAVIS. No, is this person still coming, have you seen him any more—when is the last time you saw him at the shop?

Mr. SHASTEEN. This boy—I never saw that boy since that day. Of course, I don't remember exactly, the exact words, you know, I was kind of angry and aggravated and then you say things, but I let him know that that was no way for anybody to feel and I told him he was just off—way off base, and I said, "I don't know where you got your learning and your thinking," but I said, "Boy, I disagree with you wholeheartedly." And I said—I have a bad habit of telling people they had better take inventory and see if they are right, and I told him, I said, "You had better take inventory and find out where you stand because you are just at the right age that you can get in a lot of trouble thinking like that."

Mr. JENNER. Did I ask you what your age was?

Mr. SHASTEEN. No; 39.

Mr. JENNER. And you are a married man and have a family?

Mr. SHASTEEN. Yes, sir.

Mr. JENNER. How old is Mr. Glover?

Mr. SHASTEEN. 32.

Mr. JENNER. And your third barber?

Mr. SHASTEEN. 39.

Mr. JENNER. That's all, and we appreciate your coming in.

Mr. SHASTEEN. Well, I wish I could help you, but I know it doesn't help you a lot.

Mr. JENNER. Well, you helped us by telling us everything you know.

Mr. DAVIS. We surely do appreciate your coming in.

Mr. JENNER. If you wish to read your deposition and make any corrections if you think any are warranted, you may do so and sign it, if you wish, or you can waive all that if you wish to?

Mr. SHASTEEN. Well, I couldn't read what she has been writing there.

Mr. JENNER. I take it by that that you had just as soon waive your signature and reading it over?

Mr. SHASTEEN. Yes.

Mr. JENNER. And signing it?

Mr. SHASTEEN. Yes.

Mr. JENNER. All right, Mr. Shasteen, thank you very much. I appreciate it.

Mr. SHASTEEN. It's good to meet you fellows.

Mr. JENNER. Thank you.

Mr. DAVIS. Thank you.

TESTIMONY OF LEONARD EDWIN HUTCHISON

The testimony of Leonard Edwin Hutchison was taken at 9 a.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission.

Mr. JENNER. Will you rise and be sworn, please?

In the testimony which you are about to give, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUTCHISON. I do.

Mr. JENNER. And you are Leonard Edwin Hutchinson?

Mr. HUTCHISON. It's Hutchison (spelling) H-u-t-c-h-i-s-o-n, Mr. Jenner.

Mr. JENNER. i-s-o-n?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And you live at Scandia Apartments?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Apartment No. 505, at 601 West Sixth Street, Irving, Tex.?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Mr. Hutchison, the Presidential Assassination Commission appointed pursuant to Presidential Executive Order No. 11130, of November 29, 1963, and Senate and House of Representatives Joint Resolution No. 137, of the 88th Congress, is investigating the assassination of President John F. Kennedy here in Dallas, Tex., on the 22d of November 1963, and all of the circumstances surrounding it.

Have you received a letter from J. Lee Rankin, the general counsel for the Commission?

Mr. HUTCHISON. Yes.

Mr. JENNER. With which was enclosed a copy of the joint resolution and of the Executive order?

Mr. HUTCHISON. Yes, sir; I read them several times.

Mr. JENNER. And we are advised, from information we have, that you may have some information with respect to Lee Harvey Oswald and his visiting in Irving, Tex., and possibly some information respecting the Paines. And we would like to inquire of you of those circumstances.

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. What is your business, occupation or profession?

Mr. HUTCHISON. I'm a retail grocery owner, sir.

Mr. JENNER. And do you operate that business?

Mr. HUTCHISON. Yes, sir; I operate the business.

Mr. JENNER. Where is your retail grocery store?

Mr. HUTCHISON. On the corner of Shady Grove and Storey Road.

Mr. JENNER. In what town?

Mr. HUTCHISON. Irving, Tex.

Mr. JENNER. That's a suburb of Dallas?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And would you just tell me, in general, the nature of your market or store?

Mr. HUTCHISON. Yes, sir; I have a complete supermarket, sir—retail grocery, meat, fresh fish, produce and all necessary food items.

Mr. JENNER. Is the Paine family or Mrs. Paine a customer of your market?

Mr. HUTCHISON. Not a regular customer—just a drop in.

Mr. JENNER. She does, from time to time, come by the store and purchase food stuffs?

Mr. HUTCHISON. Yes.

Mr. JENNER. Are you acquainted with Mrs. Paine—that is, would you recognize her if you saw her?

Mr. HUTCHISON. Yes, sir; I would recognize her if I saw her.

Mr. JENNER. And you have had occasion to speak with her?

Mr. HUTCHISON. Yes, sir; just to speak. I try to salute everyone that comes in.

Mr. JENNER. Naturally.

Mr. HUTCHISON. That's just the business.

Mr. JENNER. Do you know where her home is located in Irving, Tex.?

Mr. HUTCHISON. Yes, sir; yes, sir.

Mr. JENNER. Would you locate your market with respect to her home?

Mr. HUTCHISON. Yes, sir; you would turn east a block and a half—turn right, and I'm 8 blocks due south.

Mr. JENNER. You turn east a block and a half—and what cross street is that?

Mr. HUTCHISON. That is Storey, sir.

Mr. JENNER. And you would go down Storey south—

Mr. HUTCHISON. To Shady Grove.

Mr. JENNER. To Shady Grove?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Approximately how many blocks?

Mr. HUTCHISON. It's 8 blocks from Fifth to Shady Grove.

Mr. JENNER. All right. Do you have a large parking lot area?

Mr. HUTCHISON. Well, I would consider it fairly large; yes.

Mr. JENNER. Mrs. Paine has testified with respect to attempting to teach Lee Oswald to drive an automobile, and that she went to a supermarket area, which she said was approximately 8 blocks from her home—it took her about 4 minutes, 4½ minutes or 5 minutes to drive there—4 minutes, I guess.

Mr. HUTCHISON. I don't believe she could teach on my driveway because my driveway is three-way parking, and I don't have a lot to where she could turn, feasibly, around.

Mr. JENNER. I see.

This was, she said, on Sunday afternoons when there were no vehicles on the lot.

Mr. HUTCHISON. Well, I'm open on Sunday so she—

Mr. JENNER. Oh, you are?

Mr. HUTCHISON. Yes, sir; I'm open on Sunday. So she couldn't—my parking lot is not filled every Sunday, but I don't believe she would have practiced on my parking lot. It would have been noticed—I would say that.

Now, I work until around 3 o'clock on every Sunday.

Mr. JENNER. Every Sunday?

Mr. HUTCHISON. Yes, sir; so it would have had to have been after then and, feasibly, I don't believe she could teach anyone to drive in my parking lot.

Mr. JENNER. I see. Were you aware that sometime in the fall of 1963, that a lady was residing with Mrs. Paine who was a Russian emigre?

Mr. HUTCHISON. No, sir; no, sir.

Mr. JENNER. Were you aware in the fall of 1963, that the man we now know as Lee Harvey Oswald was visiting in the Paine home on weekends?

Mr. HUTCHISON. I couldn't—I couldn't say that he was visiting there. All I can say, Mr. Jenner, is that he came into the store and bought items like—what I remember so vividly is that it was milk and cinnamon rolls early in the morning.

Mr. JENNER. Milk and cinnamon rolls?

Mr. HUTCHISON. Yes, sir; in the morning—early. When you're not busy in

the morning, you naturally acquaint yourself with people more than when you are real busy. I mean, when you are there and there's, say, three or four in the store and you're checking out, you notice people, you observe them a lot more than you do if you're real crowded.

Mr. JENNER. So, this being relatively early in the morning, it was something that arrested your attention?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Was he accompanied by anyone?

Mr. HUTCHISON. Never; never.

Mr. JENNER. How often did this take place?

Mr. HUTCHISON. I would say I saw the boy approximately four or five times at the maximum that I can remember—four or five times. And it would be a day or two or three between. It was always in the morning.

Mr. JENNER. Always?

Mr. HUTCHISON. I open at 7 o'clock in the morning, and I would say it was between 7:20 and 7:45 because it was—it just got to be a routine.

Mr. JENNER. Does your memory serve you sufficiently as to whether these purchases or visits included midweek days? That is, let's take Monday through Thursday. Would there be any on those days?

Mr. HUTCHISON. No, sir; I couldn't say. I couldn't pinpoint the day. I know that—that it was between—there would be a day or two between, or maybe three between.

Mr. JENNER. Would your memory serve you as to whether—let's take one day—there was any degree of regularity of this person's visits to your market on Monday?

Mr. HUTCHISON. No; no—I couldn't pinpoint Monday. No, sir.

Mr. JENNER. You are open on Sunday, you say. Do you recall this gentleman you have in mind ever having visited and made purchases on Sunday morning?

Mr. HUTCHISON. No; no, sir. We do very, very little business up until 9 o'clock. They'd just be occasionally a drop-in for a, say, a package of cigarettes or something like that.

Mr. JENNER. I see.

Mr. HUTCHISON. Sunday morning is very quiet, sir. I think I'd have recognized him on Sunday.

Mr. JENNER. All right. We can eliminate Sunday?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And what about Saturday?

Mr. HUTCHISON. I'm not there very often on Saturday morning because I work Saturday nights. So, I couldn't—I couldn't pinpoint Saturday morning.

Mr. JENNER. And the odds are, then—let's see, we've eliminated Sunday morning—and the likelihood is that you did not see him on Saturday?

Mr. HUTCHISON. No, sir.

Mr. JENNER. I see. So, it would be—

Mr. HUTCHISON. During the week.

Mr. JENNER. Monday through Friday?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. When did these visits commence, if you recall?

Mr. HUTCHISON. I would say—uh—I came back from out of the country trip in September; so it would have had to have started late September.

Mr. JENNER. And what is your recollection as to their persistence up to and including November 22, 1963?

Mr. HUTCHISON. Well, it would have been just an occasional drop-in.

Mr. JENNER. During that period?

Mr. HUTCHISON. Yes, sir; during that period. Yes, sir.

Mr. JENNER. Did you see this man at any time subsequent to November 22, 1963?

Mr. HUTCHISON. After?

Mr. JENNER. Uh-huh.

Mr. HUTCHISON. No, sir. No, sir. I sure didn't.

Mr. JENNER. I think I asked you whether he was accompanied by anyone at anytime and you said, "No."

Mr. HUTCHISON. Only one time.

Mr. JENNER. One time?

Mr. HUTCHISON. One time. Yes. There was a Wednesday evening, he and his wife and an elderly lady were shopping in midcounters and I was stocking around a corner and I heard this blurt—uh—statement in foreign tongue. And, naturally, that would arouse your curiosity to hear somebody speaking—now, I know Spanish, and I recognize German and I recognize French—and it wasn't any of those. So, I immediately came around the counter and he was taking something away from his—the woman he was with and putting it back on the shelf and talking to her in this language.

Mr. JENNER. What was your impression as to what he was attempting to convey to her?

Mr. HUTCHISON. That he didn't want her to have it—that he took it away from her. He still had it—he still had it in her hand—I mean, she had it in her hand and he took it away from her and put it back on the shelf.

Mr. JENNER. Now, this was in the afternoon?

Mr. HUTCHISON. That was late in the evening, sir, between—between. I would say, between 6:45 and 7:30. Because I close at 8:30 and I recognize that it was earlier. They were buying then what you would say a complete bill of groceries. They had several items in the basket.

Mr. JENNER. I see. You have the—I don't do much supermarket shopping—but it's a cart with wheels?

Mr. HUTCHISON. Yes, sir; a cart with wheels.

Mr. JENNER. Self-service?

Mr. HUTCHISON. Self-service. Yes, sir. All my store is self-service, meat included; yes, sir.

Mr. JENNER. All right.

You said, "This man and his wife." What led you to say that this lady or woman was his wife?

Mr. HUTCHISON. Well, uh—later, when her picture came on television, I—uh—I recognized her.

Mr. JENNER. Now, when you use the pronoun "her," you're now referring to whom?

Mr. HUTCHISON. To his wife.

Mr. JENNER. Marina Oswald?

Mr. HUTCHISON. Yes. Marina Oswald. Yes.

Mr. JENNER. All right. Would you describe, as best you can, your present recollection of what this man looked like?

Mr. HUTCHISON. Yes. He was—uh—around 5 foot 10 or 10½; he had a very, I would say—impressive look about him. It was always, to me, uh—to her—at that time it was a glare. He was glaring at her. And, of course, when anyone glares, their facial expressions tighten up and you just naturally observe someone like that. And it looked like—well, you wouldn't say a fit of anger, but a disgust or something out of the ordinary.

Mr. JENNER. Irritation?

Mr. HUTCHISON. Yes; irritation would be the word. Yes. It wasn't, "You don't need that," or—of course, I couldn't understand Russian. I heard Russian of course when I was in the service in Seattle, but I didn't recognize the language. But he was telling her and it was in irritation—and he put it back on the shelf.

Mr. JENNER. By the way, I might do this at the moment—what is your age?

Mr. HUTCHISON. I'm 50.

Mr. JENNER. And are you a native of the Dallas area?

Mr. HUTCHISON. Yes, sir; I was raised right down here at Waxahachie, sir.

Mr. JENNER. And your formal education was what—elementary school, high school?

Mr. HUTCHISON. High school; high school education, sir.

Mr. JENNER. Then, you spent some time in the service, I gather?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. I take it, you make a practice of trying to obtain a picture in your mind of all your customers?

Mr. HUTCHISON. Of every customer; yes, sir.

Mr. JENNER. And to remember them?

Mr. HUTCHISON. I love people and I love to speak to them and I address everyone, regardless of creed, color, or anything. I always speak to them.

Mr. JENNER. Well, that's a mark of a good salesman—apart from your normal disposition.

Mr. HUTCHISON. Yes, sir; I like people. That's the thing. I like people.

Mr. JENNER. Do you recall how this man was attired on that occasion?

Mr. HUTCHISON. He was in slacks with just—uh—had a little jacket—uh—I would say just a common, ordinary jacket.

Mr. JENNER. There's my raincoat hanging there [indicating]. Was it about that weight or—

Mr. HUTCHISON. A little heavier; a little heavier jacket. It was—

Mr. JENNER. Was it that type of material—twill? Or was it wool or what was it?

Mr. HUTCHISON. Twill.

Mr. JENNER. Twill?

Mr. HUTCHISON. Yes, sir; it was twill.

Mr. JENNER. Short jacket?

Mr. HUTCHISON. Short jacket; yes, sir. Short jacket.

Mr. JENNER. Zippered?

Mr. HUTCHISON. Zipper—yes, sir. Because it was open. I remember that. He wore it several times. He had it on—uh—when he came in the morning. Always an open shirt, always had a—he never wore a tie. I observed that, naturally.

Mr. JENNER. I see. Describe the lady.

Mr. HUTCHISON. Well, she had on, I would say, a print dress and she had on a coat. She had on a—not a heavy coat but a—

Mr. JENNER. How tall was she?

Mr. HUTCHISON. I would say she was around 5 foot 2½ or 3.

Mr. JENNER. Do you recall the color of her hair?

Mr. HUTCHISON. No, sir; I couldn't. She had—

Mr. JENNER. A babushka?

Mr. HUTCHISON. No; a scarf. She had a scarf on her head. She had a white scarf.

Mr. JENNER. A white scarf?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Do you know what I mean when I say "babushka"? It's a scarf that the ladies have over their head and they tie it under their chin.

Mr. HUTCHISON. Yes, sir; yes, sir.

Mr. JENNER. Is that the way she wore the scarf?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Do you recall the shade or color of his hair?

Mr. HUTCHISON. I would say that it was a kind of dark brown.

Mr. JENNER. And what about its plenitude—did he have plenty of hair or—

Mr. HUTCHISON. Yes, sir. It was—it was combed back each time. He never wore a hat. His hair was always, I would call it—in mine and your day—roached, I guess—roached back, just peeled completely back on both sides.

Mr. JENNER. I see. And, as best you are able to fix it, when was this with respect to month and what part of the month—the fore part, latter part, middle part?

Mr. HUTCHISON. Well, that must have been the latter part of, I would say, the last 10 days of October.

Mr. JENNER. Uh-huh. And was it a midweek?

Mr. HUTCHISON. Yes, sir; yes, sir. It was in midweek, because I only work Monday, Wednesday, and Saturday nights. So, it would have had to have been a Wednesday night.

Mr. JENNER. Wednesday night?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Could it be that this visit was sometime between the 4th of October and the 15th of October?

Mr. HUTCHISON. I don't believe so. I believe it was later than that, sir.

I believe, if I were to pinpoint it, I would say it was between the 15th of October and November 1.

Mr. JENNER. All right. Now, you said there was, to your recollection, an older lady with them?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. With these people? What would you judge her age to be?

Mr. HUTCHISON. I would say she was somewhere between 50 and 60.

Mr. JENNER. Would you describe her, please?

Mr. HUTCHISON. Well, sir, she had on a small li'l ole hat and—uh—a fur coat. She had on a fur coat. And—uh—she said nothing. She just walks around.

Mr. JENNER. What color was her hair?

Mr. HUTCHISON. I couldn't say, sir; because she had this hat on. It was just the language—it was the tone and the language that he was speaking that attracted me.

Mr. JENNER. And he was speaking in Russian?

Mr. HUTCHISON. Yes. Well, it was—

Mr. JENNER. Well, at least, in a foreign language that you couldn't understand?

Mr. HUTCHISON. Yes; that's right.

Mr. JENNER. Did the young lady say anything?

Mr. HUTCHISON. Nothing. She said nothing.

Mr. JENNER. Now—she was a young lady?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. What would you judge her age to be?

Mr. HUTCHISON. I would say between 20 and 24.

Mr. JENNER. And his age?

Mr. HUTCHISON. Well, I'd say he looked—he at that time looked to be about 21 or 22.

Mr. JENNER. He looked younger than she?

Mr. HUTCHISON. Yes.

Mr. JENNER. Do you recall whether the elderly lady did or did not wear spectacles—or glasses?

Mr. HUTCHISON. She had glasses on. Yes, sir.

Mr. JENNER. Were they a horn-rimmed type that I have and you have on?

Mr. HUTCHISON. Yes, sir; yes, sir.

Mr. JENNER. Can you recollect—is this the only occasion on which you saw him—

Mr. HUTCHISON. With anyone?

Mr. JENNER. With anyone at all?

Mr. HUTCHISON. Yes, sir; the rest of the time, it was by himself.

Mr. JENNER. During the course of their visiting that day, did you hear the elderly lady say anything?

Mr. HUTCHISON. No, sir.

Mr. JENNER. And I think you said you did not hear the young lady say anything?

Mr. HUTCHISON. No, sir; she said nothing.

Mr. JENNER. And they were purchasing what you would call a—did you say a “full stock of groceries”?

Mr. HUTCHISON. Yes, sir; yes, sir.

Mr. JENNER. Would you describe for the record what you mean by a full stock of groceries?

Mr. HUTCHISON. Well, a full stock of groceries is when they buy soap, soap powder, sugar, coffee, a few canned goods, milk, bread—say, a total of \$15 to \$20 worth of groceries is considered a bill of groceries.

Mr. JENNER. Yes; and you recall that this occasion is what you have now described as a full stock of groceries?

Mr. HUTCHISON. Yes, sir; a full stock bill of groceries.

Mr. JENNER. Not only edibles, but things to apply in and about the home?

Mr. HUTCHISON. About the house—the home; yes, sir.

Mr. JENNER. And they were in your store, I take it then, for—

Mr. HUTCHISON. Several minutes.

Mr. JENNER. Several minutes?

Mr. HUTCHISON. Yes, sir. How far between then, I don't know; but from then on, I would say 20 minutes before they checked out.

Mr. JENNER. Did he pay for these goods?

Mr. HUTCHISON. Yes, sir; yes, sir.

Mr. JENNER. How? With cash?

Mr. HUTCHISON. Cash. Yes, sir. There was only one other time when he tried to cash a check.

Mr. JENNER. And I'll get to that in a minute—but on this particular occasion, it was cash.

Mr. HUTCHISON. Yes, sir. It was always cash. Yes, sir. He always paid cash.

Mr. JENNER. I am interested, Mr. Hutchison, in the older lady—the older of the two ladies.

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Could you give me any more—draw on your imagination and see if—

Mr. HUTCHISON. Well, she was on the heavy side; I would say weight 160 or 170 pounds, and short and dumpy.

Mr. JENNER. How tall was she with respect to the gentleman and the young lady?

Mr. HUTCHISON. Well, she was—she was, of course, not as tall as the gentleman and maybe about the same height as the lady.

Mr. JENNER. The young lady?

Mr. HUTCHISON. Yes, sir; the young lady.

Mr. JENNER. What was your judgment as to the young lady's height?

Mr. HUTCHISON. I would say 5 feet 2½ or 3.

Mr. JENNER. Relatively short?

Mr. HUTCHISON. Yes, sir; relatively short—yes, sir.

Mr. JENNER. And the elderly lady was approximately that height as well?

Mr. HUTCHISON. Yes, sir; but dumpy.

Mr. JENNER. Heavier set?

Mr. HUTCHISON. Heavier set; yes.

Mr. JENNER. What would you say was the weight of the younger lady?

Mr. HUTCHISON. I would say 107 to 110.

Mr. JENNER. Slightly built, then?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Did I ask you this—was that a busy period of time, as you recall?

Mr. HUTCHISON. No; no, no. It wasn't too busy.

Mr. JENNER. And you were afforded plenty of opportunity, were you, to observe these people?

Mr. HUTCHISON. Yes; yes. When I went around this aisle to hear this foreign language, I looked at them and I could see them as plain as I'm seeing you. I didn't go right down and just stare and look at them—but my aisle is only 36 feet long and they were in the middle of the aisle. So when I went around the aisle, I was within 15 feet of them.

Mr. JENNER. Now, had the gentleman you're now describing been in—was one of the occasions that he'd been in in the morning?

Mr. HUTCHISON. Yes, sir; before.

Mr. JENNER. Prior to this event?

Mr. HUTCHISON. Yes, sir; yes, sir.

Mr. JENNER. And on these prior occasions when he was alone, did he ever use a language which was other than English?

Mr. HUTCHISON. Mr. Jenner, he never said a word. He never spoke. I'd always speak when he came in and always thank him when he went out. And whatever the purchase was, you addressed the amount—like it was a \$1.04, a \$1.16, a \$1.12—he'd just put the money out or get the change and walk right out the door. He never said a word.

Mr. JENNER. He didn't say hello, goodbye, how are you, nice morning, it's raining—nothing at all?

Mr. HUTCHISON. No, sir; nothing. He never said a word.

Mr. JENNER. He came in, employing the self-service, picked up—let's see, cinnamon rolls—you said?

Mr. HUTCHISON. And milk.

Mr. JENNER. And milk. And you, recognizing the cost of the sales price of these items, he'd walk up to the counter, you would state x dollars or cents—

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Whatever the purchase was, he would hand you the change in cash—

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And you would give him his change if it wasn't the exact amount that he'd handed you. And he'd walk out without saying a word?

Mr. HUTCHISON. He never said a word. That was odd. I began to notice that after that happened a couple or three times. Most anyone will say, "Thank you," or "Good morning," or something; but he never said a word.

This is a friendly store, Mr. Jenner. It's not a cold store—like a chainstore or anything like that. We don't change help and it's just a—well, it's a neighborhood supermarket, is what it is.

Mr. JENNER. Yes; I should bring this out; this is an independent store, it's not a chainstore?

Mr. HUTCHISON. Yes, sir; it's independent—not a chainstore.

Mr. JENNER. And you're both the owner and the manager?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And it's a neighborly neighborhood store?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Now, you say there was an occasion when he attempted to cash a check?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Now, would you first fix the date—I assume you can't recall the exact date—but fix the month and the time of the month.

Mr. HUTCHISON. It would be the first week in November. To the best of my recollection, it was after this incident of the buying of the bill of groceries.

Mr. JENNER. All right. And what time of day was that?

Mr. HUTCHISON. It was in the afternoon, sir, between 5 and 6 o'clock—because I'm in the cage. I have a check-cashing cage, and on busy days I go into the cage and, naturally, I cash 90 percent of the checks—especially the big checks.

Mr. JENNER. I see. Now, I think you've told me that you are in your store on Mondays, Wednesdays, and Fridays?

Mr. HUTCHISON. Nights.

Mr. JENNER. Nights?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. But you are there during the day every day, also?

Mr. HUTCHISON. Yes, sir; yes, sir. I run my store. Yes, sir.

Mr. JENNER. So, you are in your store in the neighborhood of the 5 o'clock period every day?

Mr. HUTCHISON. Every day; yes, sir.

Mr. JENNER. All right. Now what day of the week was this?

Mr. HUTCHISON. Friday.

Mr. JENNER. Friday?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And it was around 5 or 5:30?

Mr. HUTCHISON. Between 5 and 6 o'clock, sir.

Mr. JENNER. Now, using your own words, describe the incident, commencing giving the background.

Mr. HUTCHISON. Well, they line up to cash their checks.

Mr. JENNER. And you were in the cage?

Mr. HUTCHISON. Yes, sir; I was in the cage.

Mr. JENNER. And there were people lined up to cash checks?

Mr. HUTCHISON. Yes, sir; sometimes 8 to 10 line up—because we have Ling Electric, we have Temco, and we have Chance Vought. We also have General Motors people who live in Irving. And Friday is a big check-cashing day.

Mr. JENNER. Uh, huh.

Mr. HUTCHISON. And I always step into the cage to cash checks and, naturally, I know most people who come in. And this was a two-party check.

Mr. JENNER. What do you mean by that?

Mr. HUTCHISON. A two-party check means that it was not a payroll check, but a personal check given to him.

Mr. JENNER. All right.

Mr. HUTCHISON. And, as best as I can remember, it was \$189—which is strictly against our rules to cash. We don't cash any two-party checks over \$25.

Mr. JENNER. I see.

Mr. HUTCHISON. And so I just merely told him, "I'm sorry; I can't cash this check."

Mr. JENNER. Excuse me. If I call that a personal check—is that an apt description? You call it a "two-party" check, meaning——

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. It's drawn by an individual and payable to an individual?

Mr. HUTCHISON. Right. That's right. An individual check payable to an individual.

Mr. JENNER. As distinguished from a payroll check?

Mr. HUTCHISON. Yes; as distinguished from a payroll check.

Mr. JENNER. And your practice is to limit your risk on that type of check to \$25?

Mr. HUTCHISON. \$25; yes, sir.

Mr. JENNER. And your recollection is that that check was in the amount of \$189?

Mr. HUTCHISON. \$189; yes, sir.

Mr. JENNER. All right. And he finally reached the wicket, or——

Mr. HUTCHISON. Yes, sir; the cage.

Mr. JENNER. He came to the head of the line, eventually?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Then tell me what happened, as best you can recall.

Mr. HUTCHISON. Well, he put the check up there and, of course, that's what everyone does. They put it up there and you look at the check and you observe the check and you either make up your mind whether you're going to cash it or not. But, of course, like I say, with the rule that I have, there never was any doubt in my mind what I was going to do with it. I just handed it back to him. I said, "I'm sorry. This is a two-party check, and we don't cash this amount in a two-party check.

Mr. JENNER. Did he say anything about that?

Mr. HUTCHISON. Not a word. Not a word. He just looked at me and picked up the check and got out of line and walked on out.

Mr. JENNER. Did he have any expression on his face that arrested your attention?

Mr. HUTCHISON. No, sir.

Mr. JENNER. Do you think he understood what you meant by a "two-party" check?

Mr. HUTCHISON. Why, I'm sure he must have because I specifically said to him, "This is a two-party check and our rules and regulations are that we don't cash this large a check—two-party check."

Mr. JENNER. He didn't seem irritated?

Mr. HUTCHISON. No, sir.

Mr. JENNER. And he accepted your explanation?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Do you recall whether or not—let's see, you were in the cage, but despite that, do you have any recollection as to whether he purchased anything on that trip?

Mr. HUTCHISON. I couldn't say, because the cage is high enough that you have to stand up to see across the store. It's not caged completely in but there's a glass window——

Mr. JENNER. In any event, you didn't serve him anything.

Mr. HUTCHISON. No, sir. Sure didn't.

Mr. JENNER. Do you recall the payee of the check?

Mr. HUTCHISON. No, sir; no, sir. I sure don't. It just didn't enter my mind, Mr. Jenner, after it was that amount. I wouldn't care who it was, I wouldn't have cashed it because, like I say, I have my rules and regulations and if I violate them, my help can violate them, too—so, I just don't do it.

Mr. JENNER. Do you recall anything about the check—the form of the check—other than it was a two-party check?

Mr. HUTCHISON. No, sir; I couldn't. I couldn't tell you where it was given and who wrote the check. All I looked at was—it was the amount.

Mr. JENNER. Do you have any recollection—do you know what a counter check is?

Mr. HUTCHISON. Yes, sir; I know what a counter check is. It was a counter check. It wasn't a printed—it wasn't a personalized check. It was a printed check.

Mr. JENNER. I'm going to hand you one of my own personal checks [handing to witness.] Now, that's what you call a printed personalized check?

Mr. HUTCHISON. Yes, sir. That's a printed personalized check.

Mr. JENNER. And it was not that form?

Mr. HUTCHISON. No, sir. This was just a counter check. They all have it right here [indicating on check]—it's in the form of a draft on the Dallas market here. You have the name of your bank in print—like this bank is printed in here. [Indicating on check.]

Mr. JENNER. Yes. But on a counter check, the bank is not imprinted?

Mr. HUTCHISON. No, sir; no, sir. It just has your date and "Pay to the Order of," and your signature here and, of course, they all have your micronized letters—they all have that now because each bank puts them out.

Mr. JENNER. Yes; but they do not appear on counter checks.

Mr. HUTCHISON. No, sir.

Mr. JENNER. Under the circumstances you have explained, now you did not make a mental note and you do not now have a recollection of the person to whom this counter check was payable?

Mr. HUTCHISON. No, sir; no, sir. I sure don't, Mr. Jenner.

Mr. JENNER. On these mornings when he came in, these were occasions when you were not too busy?

Mr. HUTCHISON. That's right.

Mr. JENNER. Do you have any recollection at all—and if so, state the extent of it—as to whether he arrived at your place of business in some vehicle—automobile?

Mr. HUTCHISON. Always walking.

Mr. JENNER. Always walking?

Mr. HUTCHISON. Always walking. Yes, sir. He was always walking. Because, once or twice, I'd be sweeping the sidewalks—I sweep the sidewalk every morning—and he'd be coming down the Storey side.

Mr. JENNER. All right. I was about to get to that. He was coming down the Storey side—let's see if I can put it in my vernacular a little: From what direction was he coming, normally, when you saw him?

Mr. HUTCHISON. From north to south.

Mr. JENNER. He was moving from the north to the south?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Which would be coming from the direction of the Paine home?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And did you notice the direction in which he went when he departed your store?

Mr. HUTCHISON. Yes, sir; he just went right around the corner. See, from my door there's only about 25 feet from the entrance of the door to the corner of the building. My checking stand is on the, what you would say, the west side of the building. He'd go out the door and just go right around the corner.

Mr. JENNER. And in what direction would he be moving then, after he turned the corner?

Mr. HUTCHISON. North.

Mr. JENNER. And then what street would he be on?

Mr. HUTCHISON. That would be Storey, sir.

Mr. JENNER. So, he was retracing his steps?

Mr. HUTCHISON. Yes, sir; retracing his steps.

Mr. JENNER. Now, on the occasion when these three people were in your store on that evening, you're not able now to fix that occasion any more definitely as to point of time than sometime between the 1st and the—did you say the 15th of November?

Mr. HUTCHISON. Fifteenth of October, sir; to the 1st of—uh—

Mr. JENNER. November?

Mr. HUTCHISON. November. Yes, sir.

Mr. JENNER. And it was not in the month of November?

Mr. HUTCHISON. No, sir; no, sir.

Mr. JENNER. Do you have a recollection of having been interviewed by a representative of the FBI—

Mr. HUTCHISON. Yes, sir; yes, sir.

Mr. JENNER. On this occasion?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And he questioned you about the incident of the evening—

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And substantially the things that I am examining you about?

Mr. HUTCHISON. Yes, sir; yes, sir.

Mr. JENNER. And did you give him, then, your very best recollection of what you recalled at that time?

Mr. HUTCHISON. Yes, sir; I sure did, sir.

Mr. JENNER. All right.

And this interview was shortly after the assassination?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. The 3d of December, 1963?

Mr. HUTCHISON. Yes, sir; it was.

Mr. JENNER. How much milk did he buy on these morning occasions?

Mr. HUTCHISON. A gallon.

Mr. JENNER. A whole gallon?

Mr. HUTCHISON. A whole gallon of milk; yes, sir.

Mr. JENNER. Now, the Internal Revenue Service might be interested in this: Tell me again, and with prices to the extent you can recall, what his normal purchase was on the mornings that he came in.

Mr. HUTCHISON. Well, the milk sells for 79 a gallon and the cinnamon rolls are 39. So, you see, that would be \$1.18.

Mr. JENNER. Did he ever buy any bread?

Mr. HUTCHISON. No, sir; no, sir.

Mr. JENNER. Did you ever see him with any bills of large denomination?

Mr. HUTCHISON. No, sir.

Mr. JENNER. Did you ever see him with a—well, I don't know; maybe "large denomination," doesn't help us very much on these morning occasions, did he ever hand you a \$5 or a \$10 bill?

Mr. HUTCHISON. No, sir; it was always a dollar and some change.

Mr. JENNER. All right.

Mr. HUTCHISON. Either a dollar and a half or a dollar and a quarter—or sometimes two dimes. He had almost the correct change.

Mr. JENNER. Always?

Mr. HUTCHISON. He was within a few cents—30 or 40 cents of his purchase.

Mr. JENNER. However, on the evening occasion, when they bought—what expression did we use?

Mr. HUTCHISON. Full line of groceries?

Mr. JENNER. Did he have bills on that occasion?

Mr. HUTCHISON. Sir, I didn't check him.

Mr. JENNER. You didn't check him?

Mr. HUTCHISON. I didn't check him; no, sir.

Mr. JENNER. So, you don't know?

Mr. HUTCHISON. I don't know, sir. I sure don't.

Mr. JENNER. But your recollection is that purchase would run somewhere between \$15 and \$20?

Mr. HUTCHISON. Yes, sir; \$15 and \$20.

Mr. JENNER. From that, you would conclude that he must have had some bills larger than a dollar?

Mr. HUTCHISON. Yes, sir; he would have had to have larger bills that day.

Mr. JENNER. Or else he would have had to have a number of dollar bills.

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. I think I failed to ask you what you thought his weight was.

Mr. HUTCHISON. I would say his weight was somewhere in the neighborhood of 155 to 160.

Mr. JENNER. What is your recollection as to his dress in the sense of neatness, cleanliness?

Mr. HUTCHISON. Well, I wouldn't say he was dirty, but he was shabbily dressed.

Mr. JENNER. Uh, huh.

Mr. HUTCHISON. He was shabbily dressed—cheap slacks, and like I said, the jacket was cheap, and his shirts were always open, he never had a tie, he wasn't what you would call neatly dressed. He always looked—well, like just a common worker.

Mr. JENNER. I gather from all this that it was your impression that he was a person of little means?

Mr. HUTCHISON. Yes.

Mr. JENNER. What about his neatness? Was he always shaven?

Mr. HUTCHISON. Yes, sir; he was always shaven.

Mr. JENNER. His hair neatly combed?

Mr. HUTCHISON. Hair cut and neatly combed; yes, sir.

Mr. JENNER. And you didn't notice anything about, did you, that he always needed a haircut or—

Mr. HUTCHISON. No; I would say that he was pretty well—

Mr. JENNER. In that respect, you would call him normal?

Mr. HUTCHISON. Normal; yes, sir.

Mr. JENNER. All right.

Mr. HUTCHISON. Because, you know, I'd notice if a person doesn't have a haircut. Naturally, I would on account of my help and everything like that. I have to observe those things.

Mr. JENNER. Yes. Are you able to describe Mrs. Paine to me?

Mr. HUTCHISON. Well, she's an ordinary person—I mean—

Mr. JENNER. Physical characteristics, I mean, first.

Mr. HUTCHISON. Yes, sir. Well, she's about 5 foot 4 and I'd say her weight was around 122 and 124—I'd say between 115 and 125. Uh—she's not a beautiful woman, but she's attractive.

Mr. JENNER. What about her age?

Mr. HUTCHISON. Oh, I'd say—uh—between 42 and 46 years of age.

Mr. JENNER. Are you acquainted with Mr. Paine?

Mr. HUTCHISON. No, sir.

Mr. JENNER. In the first place, do you know that there is a Mr. Paine?

Mr. HUTCHISON. No, sir; I sure don't.

Mr. JENNER. Do you know whether the lady you have in mind does or does not have children and if so—

Mr. HUTCHISON. No, sir.

Mr. JENNER. Whenever she was in your store did she have children with her?

Mr. HUTCHISON. No, sir; she was alone.

Mr. JENNER. Always alone. When was the last time you saw this person that you have in mind in your store?

Mr. HUTCHISON. Oh, I'd say in January—

Mr. JENNER. Of this year?

Mr. HUTCHISON. Of this year. Yes, sir. She's been in since—

Mr. JENNER. She may well have been in on other occasions—

Mr. HUTCHISON. Oh, yes; yes.

Mr. JENNER. But the last time you recall her was in January?

Mr. HUTCHISON. January. Yes, sir.

Mr. JENNER. Well, you were never able to strike up any conversation with this man, so—

Mr. HUTCHISON. No, sir; I couldn't have told you he lived with her, or anything.

Mr. JENNER. All you know is that he was a person that came from that direction?

Mr. HUTCHISON. He came from the north and came in the store—yes, sir.

Mr. JENNER. And you do recall distinctly that, from the occasion of the assassination, you have never seen this man in your store?

Mr. HUTCHISON. No, sir; no, sir; I've never seen him.

Mr. JENNER. And what arrested your attention in this regard was that you saw a photograph of Marina Oswald published in one of the Dallas papers?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And seeing that photograph, you noticed a resemblance between the lady you had seen in your store the evening you've described—

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And that particular photograph?

Mr. HUTCHISON. Yes, sir; that's the only time I ever saw her.

Mr. JENNER. Did you see, either published in the newspapers or published in magazines somewhere or other, or on television, any pictures of Lee Harvey Oswald?

Mr. HUTCHISON. I saw them on television; yes, sir.

Mr. JENNER. And tell us when you saw the television pictures that you now have in mind.

Mr. HUTCHISON. I saw the television program on Sunday afternoon after he was shot here.

Mr. JENNER. That's the 24th of November 1963?

Mr. HUTCHISON. Yes, sir; that's the first time I recognized that he had been in my store.

Mr. JENNER. You recognized the man you saw on the television Sunday afternoon?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And the man who had come in your store of a morning?

Mr. HUTCHISON. Yes, sir; I remarked to my wife the minute I saw it. I was working when he was shot in the morning. I didn't see the actual—I didn't see the—but they rerun it that Sunday.

Mr. JENNER. You saw the rerun that Sunday afternoon?

Mr. HUTCHISON. Yes, sir. I told my wife then, I said, "That fellow has traded—"—and I related to her what I told you, just casually.

Mr. JENNER. Had you seen the newspaper picture of the lady, Marina Oswald, prior to the time you saw the television rerun on Sunday afternoon?

Mr. HUTCHISON. No, sir; that was later.

Mr. JENNER. All right, Mr. Hutchison, is there anything that occurs to you now that I haven't brought out that you think might be helpful to the Commission in this important work of the Commission?

Mr. HUTCHISON. No, sir; I don't.

Mr. JENNER. That you know? Any facts?

Mr. HUTCHISON. I'd be happy to tell you because—

Mr. JENNER. I'm sure you would.

Mr. HUTCHISON. I'm certainly a person who wants to help in every way—in any way.

Mr. JENNER. All right. Now, I have no further questions.

It's your privilege, Mr. Hutchison, to read over your deposition as soon as it is transcribed if you desire to do so. And this nice young lady will have this transcribed so it may be read, oh, let us say, Tuesday of next week. And if you wish to do so, you may come in and read it, and if you think there is anything in the deposition—

Mr. HUTCHISON. No, sir.

Mr. JENNER. That is incorrectly reported, why we'd like to have you advise us of that. Or you may waive all this procedure as you see fit.

Mr. HUTCHISON. I can waive it right now, Mr. Jenner. I have no—

Mr. JENNER. Then, you would like to waive it?

Mr. HUTCHISON. Yes, sir, yes, sir; I'd be glad to, sir.

Mr. JENNER. I think I might add—when you were interviewed on the 3d of December—

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. Which is some months ago, to the best of your recollection did you report to the FBI agent, who was Mr. Berry—do you recall that name?

Mr. HUTCHISON. Yes, sir; Mr. Berry was the man that came out—yes, sir.

Mr. JENNER. It was then your recollection that the time that Oswald—the man you recognized as Oswald—tendered the check for cashing was November 8—that is, you used the expression, "Three weeks ago?"

Mr. HUTCHISON. Yes, sir; that would pinpoint it closer.

Mr. JENNER. Does that refresh your recollection now—

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. As to the time it was?

Mr. HUTCHISON. Yes, sir; it does.

Mr. JENNER. Do you recall that on that occasion, that interview, that you told Mr. Berry that the occasion when the elderly lady, the young lady, and Oswald were in your store—that's an evening?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. You recall the incident?

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. That it was on Wednesday evening November 13, 1963, rather than in October—between the 15th and the 1st of November, as you've testified today?

Mr. HUTCHINSON. [Pausing before reply.] Mr. Jenner, the best—it was before the check cashing.

Mr. JENNER. Incident?

Mr. HUTCHISON. Yes, sir; it was before that. Yes, sir; because he tried to cash the check after he'd bought the bill of groceries.

Mr. JENNER. Yes; you fixed the time of day as the same.

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. And according to the report I have—and all I have is the report—

Mr. HUTCHISON. Yes, sir.

Mr. JENNER. You fixed the date as November 13. But, now, that you've been able to reflect further about it. This check-cashing incident as related to the time when the three of them were in—

Mr. HUTCHINSON. Yes, sir; was before.

Mr. JENNER. Was before rather than after?

Mr. HUTCHISON. Yes, sir. Yes, sir.

Mr. JENNER. I think that's all—no—one other thing I'd like to say to you. We did have a little bit of conversation before we started your deposition and we've been off the record once or twice—is there anything that I discussed with you while we were off the record or before your testimony began that you think is pertinent that I have failed to bring out?

Mr. HUTCHISON. No, sir.

Mr. JENNER. Is there anything that occurred during that time that you told me that you think is inconsistent with any of the testimony you have given—and which I failed to bring out?

Mr. HUTCHISON. No, sir; I think it's very full on everything I know.

Mr. JENNER. All right. Thank you very much. We're sorry to have inconvenienced you but we very much appreciate your help.

Mr. HUTCHISON. That's all right—it's perfectly all right. That's just something that everybody should do if they're good Americans.

Mr. JENNER. Thank you.

TESTIMONY OF FRANK PIZZO

The testimony of Frank Pizzo was taken at 3:35 p.m., on March 31, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Mr. Pizzo, would you stand up and be sworn?

Mr. PIZZO. All right.

Mr. JENNER. Do you solemnly swear that in the testimony you are about to give, you will tell the truth, the whole truth and nothing but the truth?

Mr. PIZZO. I do.

Mr. JENNER. Mr. Pizzo, I am Albert E. Jenner, Jr., a member of the legal staff of the President's Commission. You received a letter from Mr. Rankin, the general counsel, or did you?

Mr. PIZZO. No, I didn't.

Mr. JENNER. All right. Then, I'll tell you about it. The Commission to investigate the assassination of President Kennedy was appointed by President Johnson under Executive Order 11130, which in turn was pursuant to Senate Joint Resolution No. 137 of the Congress, and the Commission was authorized and appointed for the purpose of investigating the assassination of the late President, John F. Kennedy, on the 22d of November, 1963, and to report all the facts that are pertinent to that tragic event that we can discover.

We are particularly interested in persons who did or might have had some contact with Lee Harvey Oswald and Marina Oswald, and it is our understanding that you may have some information in that area and in the course of conducting your business back in the fall of 1963, and pursuant to my telephone call to you this morning, you have kindly come down here, voluntarily, have you?

Mr. PIZZO. I have.

Mr. JENNER. You have heretofore been interviewed by the FBI, haven't you?

Mr. PIZZO. Yes.

Mr. JENNER. And, I know you are busy as it is particularly busy at the end of the month in your business, and I'll see if I can't expedite this.

Mr. JENNER. Are you a native of Dallas?

Mr. PIZZO. No; I am a native of Providence, R.I.

Mr. JENNER. How long have you resided in Dallas?

Mr. PIZZO. Around May 15 in 1963.

Mr. JENNER. Take me back, say, to 1960—about yourself, or start with 1960; what were you doing then?

Mr. PIZZO. Well, in 1960, I was in the automobile business in Providence, R.I., with my own company.

Mr. JENNER. Automobile sales business?

Mr. PIZZO. Yes, used cars—Auto Village, Inc., in Providence, R.I. We came here in, let's see, February of 1963—we came to Lufkin.

Mr. JENNER. When you say "we," you mean you, your wife, and your family?

Mr. PIZZO. My wife and my child, a 5-year-old boy. We came to Lufkin, Tex. She is a native of Lufkin, Tex.

Mr. JENNER. She is a native of Lufkin, Tex.?

Mr. PIZZO. Yes, and we came down here to open up a business, which we did. We opened a business in Lufkin—she opened a beauty shop and I opened a used-car lot, and we were there a couple or 3 months and I came to Dallas to buy cars and I went to McAllister Lincoln-Mercury, who is now my boss, and owns Hamilton Chrysler-Plymouth, and while I was there trying to buy cars, I wound up coming to work for him.

Mr. JENNER. And the McAllister agency is located in downtown Dallas?

Mr. PIZZO. It is Downtown Lincoln-Mercury—it used to be McAllister Lincoln-Mercury.

Mr. JENNER. And now it is called Downtown Lincoln-Mercury?

Mr. PIZZO. That's correct—Downtown Lincoln-Mercury.

Mr. JENNER. Has that been a recent change in name?

Mr. PIZZO. Yes, it has.

Mr. JENNER. I'm just curious, because I tried to find it in the phone book this morning and I couldn't find Downtown Lincoln-Mercury.

Mr. PIZZO. That's right, it has been—let's see, we changed the name—the name was changed just before the assassination. You see, it's a factory franchise dealership and they changed it to Downtown Lincoln-Mercury.

Mr. JENNER. I was looking in a May 1963, directory.

Mr. PIZZO. That's it.

Mr. JENNER. That would be McAllister Lincoln-Mercury at that time?

Mr. PIZZO. When I went to work at that time—yes. Now, I stayed on when Mr. McAllister went on to Hamilton Chrysler-Plymouth and I stayed on as assistant manager at Downtown Lincoln-Mercury. We were working actually for the factory, because they were running the store—they had no president.

Mr. JENNER. In which of the two agencies do you now work as of today?

Mr. PIZZO. Hamilton Chrysler-Plymouth.

Mr. JENNER. And you are what position there?

Mr. PIZZO. Sales manager.

Mr. JENNER. And you were what position—what position did you have with McAllister?

Mr. PIZZO. You mean at Downtown Lincoln-Mercury or McAllister?

Mr. JENNER. Yes.

Mr. PIZZO. Assistant manager.

Mr. JENNER. You were assistant manager?

Mr. PIZZO. Yes.

Mr. JENNER. When did that work commence—when did you start to work with McAllister?

Mr. PIZZO. Around the 14th or 15th of May.

Mr. JENNER. Of 1963?

Mr. PIZZO. That's right.

Mr. JENNER. Did you have an employee under your supervision and direction at that time by the name of Bogard?

Mr. PIZZO. Yes, I did.

Mr. JENNER. What is his full name?

Mr. PIZZO. Albert G. Bogard.

Mr. JENNER. Albert G. Bogard?

Mr. PIZZO. Albert G. Bogard, that's correct.

Mr. JENNER. And has he also worked over at the Hamilton agency?

Mr. PIZZO. No, sir; he came from Ed Maher Ford.

Mr. JENNER. That's M-a-h-e-r (spelling)?

Mr. PIZZO. Yes—two words. When he applied for the job, he was working at Maher's.

Mr. JENNER. Some of these salesmen are inclined to shift about, I guess?

Mr. PIZZO. Yes—if they like the looks of a car this year—it might look a little better on this make of car, and you know, to them, it is all money, and they are going to move around, but a real good person will stay. He will stay in one place and build up a clientele.

Mr. JENNER. With repeat sales?

Mr. PIZZO. That's right. These boys—most of them live on floor traffic.

Mr. JENNER. They wait for people to come in?

Mr. PIZZO. Yes; they are not real working automobile salesmen.

Mr. JENNER. In other words, I'll summarize—you are a native-born American and a native of Rhode Island, Providence?

Mr. PIZZO. Yes, sir; and I served in the U.S. Marine Corps in World War II.

Mr. JENNER. You did?

Mr. PIZZO. Yes, sir.

Mr. JENNER. And you were in the used car business in Providence and you and your wife in due course came here to Dallas and she is a native of Texas, as you recited?

Mr. PIZZO. Yes.

Mr. JENNER. And you were in the used car business there, and what was that town again?

Mr. PIZZO. Lufkin.

Mr. JENNER. Could you spell it?

Mr. PIZZO. L-u-f-k-i-n (spelling).

Mr. JENNER. And then you became associated with Downtown Lincoln-Mercury?

Mr. PIZZO. Yes.

Mr. JENNER. In May of 1963? Was there an incident that occurred sometime in 1963, but prior to November 22, 1963, involving somebody who might have been Lee Harvey Oswald?

Mr. PIZZO. Yes; there was an incident.

Mr. JENNER. Would you tell us about the incident, first, and then we will become oriented?

Mr. PIZZO. All right—of course, at the time nothing was thought of the incident because it was just a natural sales setup we had. Our salesmen, when they can't sell a customer a car, they run to the manager and tell him, they'll say, "He's going to leave."

Mr. JENNER. And that manager in this instance was you?

Mr. PIZZO. It was me.

Mr. JENNER. All right.

Mr. PIZZO. And, I asked to see the man—no, I didn't ask to see him personally—no, I didn't.

Mr. JENNER. Who was the salesman?

Mr. PIZZO. Albert G. Bogard.

Mr. JENNER. The man we have identified here?

Mr. PIZZO. That's right, sir. He brought the man to me—it was quite late in the evening—it wasn't evening, because it was dark.

Mr. JENNER. Do you remember what day of the week it was?

Mr. PIZZO. I really don't—really don't.

Mr. JENNER. It was a weekday?

Mr. PIZZO. It was a weekday.

Mr. JENNER. You are open on Sunday?

Mr. PIZZO. No; we are not open on Sunday.

Mr. JENNER. Are you open on Saturday?

Mr. PIZZO. Yes.

Mr. JENNER. It could have been any day in the week?

Mr. PIZZO. It could have been—it seems to me like it was the middle of the week, towards the weekend, but I couldn't swear to that.

Mr. JENNER. What month was it?

Mr. PIZZO. It was November—now.

Mr. JENNER. November 1963?

Mr. PIZZO. November 1963—yes; I'm pretty sure it was November. Now, that I can recollect—it was November. When he brought the man to me, he said, "This man will have some money. He doesn't have the down payment," because when we were trying to sell the man a car, he asked me how much money he needed to buy this car and I said, "That man needs around \$200 or \$300."

Mr. JENNER. This is Bogard asking you?

Mr. PIZZO. Yes; the salesman asking me. He asked me that and I said it was around \$200 or \$300, and so he went back to his booth to work on the customer.

Mr. JENNER. Excuse me, at this point, you had not yet seen the customer?

Mr. PIZZO. No, sir.

Mr. JENNER. And Mr. Bogard had come to you as assistant sales manager, to find out the minimum, let us say, of the down payment?

Mr. PIZZO. Of the down payment.

Mr. JENNER. And he had a man who was interested in what make of car?

Mr. PIZZO. Now, that's something that I do not remember because there was no writeup sheet that I could go back to to find out exactly what car. I believe it was a Comet.

Mr. JENNER. Have you made an effort to find a writeup sheet?

Mr. PIZZO. Yes; we did—all of us did.

Mr. JENNER. And you discovered what?

Mr. PIZZO. I discovered nothing—no writeup sheet, but the incident that happened later—I'll get to it, if you want me to get to it now, I'll go to it now.

Mr. JENNER. All right. I think probably the best thing for you to do would be for you to tell us in your own words, and I'll try not to interrupt you.

Mr. PIZZO. All right, sir. He brought the customer to me, but previous to that he had taken the customer out on a demonstration ride.

Mr. JENNER. By the way, this occurred at McAllister Downtown Lincoln Mercury?

Mr. PIZZO. That's correct. I think it's better if we do call it that—Downtown McAllister Lincoln Mercury, because the exact day of the change of the name, I don't remember, you see.

Now, this was previous to the assassination—I would say between a period of a week and a half to 2 weeks, and I would guess I would be right. After the man was worked on to buy a car—

Mr. JENNER. By Bogard.

Mr. PIZZO. By Bogard, Mr. Bogard brought the man to my office and I'm sitting like you are and he brought him to the door.

Mr. JENNER. Was this the same day?

Mr. PIZZO. Yes; this was within 2 hours, within a period of 2 hours.

Mr. JENNER. This all occurred within a period of 2 hours.

Mr. PIZZO. This all occurred within a period of 2 hours and he brought the man to the door.

Mr. JENNER. What door?

Mr. PIZZO. My office door, and I get up from behind my desk and walk up to the door, and he says, "He doesn't have the down payment, but he will have \$200 or \$300 in a couple or 3 weeks."

Mr. JENNER. And this conversation you are now relating occurred after Bogard had demonstrated the car?

Mr. PIZZO. Had demonstrated the car.

Mr. JENNER. And had come to you and asked for the minimum?

Mr. PIZZO. Yes; for the minimum.

Mr. JENNER. And then he had gone back to the customer?

Mr. PIZZO. And the customer told him he didn't have the down payment.

Mr. JENNER. And then he brought the customer to the door of the office?

Mr. PIZZO. Right. So, it was just 2 or 3 minutes—I was very busy, we had other deals going, and I said, "Okay," and just let it go at that.

Mr. JENNER. What did that mean—"okay"?

Mr. PIZZO. There was nothing we could do with the customer if he didn't have the down payment. I said, "Okay," to Al Bogard, which means—follow him up, use him as a prospect, call him later—that's what we do, we call a man later and try to work something out and this is strictly automobile business.

Mr. JENNER. I appreciate that; yes.

Mr. PIZZO. Now, what else do you want to know now? What happened later?

Mr. JENNER. Have you now completed relating the incident on the particular date you have in mind?

Mr. PIZZO. On that day; yes, sir.

Mr. JENNER. And your recollection at the moment is that Bogard was seeking to interest him in a Comet?

Mr. PIZZO. I think so.

Mr. JENNER. That's the Ford compact, is it not?

Mr. PIZZO. Yes; that's the Mercury compact. The Caliente—we had a red Caliente, I believe, and I believe it was a red Caliente he went for a ride in, not that he was selling that particular car, but we had just gotten the new line of the hot compact, which was the Caliente, and we bought them all in red and that's what he went for a ride in.

Mr. JENNER. Did you say "hot" or "hard"?

Mr. PIZZO. Hot—Caliente means hot, and that was the hot model of the year—it had just come out.

Mr. JENNER. You have a little bit of New England accent or Rhode Island or the Boston area?

Mr. PIZZO. You can't miss it—you can't hide it.

Mr. JENNER. Now, you volunteered there a second that the man had taken a ride in the Comet Caliente?

Mr. PIZZO. Yes.

Mr. JENNER. On what do you base that statement?

Mr. PIZZO. On what Al Bogard told me, that that was the car he had taken him for a ride in.

Mr. JENNER. You had not seen this man in the car?

Mr. PIZZO. In the car or drive off either.

May I tell you the normal procedure that every salesman follows? He talks to the customer, gets him interested in a car, takes him out for a ride and puts him in a booth to see if he can sell him a car, and that's the routine he followed.

Mr. JENNER. And this first stage of taking him for a ride, the salesman drives the car rather than the customer?

Mr. PIZZO. That's the way it should be.

Mr. JENNER. And if the normal procedure were followed here, the prospect would have been taken for a ride by Mr. Bogard?

Mr. PIZZO. If it was followed, but according to——

Mr. JENNER. Well, if it were followed?

Mr. PIZZO. If it was followed—he drives the customer to a point and lets the customer drive it back. But the only way to demonstrate an automobile is that. You drive it and demonstrate it as you are driving it.

Mr. JENNER. Now, since you weren't present at this point we are relying on normal procedures.

Mr. PIZZO. Right, sir.

Mr. JENNER. And a remark made by Mr. Bogard that the customer, whoever he was, had been taken for a demonstration ride by Bogard?

Mr. PIZZO. By Bogard.

Mr. JENNER. Now, have you now stated everything that occurred that particular day, occurred or said to you on that particular day?

Mr. PIZZO. Yes; I can't remember anything else.

Mr. JENNER. Now, was there a subsequent incident or something that occurred with respect to the incident you have now related, is there a second stage of this?

Mr. PIZZO. Yes; after the assassination.

Mr. JENNER. Now, when after the assassination?

Mr. PIZZO. The same day—within, oh, 4 or 5 o'clock or something like that.

Mr. JENNER. Of the—late in the day on the 22d of November?

Mr. PIZZO. When this man was captured, and the name announced over the radio, the possible suspect, or the suspect's name was announced on the radio, we had all radios on in the showroom.

Mr. JENNER. You had your radios and television on?

Mr. PIZZO. No; just radios.

Mr. JENNER. Just radio?

Mr. PIZZO. Well, we had the television set up in the Continental Department that we were all watching.

Mr. JENNER. And when you say "all," does that include Mr. Bogard?

Mr. PIZZO. That includes Mr. Bogard.

Mr. JENNER. All right, relate what happened—you were all sitting around looking at the television, were you?

Mr. PIZZO. I wasn't—I was standing around listening to the radio. We were all in just different groups—this is a mighty big showroom, Downtown Lincoln-Mercury, it is 350 feet long, and we were sitting around listening to the news and also doing the work that had to be done, and when the suspect's name was announced, I was standing right in the middle of the showroom floor and——

Mr. JENNER. This is this great big showroom—the 350-foot long showroom?

Mr. PIZZO. Yes; but right in front of my office is where the group was standing, because that's a front door and there are three front doors, but this is the first front door, and we were standing right there. Of course, all of us were looking out at the underpass, which we are right under, the triple underpass there.

Mr. JENNER. Near the area of the assassination scene?

Mr. PIZZO. That's right, sir; we are on this side—the Oak Cliff side of the bridge, and, of course, we were all standing at the big windows looking at that area and listening to the radio and a remark was made, "Well," now, I didn't hear this. It was told to me just a few minutes later.

Mr. JENNER. By whom?

Mr. PIZZO. By some salesman there and I just can't remember which one it was. I think we had around 15 or 16 salesmen there at the time. We weren't all standing around, but someone made the remark that, "Al Bogard lost his prospect."

Mr. JENNER. You overheard that?

Mr. PIZZO. I overheard that. I said, "What do you mean?" They said, "Well—" he pulled out a card, his own business card like this [indicating].

Mr. JENNER. Your salesman did?

Mr. Pizzo. Albert Bogard—this salesman made the remark that Al Bogard had pulled out a business card and written behind the business card—a lot of salesmen will do that—they will write down names of prospects on the card and if they don't have a piece of paper, they will just pull out one of their cards and write the names down, and he said, "Well, there goes my prospect," when he heard the name Lee Harvey Oswald, so he dumped it in the wastebasket.

Now, I didn't know about this until a few minutes later and I didn't make much of it at that time. That was it—at that time. I didn't know that that was a custom he had—a week or two before it just—nothing never entered my mind, we were all pretty saddened by the thing, and that was it for that day. Let's see, I believe, was that a Friday or Saturday?

Mr. JENNER. The 22d was on a Friday.

Mr. Pizzo. It was on a Friday—I want to tell it to you as correct as I can, that's why I'm wondering.

One of the boys said the next day that he had lost his customer and the guy that they have got is the man that Bogard has as a prospect, so I says, "Let's look—where is the writeup?" The first thing that I had in my mind was—get the writeup, so everyone was looking for the writeup. By now Bogard wasn't there, I think it was after lunch or breakfast, so we went through the drawers, and we went through the baskets and I called the two porters we have in the garage—called them in there and I said, "Who dumped the baskets out last night," and one fellow said, "I did." I said, "Where?" We have a trash barrel—not a barrel, but it's a huge incinerator and the trash men come by and pick it up, and so we went back there and I jumped inside this thing—that's how big it is and started throwing out the papers, looking for some kind of a writeup, and never could find anything. I just wanted the writeup to see if he did have a writeup, but by that time Bogard came back and I asked him, I said, "Al, have you got a writeup on that man, the man that they have got locked up?" He said, "Yes," and I said, "Where is it?" He said, "Well, it's not a writeup—I've got it on a card and I just took it and threw it down in the basket."

Mr. JENNER. The day before?

Mr. Pizzo. The day before. I said, "Well, where is it now?" He said, "I don't know."

Mr. JENNER. Did you look through the refuse container to try to find that card?

Mr. Pizzo. We looked for the card too—we went right back again and did the same thing, and he helped look for it and we had the colored boy there helping us looking for it and then when some FBI men came there they went in there and looked for it.

Mr. JENNER. We became very interested in that.

Mr. Pizzo. Me too. So, I kind of said, "Are you kidding us or what? You either have his name or you don't." He said, "Well, Frank, don't you remember?" I said, "I don't remember." He said, "I brought him to your office and you said he needed \$200 or \$300 down," and I said, "Yes, I guess I remember." He said, "Well, you should remember because when I took that man for a ride he drove like a wild man, and besides we had Gene Wilson's car and Gene got mad because we used up all his gas." He said, "He drove so fast, he scared the daylight out of me. Don't you remember me coming back and saying how mad I was?"

I said, "I just don't remember that particular moment." That's how he was trying to get me to remember that particular time when he took him for a ride. I said, "I just really don't remember that night—that much of it."

Now, I'll tell you how I think I recognized the man—this was after they had him on television and they showed him on television which was Monday or Tuesday or something like that—it was a few days after.

Mr. JENNER. You mean a rerun?

Mr. Pizzo. No; of the Oswalds—when they showed him on television—the first pictures of him on television, I saw that.

Mr. JENNER. And do you recall what day that was?

Mr. Pizzo. It was past a weekend. It was not Saturday—it might have been

Sunday and probably it was Monday, but it wasn't Friday or Saturday, and I'm not sure it was Sunday, but I think it was on a Monday, and of course—the seed planted—I got to thinking about it and I looked at him and he looked familiar to me, and at that time I could have sworn it was him, because I remember a man in a T-shirt. I don't mean the open T-shirt but a full T-shirt.

Mr. JENNER. Like the kind you wore in the Marines?

Mr. PIZZO. Well, it wasn't green, but that type—the full T-shirt with a sleeve.

Mr. JENNER. About a half sleeve?

Mr. PIZZO. Yes; and his face. And he just looked the type. He just looked like the type of guy that I was talking to that day, and when I came back to work the next day, of course we were all in there talking about it, and we talked about different incidences that reminded me of him. I only had a few seconds look at the man. He never said a word. I never heard him talk.

Mr. JENNER. The customer never said a word?

Mr. PIZZO. The customer never said a word—whether it would be him or not—but to me, it looked like it was, only from the pictures.

Mr. JENNER. I will exhibit to you Commission Exhibits 451 and 453 through 456 and ask you to examine them.

Does the man depicted there bear a resemblance to what you might possibly recall as the prospective customer you now have in mind?

Mr. PIZZO. [Examining photographs referred to.] It wouldn't be fair to say this one, because I think this was in the television or the newspaper with a fat lip—I remember that.

Mr. JENNER. Mr. Pizzo has refused Commission Exhibit 455.

Mr. PIZZO. Possibly these two.

Mr. JENNER. It might possibly be Commission Exhibit 453 or 451?

Mr. PIZZO. And I will refuse these two.

Mr. JENNER. The witness also refused Commission Exhibits Nos. 454 and 456.

Mr. PIZZO. I'm not too positive on these either.

Mr. JENNER. And he is uncertain even as to Commission Exhibits Nos. 453 and 451.

(An instrument is marked by the reporter as Pizzo Exhibit 453-A, for identification.)

Mr. JENNER. Showing you that exhibit, do you see any person depicted on that exhibit that resembles or is the prospective customer that was brought to your office door by Mr. Bogard or the day you have testified about?

Mr. PIZZO. One of these two men seems like it. This one—it seems like it because his nose is too big—one of these two here.

Mr. JENNER. Using this green marker, will you put an "X" on the two men?

Mr. PIZZO. I am not positive.

Mr. JENNER. Of course you are not positive.

Mr. PIZZO. Do you want me to put it right here?

Mr. JENNER. Let's pick out the two that most closely resemble the man of which you speak?

Mr. PIZZO. [Witness at this point marked instrument referred to.]

Mr. JENNER. Now, which of those two that you marked with the little green mark most closely resembles the man you saw?

Mr. PIZZO. Right here—but he seems older here—he was a little short guy, the way I figure.

Mr. JENNER. Put an "X" above him. [The witness has put a cross—a horizontal cross line, through the other line as indicating the man who appears most like the person he saw. Your feeling is that the man you have indicated with an "X" seems somewhat taller than the man you recall as having seen at the door of your office prior to November 22, 1963; is that correct, sir?

Mr. PIZZO. That's correct—about 5 feet 8 inches, something like that, what I recall—or maybe 5 feet 8½ inches. Bogard is pretty tall and it seemed like the fellow was a lot shorter than he was.

Mr. JENNER. And that's what led you to put the marker over the head of the man on the extreme right shown in that picture, Pizzo Exhibit 453-A?

Mr. PIZZO. Yes—that's right—it's a downhill photo.

Mr. JENNER. I have one that's taken more at a level. We will mark it Pizzo Exhibit 453-B.

(Instrument referred to marked by the reporter as Pizzo Exhibit No. 453-B, for identification.)

Mr. JENNER. Exhibiting that photograph, does there appear on it anybody who closely resembles the person you recall as having been at the door of your office on the occasion you have described, and if there is, put a mark on it.

Mr. PIZZO. Gosh, the man I saw—I want you to know—didn't have that much hair, nor did he have as much hair as these boys in this picture.

Mr. JENNER. The man you saw did not have as much hair as is shown on Pizzo Commission Exhibit 453-A, which you have marked with a cross?

Mr. PIZZO. That's right, nor as this picture right here—right there.

Mr. JENNER. Or the man on Pizzo Exhibit 453-B—appears to have more hair than the man you saw at the door of your office?

Mr. PIZZO. That's right.

Mr. JENNER. And the men depicted on Commission Exhibits Nos. 453 and 451 also, in each instance, has more hair than the man you saw at the door of your office?

Mr. PIZZO. Yes.

Mr. JENNER. What about the man over whose head you placed a cross on Pizzo Exhibit 453-A, that is, in respect to the amount of hair?

Mr. PIZZO. This is more or less the hairline.

Mr. JENNER. Now, the witness is pointing to the man over where there is a single vertical stripe, over his head—green, and has dark glasses on. It is his hairline to which you have now adverted?

Mr. PIZZO. Yes.

Mr. JENNER. Now, the other man has the cross over his head—you wanted to say something about that?

Mr. PIZZO. You said it exactly—that resembles—the face resembles him more than the hairline—it's sort of a "V" hairline.

Mr. JENNER. So, your problem has been that the hairline and the man with the single stripe above his head more resembles him than the man you saw at the door of your office, but the physiognomy or the facial features of the man over whose head you have placed the cross more resembles the man you saw?

Mr. PIZZO. Yes. I had just wondered if the pictures that I have seen of Oswald might have—

Mr. JENNER. Might have colored your judgment now?

Mr. PIZZO. Yes.

Mr. JENNER. It's always possible, you know.

Mr. PIZZO. But that hairline is a thing—that's the thing that hit me first when I saw his picture on television.

Mr. JENNER. When you saw Oswald's picture on television?

Mr. PIZZO. Yes; and in the paper. It was the hairline and the physical features of it—a clean face with the high forehead and the "V" shaped hairline, and it's easy to remember that because of the T-shirt, the bare look he had because of the tight T-shirt.

Mr. JENNER. Mr. Davis has come in and he is representing the attorney general's office of the State of Texas. This is Mr. Robert Davis. They are conducting a court of inquiry on this subject.

Mr. PIZZO. I see, sir.

Mr. JENNER. Mr. Davis, the witness has just emphasized the thing he recalls most about the appearance or physiognomy of the man he saw at the door of his office a week or 10 days prior to November 22 when one of the employees he was supervising, Mr. Bogard, brought a prospective customer who seemed to be interested in a Comet Caliente, Mr. Pizzo was then the general sales manager of McAllister Downtown Lincoln-Mercury.

Mr. PIZZO. I was assistant sales manager.

Mr. JENNER. You are now the sales manager?

Mr. PIZZO. I—of Hamilton Chrysler.

Mr. JENNER. I have shown him some photographs. He was impressed, he said, that the man he now recalls having seen on the occasion—he was impressed particularly with his hairline.

Mr. PIZZO. That's right.

Mr. JENNER. And that the hairline of the man indicated on Pizzo Exhibit

453-A, over whose head he has put the green vertical stripe, has the hairline, but the man over whose head he has placed the cross has more of the facial likeness.

The person or persons depicted on Commission Exhibits Nos. 453 and 451, he says have a resemblance, but it is in his opinion not the man, and in any event the man on those two exhibits has more hair and does not have the particular hairline that impressed you on this occasion?

Mr. PIZZO. That's right.

Mr. JENNER. Am I fairly stating your testimony?

Mr. PIZZO. That's right.

Mr. JENNER. I am just trying to summarize for Mr. Davis.

Mr. PIZZO. Thank you.

Mr. JENNER. I now show you a document we will mark as Pizzo Exhibit 453-C. (The instrument referred to was marked by the reporter as Pizzo Exhibit No. 453-C, for identification.)

Mr. JENNER. This is a picture of Lee Harvey Oswald that I'm about to show you and before I show it to you, may I say that the important thing to us—it is necessary for us to have your very best judgment, and if this isn't the person, we want to know it and to carry yourself back as best you can to that particular occasion when you saw this man at the door of your office, and if this isn't the man, tell us, and if it is—tell us, one way or the other.

Mr. PIZZO. All right. That I will do. [Examining instrument referred to.]

Mr. JENNER. The greatest service you can give to us and to the country and to yourself is to just be as fair as you possibly can.

Mr. PIZZO. He certainly don't have the hairline I was describing—it isn't the hairline I was describing.

Mr. JENNER. This was taken the afternoon of November 22 in the Dallas City Police showup.

(Discussion off the record.)

(Discussion between Counsel Jenner and Counsel Davis and the witness, Mr. Pizzo, off the record.)

Mr. JENNER. Back on the record. You recall him as being more in the neighborhood of what—5 feet 8 inches, 5 feet 7 inches, more or less, or more or less?

Mr. PIZZO. Between 5 feet 7 inches and 5 foot 8½ inches with sort of a round forehead and that V shape is the thing that I remember the most.

Mr. JENNER. A widow's peak?

Mr. PIZZO. Yes; but very weak.

Mr. JENNER. Very weak.

Mr. PIZZO. Very weak—not the bushy type that I see in the picture. Well, if I'm not sure—then—I have to say that he is not the one—if you want the absolute statement.

Mr. JENNER. I just want your best judgment—I don't want you to say he isn't because you feel you are compelled to state the ultimate. It is better for me to have your rumination about it, as you have been giving us—as to what you looked for, or didn't find and what you did look for in the photographs—what you did find and what you didn't find. Now, you don't find the hairline?

Mr. PIZZO. No; I don't. From that picture I don't.

Mr. JENNER. Yes; from any of the three pictures, except the one with the man with the stripe over his head?

Mr. PIZZO. That's right—he has the sort of a hairline that I recollect.

Mr. JENNER. That's the man with the one stripe over his head?

Mr. PIZZO. I'll have to take a look again—this is the face—it resembles.

Mr. JENNER. The witness is now pointing to the man that has the cross over it.

Mr. PIZZO. This is the hairline that I remember.

Mr. JENNER. That is the man on the extreme right with the dark glasses, having a single vertical stripe above his head?

Mr. PIZZO. Right.

Mr. JENNER. And that picture of Mr. Oswald that I showed the witness, Pizzo Exhibit 453-C, in that picture, he does not have the hairline; is that correct?

Mr. PIZZO. That's correct.

Mr. JENNER. What about his facial expression—features?

Mr. PIZZO. There's resemblance there. May I say something?

Mr. JENNER. Surely.

Mr. PIZZO. All the time that I have been thinking about it—because the FBI did tell me that they would call me sometime later and would I appear, and I said—yes, I would. I thought about it and the thing that stuck in my mind was always that hairline—the kind of balding right here—the smooth line.

Mr. JENNER. Above each temple?

Mr. PIZZO. And that face resembles. Now, I'll tell you, if he has—I've never seen the man in person, but if he has a small mouth it would fit about the description that I would give. I couldn't say absolutely sure that this was the man that was standing in front of my door.

Mr. JENNER. And the witness is now referring to Pizzo Exhibit 453-C. I offer Pizzo Exhibits 453-A, 453-B, and 453-C in evidence.

Mr. PIZZO. May I say something else?

Mr. JENNER. Yes; please.

Mr. PIZZO. I have called Al Bogard into the office after the first interview by the FBI, and I have asked him—I says, "Now, it is easy for me to start imagining things because of the emotional situation right now, Al. I want you to tell me the truth. Am I right when I say I do remember that situation?" He says, "Yes," and then he went into some more detail—"of course, don't you remember?" I didn't only ask him once, I asked him again a week later, and he said the same thing and that might have had some influence on it. Now, whether that's the man he brought to my door—right now looking at that picture I couldn't swear to it—I wouldn't want to do that.

Mr. JENNER. Well, that's a fair type of an appraisal that we want. We want your best judgment. You don't recall the incident that Bogard related to you later that sought to stimulate your recollection about somebody who drove this automobile wildly—you don't recall that having been said to you on the afternoon?

Mr. PIZZO. No; I don't—no; I don't. I asked him about it and he told me. I'm the one that was after him to tell me—to help me remember. You see, I'm the one that kept asking him about, "Would you help me remember the situation." The more he talked about it, the more I remember that particular situation, but only to the point of "He needs \$200 or \$300," and he didn't have it at the time but he will have it in a couple of weeks. That's the things that I do remember at the door.

Mr. JENNER. And you do remember this man had a white T-shirt on—the half-sleeve type?

Mr. PIZZO. Yes. Sleeve type.

Mr. JENNER. With which you are familiar and wore yourself in the Marines except yours was colored green?

Mr. PIZZO. It was green—that's right.

Mr. JENNER. Mr. Davis, he has already related to us the effort he made when this incident came to his attention late in the day on the 22d of November of seeking to find Bogard's card on which he is alleged to have written Oswald's name on the reverse side and was to attempt to obtain a writeup sheet, which is what the salesmen normally write up with respect to a prospect, even to the extent of his climbing into the large refuse container in which all paper and waste paper baskets are thrown the following day, and he was not able to find either of those, though they made two examinations and emptied out the large container twice—you did it yourself?

Mr. PIZZO. I did it myself and once with the FBI. I believe it was the man from Louisiana—one of the FBI men.

Mr. JENNER. You were interviewed by Carter Hayden and Griffin on January 8, was it either one of those? On January 8, 1964?

Mr. PIZZO. I was interviewed by two pairs of FBI men—it was immediately after the assassination, which was probably Monday or Tuesday.

Mr. JENNER. The first time?

Mr. PIZZO. The first time; but it wasn't January 8.

Mr. JENNER. Was that the last one—the last interview—January 8?

Mr. PIZZO. This might have been the last one, although I remember two other men came in from Chicago—one was from Chicago—one—I believe there were three, no, I'm sorry, it was the same two twice and then another team.

Mr. JENNER. Could I ask you this—knowing Mr. Bogard as you do, is he a man who on occasion departed from his usual practice of making out a prospect sheet?

Mr. PIZZO. Yes.

Mr. JENNER. He sometimes departed from that practice?

Mr. PIZZO. Yes; he would write them on just about anything—especially business cards and put them in his desk.

Mr. JENNER. Even though, as you recall, he had this man at the customer's booth, where there would be a supply of these writeup sheets, I assume?

Mr. PIZZO. He would ordinarily write the man up after the demonstration ride.

Mr. JENNER. He would not?

Mr. PIZZO. He would—he would ordinarily bring the man in and write him up after a demonstration ride if you can sell him a car. We never did find a writeup sheet—he said he never had one and he said he just wrote the prospect's name on the back of a card and I asked him, "How come, you usually write the thing on an order pad?" And we tried to work from there, and he said, "I just didn't."

Mr. JENNER. I have attempted to locate Mr. Bogard, just by calling around this morning, but I haven't been able to run him down yet. If you get any lead on where I might reach him, I would appreciate your telling me. I don't mean to suggest that he is trying to escape or anything, but quite the contrary. I just haven't been able to reach him.

Mr. PIZZO. He's working around here somewhere. I believe, according to his application when he gave it to me, he was a sales manager in Louisiana and he owned a liquor store.

Mr. JENNER. Well, he was the owner of the Bent Elbow, wherever that is, here.

Mr. PIZZO. Yes; and his name isn't used—one of the salesmen sold him the place, the salesman that's still working there sold him the place. I guess he wanted out from under it and just found Bogard to do so, and when Bogard was bound to own a beer place, my boss immediately fired him. He won't have it. You cannot have outside interests with a dealer development company because factory and dealer development won't stand for it. You have to work primarily for the dealership, and he was fired for that and many other reasons, little reasons that, believe me, have no concern with this.

Mr. JENNER. Mr. Davis, do you have any questions for Mr. Pizzo?

Mr. DAVIS. No.

Mr. JENNER. Mr. Pizzo, we appreciate very much your coming in and I know it was of considerable inconvenience at the month end and you have a lot of salesmen who want their money or pay.

Mr. PIZZO. I told my boss today—he says, "Do you have to go?" I said, "I have to go, but really, if I wasn't so patriotic, they would have to come after me, I told him."

Mr. JENNER. We appreciate it very much. You have a right, Mr. Pizzo, to read over your deposition if you wish and to sign it—this deposition I have taken of you, and if you care to exercise that right and make any corrections you wish, Miss Oliver will have this probably near the end of the week and you can call in and ask Mr. Sanders, the U.S. attorney, or for one of us if we are around—they will refer you to us anyhow, or you have a right to waive that, as you see fit. It is a privilege you may exercise if you wish to.

Mr. PIZZO. You mean what I have said here today?

Mr. JENNER. Yes.

Mr. PIZZO. I believe everything I have said today—I will be glad to sign it.

Mr. JENNER. You don't have to—it is entirely up to you, if you see fit.

Mr. PIZZO. When would I get this deposition?

Mr. JENNER. Well, it will be ready for you to read—Miss Oliver will have it toward the end of the week.

Mr. PIZZO. All right, sir.

Mr. JENNER. If you will call in, she can tell you if it is ready and advise you if it isn't ready and then when it will be ready.

Mr. PIZZO. Well, I wish you gentlemen a lot of luck.

Mr. JENNER. Thank you very much.

TESTIMONY OF ALBERT GUY BOGARD

The testimony of Albert Guy Bogard was taken at 11:05 a.m., on April 8, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Joseph A. Ball, assistant counsel of the President's Commission.

Mr. BALL. Will you stand and be sworn?

Do you solemnly swear that the testimony you are about to give before this Commission shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BOGARD. I do.

Mr. BALL. Will you state your name, please.

Mr. BOGARD. Albert Guy Bogard.

Mr. BALL. And your address?

Mr. BOGARD. 304 Brighton Street.

Mr. BALL. What is your occupation?

Mr. BOGARD. Sales manager for L & L Vending Co.

Mr. BALL. What do you sell?

Mr. BOGARD. Vending machines.

Mr. BALL. Vending machines. What kind of vending machines?

Mr. BOGARD. Vending machines. Cigarette machines.

Mr. BALL. Oh, vending. Oh, I see. I couldn't understand your Texas dialect. That is the—I understand now. Vending.

Mr. BOGARD. I have sinus trouble.

Mr. BALL. Oh, you have? Let me see. Where were you born and raised?

Mr. BOGARD. Born in Cowshatta, La.

Mr. BALL. Where did you go to school?

Mr. BOGARD. Hall Summit, La.

Mr. BALL. How far through school, sir?

Mr. BOGARD. Finished. Eleventh grade.

Mr. BALL. Eleventh grade? And what occupation did you pursue after that?

Mr. BOGARD. U.S. Navy.

Mr. BALL. How long?

Mr. BOGARD. Four years and two months and three days, I think, to be exact.

Mr. BALL. Then what did you do? What did you do after that?

Mr. BOGARD. I started selling automobiles.

Mr. BALL. Did you sell automobiles from then on until—

Mr. BOGARD. Then on until just recently.

Mr. BALL. I see. When did you take this job you are on now?

Mr. BOGARD. January.

Mr. BALL. Of 1964?

Mr. BOGARD. 1964; yes, sir.

Mr. BALL. Who did you work for last fall, 1963?

Mr. BOGARD. Downtown Lincoln Mercury, 118 East Commerce, Dallas, Tex.

Mr. BALL. Shortly after the death of President Kennedy you notified the FBI, didn't you?

Mr. BOGARD. I did not notify the FBI.

Mr. BALL. Did you notify someone that you had information?

Mr. BOGARD. Was the other salesman notified the FBI.

Mr. BALL. Who was he?

Mr. BOGARD. I forget the name.

Mr. BALL. But he notified the FBI that you had some information?

Mr. BOGARD. Yes.

Mr. BALL. And did some special agent from the Federal Bureau of Investigation come and call on you?

Mr. BOGARD. Yes, sir; several times.

Mr. BALL. And took a statement from you?

Mr. BOGARD. Yes; I took a lie detector test.

Mr. BALL. You told him about an incident which occurred sometime before?

Mr. BOGARD. Yes, sir; week before.

Mr. BALL. Just 1 week before?

Mr. BOGARD. Yes, sir; just one—one week before—two weeks before.

Mr. BALL. About what date? Do you remember?

Mr. BOGARD. Ninth day of November, I think it was, to be exact.

Mr. BALL. 1963?

Mr. BOGARD. 1963.

Mr. BALL. What day of the week was that?

Mr. BOGARD. That was on a Saturday.

Mr. BALL. When was it? In the morning, or afternoon?

Mr. BOGARD. Afternoon.

Mr. BALL. About what time?

Mr. BOGARD. I think it was around 1:30 or 2 o'clock, as I was leaving town shortly after I gave the demonstration in the automobile and I was in a hurry.

Mr. BALL. Tell me just what happened there? Tell me the incident that you remember and that you related to the Federal—

Mr. BOGARD. A gentleman walked in the door and walked up and introduced himself to me, and tells me he wants to look at a car. I show him a car on the showroom floor, and take him for a ride out Stemmons Expressway and back, and he was driving at 60 to 70 miles an hour and came back to the showroom. And I made some figures, and he told me that he wasn't ready to buy, that he would be in a couple or 3 weeks, that he had some money coming in. And when he finally started to leave I got his name and wrote it on the back of one of my business cards, and never heard from the man any more. And the day that the President was shot, when I heard that—they had the radio on in the showroom, and when I heard the name, that he had shot a policeman over in Oak Cliff, I pulled out some business cards that I had wrote his name on the back on, and said, "He won't be a prospect any more because he is going to jail," and ripped the card up.

Mr. BALL. Threw it away?

Mr. BOGARD. Threw it away.

Mr. BALL. And when the FBI agent came to see you, the card had already been thrown away?

Mr. BOGARD. Yes, sir; I tore it up that very same day.

Mr. BALL. This was Friday the 22d?

Mr. BOGARD. Yes, sir; the day I heard that Kennedy had been killed. I hadn't heard that the President had been killed; just heard a policeman had been shot and that's when I tore up the card and said, "He won't want to buy a car."

Mr. BALL. Now, what kind of a looking man was he, or could you describe him?

Mr. BOGARD. I can tell you the truth, I have already forgotten what he actually looked like. I identified him as in pictures, but just to tell you what he looked like that day, I don't remember.

Mr. BALL. You don't have a memory of it?

Mr. BOGARD. No, sir.

Mr. BALL. Was he tall, or short?

Mr. BOGARD. About medium build, I'd say.

Mr. BALL. Do you remember what name he gave you?

Mr. BOGARD. Gave me Lee Oswald.

Mr. BALL. Did he give you that when he first introduced—

Mr. BOGARD. He give me that when he started to leave.

Mr. BALL. Oh, gave you that when he started to leave?

Mr. BOGARD. Yes.

Mr. BALL. And didn't give you any name when he first introduced himself?

Mr. BOGARD. No, sir.

Mr. BALL. Did he tell you what kind of a car he wanted?

Mr. BOGARD. Yes, sir; wanted a Caliente, two-door hardtop.

Mr. BALL. What kind of make is that?

Mr. BOGARD. Mercury Comet.

Mr. BALL. And did you show him one?

Mr. BOGARD. Yes, sir.

Mr. BALL. What color did you show him?

Mr. BOGARD. Red.

Mr. BALL. You took a ride with him?

Mr. BOGARD. Yes, sir.

Mr. BALL. Did he drive, or did you drive it?

Mr. BOGARD. He drove it.

Mr. BALL. Drive it right out of the shop, or did you drive it first and then—

Mr. BOGARD. No; he drove it right offhand. He got in driving it.

Mr. BALL. Did he appear to know how to drive the car?

Mr. BOGARD. Well, he had drove before, I'm sure, because he took off.

Mr. BALL. Did he—

Mr. BOGARD. He might have drove a little reckless, but other than that, he knew how to drive.

Mr. BALL. What do you mean, "He might have drove it a little reckless"?

Mr. BOGARD. Well, going 60 and 70 miles an hour right up a Freeway and took curves kind of fast.

Mr. BALL. Did it appear to you that he knew how to handle the car?

Mr. BOGARD. Yes.

Mr. BALL. Now, when you got back to the showroom you say you did some figuring. What kind of figuring?

Mr. BOGARD. Just took out some papers and going to write up how much the car would cost and, just like with anybody else, just trying to close the deal, and he said he would have the money in 2 or 3 weeks and would come in and—

Mr. BALL. Did you tell him you needed a down payment?

Mr. BOGARD. He said he would have it.

Mr. BALL. Did you tell him how much?

Mr. BOGARD. Yes.

Mr. BALL. How much?

Mr. BOGARD. Three hundred dollars, I think. And he said he didn't have the money then and would just pay cash for it at a later date.

Mr. BALL. Did he tell you where he lived?

Mr. BOGARD. No, sir.

Mr. BALL. Did he give you his—didn't give you his address or telephone number?

Mr. BOGARD. No, sir; or occupation.

Mr. BALL. And he gave you his name, though?

Mr. BOGARD. Lee Oswald.

Mr. BALL. At what time?

Mr. BOGARD. That is when he was fixing to leave.

Mr. BALL. Lee Oswald?

Mr. BOGARD. Uh-huh.

Mr. BALL. You say you wrote it on one of your own cards?

Mr. BOGARD. Yes, sir; back of one of my business cards.

Mr. BALL. Did you tell anybody about it at that time?

Mr. BOGARD. Now, at that time I don't know whether—Now, Mr. Pizzo, I think I introduced him to him. I introduced him to Mr. Pizzo. He asked what was wrong with him and I said he hasn't got the money right now. Will be back in a couple or 3 weeks.

Mr. BALL. You introduced him to Pizzo?

Mr. BOGARD. Yes, sir.

Mr. BALL. And you said this in front of Pizzo that he didn't have the money?

Mr. BOGARD. Yes, sir; he was expecting some money—to have the money in 2 or 3 weeks.

Mr. BALL. When did you see the television that called your attention to this?

Mr. BOGARD. I heard it on the radio.

Mr. BALL. You heard it on the radio?

Mr. BOGARD. And then I tore the card up, and that very same night on the 10 o'clock news, I think it was, if I remember correctly, I saw him on TV.

Mr. BALL. Did you see any pictures of Lee Oswald in the newspaper?

Mr. BOGARD. Yes, sir; Dallas Morning News, next morning.

Mr. BALL. Now, what was your impression when you saw the man on television?

Mr. BOGARD. All my impression was that he had been in and tried to buy a car, that he wasn't a prospect any more.

Mr. BALL. What about his picture in the paper? Did it appear to be—did you recognize him from the picture?

Mr. BOGARD. Yes; I recognized him as being the same fellow that had been in.

Mr. BALL. And did you tell anybody out there that you thought it was the same person?

Mr. BOGARD. They began asking me then, and I said, "Yes," and this Pizzo recognized him, too.

Mr. BALL. What did Pizzo say?

Mr. BOGARD. Said, "Yes; that is the same man." And Pizzo also has been questioned by the FBI.

Mr. BALL. How do you spell his name?

Mr. BOGARD. P-i-z-z-o.

Mr. BALL. He was the sales manager?

Mr. BOGARD. Yes, sir.

Mr. BALL. Is he still the sales manager out there?

Mr. BOGARD. No, sir.

Mr. BALL. Where is he now?

Mr. BOGARD. I don't know. I think, though, that he is at Eagle Lincoln-Mercury. I wouldn't be for sure, because I haven't seen Pizzo since I left Downtown Lincoln-Mercury.

Mr. BALL. Now, when was it that you talked to the other salesman about this and told them that you thought the man had been in to see you?

Mr. BOGARD. We were all standing there listening to the radio and the name came on the radio, and I pulled this business card out with "Lee Oswald," wrote across it.

Mr. BALL. Who were some of the men standing by the radio when you pulled this business card out?

Mr. BOGARD. Oh, I think Oran Brown was there, Mr. Wilson was there, and this other little boy, he hadn't been there very long. I can't remember his name at this time right now.

Mr. BALL. Oran Brown and Wilson?

Mr. BOGARD. Yes.

Mr. BALL. What are Wilson's initials, do you have them?

Mr. BOGARD. I can't remember Mr. Wilson's initials right now.

Mr. BALL. Wilson, a salesman?

Mr. BOGARD. Yes, sir; been there for about 12 years.

Mr. BALL. Is Brown a salesman?

Mr. BOGARD. He works for Fina Oil Co. out here on Inwood Road now.

Mr. BALL. What is it?

Mr. BOGARD. [Spelling] O-r-a-n

Mr. BALL. [Spelling] O-r-a-n—what?

Mr. BOGARD. My—no, he works for Fina Oil Co., American Petra Fina Oil Co. A service station.

Mr. BALL. Service station?

Mr. BOGARD. He manages this service station out there. New, big service station.

Mr. BALL. Well, Mr. Bogard, did you receive a letter from the Commission asking you to appear here?

Mr. BOGARD. No, sir.

Mr. BALL. You were asked to appear by the Secret Service?

Mr. BOGARD. Yes, sir.

Mr. BALL. I probably should have stated to you the purpose of this inquiry. The Commission has been authorized to investigate the assassination of the President and any facts or circumstances that might determine who assassinated him. And our attention was called to your testimony by the Federal Bureau of Investigation report, and we asked you to come in and testify and you did so willingly, didn't you?

Mr. BOGARD. Yes, sir.

Mr. BALL. You were willing?

Mr. BOGARD. Yes, sir.

Mr. BALL. Willing to come in and testify and be sworn?

Mr. BOGARD. Yes, sir.

Mr. BALL. And testify as to these facts?

Mr. BOGARD. Yes, sir.

Mr. BALL. I am a staff officer with the Commission.

Mr. BOGARD. Yes, sir.

Mr. BALL. And I am authorized by the Commission to administer the oath to you and ask you these questions, and all questions you answered were under oath. You understand that?

Mr. BOGARD. Yes, sir; I answered the same questions under a polygraph test.

Mr. BALL. Under a polygraph test from the FBI?

Mr. BOGARD. Yes, sir.

Mr. BALL. Now, this will be written up and submitted to you for your signature, and you can come down here and look it over and read it and sign it, or you may waive your signature—whatever you wish. Which do you prefer?

Mr. BOGARD. Which do you want? Put it that way.

Mr. BALL. I'm going to leave it up to you. That is really something for you to decide whether you want to come back down here or not.

Mr. BOGARD. I don't mind coming back down.

Mr. BALL. We'll notify you and you can come in and we will notify you when it is ready and you can come in and sign it.

Mr. BOGARD. Thank you.

Mr. BALL. Thank you for coming down.

Mr. BOGARD. Thank you, Mr. Ball.

Mr. BALL. All right.

TESTIMONY OF FLOYD GUY DAVIS

The testimony of Floyd Guy Davis was taken at 9:30 a.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. Mr. Davis, would you please rise and raise your right hand. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

Mr. DAVIS. I do.

Mr. LIEBELER. Please sit down. Mr. Davis, my name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy. I have been authorized by the Commission to take testimony from you and from other witnesses pursuant to authority granted to the Commission by Executive Order 11130, dated November 29, 1963, and joint resolution of Congress No. 137.

I understand that Mr. Rankin wrote to you, Mr. Davis, last week and indicated—in point of fact, the letter was returned to Washington and it was on my desk when I left. It was addressed to the Sports Drome Rifle Range and could not be delivered at that address. With the letter that Mr. Rankin originally sent to you, he enclosed a copy of the Executive order and joint resolution to which I just referred as well as a copy of the Commission's rules of procedure relating to the taking of testimony.

Since you didn't get copies of those documents nor the letter, I now hand you copies of those documents which you may keep for your own reference. It is my understanding that you were contacted by the Secret Service and requested to come here and give testimony. Technically, you are entitled to 3-days' notice. I don't expect you did get it, but you are now here and I assume you have no objection to going ahead with your testimony at this point, is that correct?

Mr. DAVIS. That's right, yes.

Mr. LIEBELER. I want to inquire concerning the possibility that Lee Harvey Oswald engaged in rifle practice at a rifle range which would be, I am informed, one which you operated at 8000 West Davis, Dallas, Tex.

Before we get into the details of that, would you state your full name?

Mr. DAVIS. Floyd Guy Davis.

Mr. LIEBELER. What is your address?

Mr. DAVIS. 2824 Byway.

Mr. LIEBELER. How old are you, sir?

Mr. DAVIS. Thirty-two.

Mr. LIEBELER. Where were you born?

Mr. DAVIS. In Louisville, Ky.

Mr. LIEBELER. When did you move to Dallas?

Mr. DAVIS. It was approximately 8 years ago.

Mr. LIEBELER. Did you move here from Louisville?

Mr. DAVIS. Yes.

Mr. LIEBELER. You have lived all your life in Louisville and Dallas, is that correct?

Mr. DAVIS. Yes.

Mr. LIEBELER. Am I correct in understanding that during the period October and November of 1963, you were the operator of the Sports Dome Rifle Range at 8000 West Davis?

Mr. DAVIS. That is D-r-o-m-e. It is Sports Drome.

Mr. LIEBELER. I was pronouncing it Dome.

Mr. DAVIS. I thought you were.

Mr. LIEBELER. Are you still operating that rifle range?

Mr. DAVIS. Yes, we are.

Mr. LIEBELER. When did you commence operating it?

Mr. DAVIS. The exact date, I don't have, sir. It was about the first of October of last year.

Mr. LIEBELER. We are informed that the FBI has interviewed you and taken from you certain shell cases?

Mr. DAVIS. Yes, sir.

Mr. LIEBELER. For analysis in the FBI laboratory?

Mr. DAVIS. Yes.

Mr. LIEBELER. Could you tell us briefly the circumstances that led up to that, as far as you know.

Mr. DAVIS. Well, the only thing that I know that happened, there was some people that said that they had seen Oswald out at the range on three different occasions. I believe that it was on the 9th, the 10th, and the 17th of November. And they informed the FBI that he was out there. The two I am sure that contacted me was Mr. Malcolm Price or Howard Price and Garland Slack, and the FBI in turn came out and talked to us.

Mr. LIEBELER. Malcolm Price?

Mr. DAVIS. That is Malcolm Howard Price, is his full name.

Mr. LIEBELER. Did you know his name yourself?

Mr. DAVIS. Yes; he worked with me.

Mr. LIEBELER. He worked with you?

Mr. DAVIS. He does now. At that time he was helping us out there trying to get the range started, and he has a heart ailment where he don't hold a regular job, so he helps us out there a little bit on the range.

Mr. LIEBELER. Did he tell you that he had seen an individual who he thought was Oswald at the range?

Mr. DAVIS. He sure did.

Mr. LIEBELER. Did he tell you what date he thought he saw this man?

Mr. DAVIS. He said on the 9th and the 10th and the 17th.

Mr. LIEBELER. Three different occasions?

Mr. DAVIS. Yes, sir.

Mr. LIEBELER. Were you there at the range on those days?

Mr. DAVIS. I was there, but not at the time that he was talking about on the 9th and the 10th. Now on the 17th, I was there, and the two individuals that he brought up in their testimony, I remember them being there, but I don't remember the faces.

Mr. LIEBELER. How do you mean you remember them being there?

Mr. DAVIS. Well, Mr. Slack, there was this booth No. 9 on the rifle range—

Mr. LIEBELER. On what date?

Mr. DAVIS. On the 17th; and I was holding the turkey shoot at the same

time. Mr. Slack come to me and was complaining about someone shooting his target.

So there was two young fellows, I can remember the approximate height of them but I don't remember what their faces looked like, that were in booth No. 8. I do remember the person that was in booth No. 7, though, because I don't know whether you have talked to Mr. Charlie Brown in the last 2 weeks or not on this—

Mr. LIEBELER. Mr. Brown, the FBI agent, yes.

Mr. DAVIS. There was a fellow with a black beard in that booth No. 7, at the same time. I remember him because he was outstanding, you know, and I went to these fellows in booth No. 8, and was giving them heck about shooting at the wrong target. And this other fellow, I remember him because he wouldn't say anything to me. I tried to speak to him two or three different occasions, because he had a lot of guns, and I thought he would be a good customer.

Mr. LIEBELER. The fellow with the beard?

Mr. DAVIS. Yes.

Mr. LIEBELER. He was how tall, approximately?

Mr. DAVIS. He was over 6 feet and he weighed a good 250 pounds. A big bruiser.

Mr. LIEBELER. I think we can assume that was not Lee Harvey Oswald.

Mr. DAVIS. They were trying to find him. Charlie Brown was trying to find this person, and 2 weeks ago on a Sunday morning I saw him in an automobile out on Davis, I believe it was.

Mr. LIEBELER. The big fellow with the beard?

Mr. DAVIS. The big fellow there with the beard. And I got the license number on the car and the type of car it was and called it into the office.

I haven't heard anything from Mr. Brown since then, whether he got the information, but I am sure he did when I turned it into the office.

Mr. LIEBELER. Now let's review this. Mr. Slack was in booth No. 9, is that correct?

Mr. DAVIS. Yes.

Mr. LIEBELER. This big fellow was in booth No. 7?

Mr. DAVIS. Right. And there was the two young fellows in booth No. 8. One of them was 5 foot 6 or 5 foot 7, somewhere in that vicinity, and the other one was about 6 foot, and he was blackheaded.

I can remember that, but as far as remembering their faces, with that turkey shoot we had 225 people that day, I can't remember what they looked like.

Mr. LIEBELER. You say that these two fellows, one was approximately 6 feet tall or over, is that correct?

Mr. DAVIS. Yes.

Mr. LIEBELER. Was heavy-set or slender?

Mr. DAVIS. No; he wasn't particularly heavy-set, he was just a medium build.

Mr. LIEBELER. He was not of a light build, however?

Mr. DAVIS. No; he wasn't. He was just about my size. I would say 160 to 170 pounds.

Mr. LIEBELER. How tall are you?

Mr. DAVIS. Six-one.

Mr. LIEBELER. And you weigh?

Mr. DAVIS. I weigh about 160, but I was a little bit heavier about that time.

Mr. LIEBELER. Did you determine which of the fellows was shooting at Mr. Slack's target?

Mr. DAVIS. No, sir.

Mr. LIEBELER. Did you speak to both of them or all three of them?

Mr. DAVIS. Not as an individual. I spoke to the group to be sure they were firing at the right target and to watch where they were facing because they were shooting at the wrong target.

Mr. LIEBELER. This Mr. Slack, now then, believes that one of the two of these fellows could have been Lee Harvey Oswald, is that right?

Mr. DAVIS. Yes; that's right.

Mr. LIEBELER. Mr. Slack has told you that?

Mr. DAVIS. Yes, sir.

Mr. LIEBELER. And Mr. Price was also there the same day?

Mr. DAVIS. He said he was.

Mr. LIEBELER. He also indicated that he thinks one of those two gentlemen was Oswald?

Mr. DAVIS. Yes.

Mr. LIEBELER. You yourself had an opportunity to observe both of these gentlemen, did you not?

Mr. DAVIS. Yes; I sure did.

Mr. LIEBELER. I want to show you some pictures which have been previously marked as Commission Exhibits Nos. 451, 453, 454, 455, and 456, and ask you if you recognize from these pictures the pictures of the individuals who were firing from booth No. 8, at your range on Sunday, November 17, 1963?

Mr. DAVIS. He sure looks familiar, but I couldn't say for sure. It sure looks familiar. This would have been the taller of the two, and this is almost—

Mr. LIEBELER. You pointed to Commission Exhibit 451, and you think that gentleman resembles the taller of the two men that were firing from booth No. 8?

Mr. DAVIS. Yes; he is about the same size. The face features, I seem to have seen them before, but as far as—it sure looks like him. I couldn't say definitely that it was him, but it sure looks a lot like him.

Mr. LIEBELER. Do you see any resemblance between any of the pictures which I have shown and the shorter of the two men?

Mr. DAVIS. The face on the other one, I couldn't say what it looked like. So many of these pictures of Lee Harvey Oswald have been shown to me, and they started showing me things about the time it all happened, and I would hate to say that it was him. But definitely this fellow, the taller of the two fellows was about his built. He looked like he is about my size. He may be a little bit shorter in those pictures.

Mr. LIEBELER. What about the facial features of the gentleman on 451?

Mr. DAVIS. Like I say, the features of his face are familiar, they seem to be familiar to me, but as far as definitely saying that was the person out there I—

Mr. LIEBELER. You couldn't do that?

Mr. DAVIS. No, sir; but it does look familiar, sir.

Mr. LIEBELER. I show you next a photograph that has previously been marked Pizzo Exhibit 453-B, which is a photograph of several individuals. One of whom has been marked by a green marker, I ask you if that picture bears any resemblance to either of the two men you saw firing from booth No. 8, at your rifle range on Sunday, November 17?

Mr. DAVIS. Like I said before I couldn't be too sure because I have saw so many pictures of this that look like Lee Harvey Oswald, that they get to running together with them when I get to thinking about them, and I would hate to say that it was, because I have saw pictures of him in all different forms, in the newspapers, in—and also some that the police have brought out there, and the Grand Prairie police brought them, and some of the FBI, and I would hate to say, because I was very much interested in the case at the time it did happen, because myself it was a blow to the business that I am in.

As far as someone with a high-powered rifle shooting the President like he did, I was afraid they were going to pass a bill which would stop that stuff, and it is like a hard blow to me.

Mr. LIEBELER. To your business at the range?

Mr. DAVIS. Yes.

Mr. LIEBELER. Did your business actually fall off after the assassination?

Mr. DAVIS. It practically died on that thing. It just gradually—yesterday we had one person out there, compared to 80 and 90 when we first opened. Of course, they were in deer season. That had a lot to do with it.

Mr. LIEBELER. Have you ever been shown this picture that I just showed you before?

Mr. DAVIS. No.

Mr. LIEBELER. 453-B?

Mr. DAVIS. Not that particular shot.

Mr. LIEBELER. I will show you an exhibit marked Pizzo 453-C, and ask you if you recognize that individual as being one of those who were, at your range on the date we have been discussing?

Mr. DAVIS. I have saw that picture or similar one before.

Mr. LIEBELER. You have seen the picture before?

Mr. DAVIS. I have seen a picture similar to him before. There was a scar on his head, but as far as that is concerned, I don't believe I have saw the individual.

Mr. LIEBELER. You can't identify that individual as either one of the two that was at the range?

Mr. DAVIS. No, sir; definitely.

Mr. LIEBELER. Let me show you Exhibit 451 again and ask you if that individual appears to you to be the same individual as Lee Harvey Oswald, based on your observation of Oswald's picture in the newspaper and the press?

Mr. DAVIS. That this is Lee Harvey Oswald?

Mr. LIEBELER. Yes. Does that appear to you to be Lee Harvey Oswald?

Mr. DAVIS. No, sir.

Mr. LIEBELER. It does not?

Mr. DAVIS. No, sir. This Mr. Price did say that Oswald was in an old model Chevrolet when he was out there on this Friday, the 9th, because it was late in the afternoon when he came out there.

And Mr. Price helped him sight that rifle in. Helped him sight the scope in on the rifle, and he had two comments to say about that rifle, sir.

I am not for sure, I don't know anything about it, but he said that the markings, all but the serial number had been filed off of this particular rifle.

Mr. LIEBELER. Mr. Price did say that?

Mr. DAVIS. Yes, sir. And he said that the scope was the clearest scope that he had ever seen for a small scope.

Mr. LIEBELER. Did he tell you what size scope it was?

Mr. DAVIS. Yes; he told me, but as far as—

Mr. LIEBELER. Do you remember what he said?

Mr. DAVIS. Not the exact size of it. I know there was several different sizes of scopes on there.

Mr. LIEBELER. The size of this scope is measured in terms of power?

Mr. DAVIS. Yes. There is 2, 2½, 4, 6, and on up. And he knows the sizes, what he was talking about, but I don't know.

Mr. LIEBELER. How long have you known Mr. Price?

Mr. DAVIS. Well, I have actually only known him since the rifle range opened. But two of his boys has helped us at the racetrack or helped my wife, last summer, at the racetrack, all summer. And as far as an individual person, I didn't know him until we opened the gun range, other than just to speak to him.

Mr. LIEBELER. How old a fellow is he?

Mr. DAVIS. Mr. Price is approximately 35, and he does have a heart condition that the doctors won't let him work, as far as any work is concerned, and that is why he stays down at the range, more or less to watch it for us.

Mr. LIEBELER. In your opinion, is he a reliable fellow?

Mr. DAVIS. He is very reliable, or I wouldn't have him down there.

Mr. LIEBELER. You don't think he would say he saw Oswald if he didn't in fact see him?

Mr. DAVIS. No, sir. In fact, he told us about this before we called the FBI. But he was afraid—he's got five children, and he was afraid that it was some Communist plot or some gang that had done this, and he was afraid for his children, or he would have called them sooner.

Mr. LIEBELER. He is not a publicity seeker?

Mr. DAVIS. No; he wasn't. I would say he was very sincere of this. It might have been a case about a double identity or someone that looked a lot like him. I would say definitely that he thought he saw him.

There was also some doctor or lawyer in Oak Cliff, and his son, that he said he saw him out there on the 17th.

Mr. LIEBELER. Was that on the 17th?

Mr. DAVIS. That was on the 17th.

Mr. LIEBELER. Was that Dr. Wood?

Mr. DAVIS. I believe it was.

Mr. LIEBELER. Dentist?

Mr. DAVIS. He might be a dentist. They told us at the range—Charlie Brown, I believe, afterwards, of the FBI, said that he wasn't sure it was him, but they told us previously they were sure that it was Oswald.

Mr. LIEBELER. Has the FBI ever advised you as to the results of the tests they probably ran on or did run on the cartridge cases you gave them?

Mr. DAVIS. No; nothing. I asked them if they were all there when they returned them. He did return them, and he said they were all there, so I took it from that that they didn't find anything in the case.

Mr. LIEBELER. Do you know whether the cases that you gave the FBI were cases that were used in a rifle that were used by these gentlemen that were firing from booth No. 8, on November 17, 1963?

Mr. DAVIS. From what Mr. Price told me, he was down at the range helping out on the particular target. He saw these fellows pick up all the shells and—they shot that day, which is very frequent, because they reload a lot of that ammunition, but these particular fellows did pick them up.

Mr. LIEBELER. Did your wife observe these two individuals on the 17th?

Mr. DAVIS. No, sir; she was in the office, she doesn't remember them, or she said before that she didn't remember them. She doesn't remember this part I was telling you about, about Slack coming to them and complaining about their shooting the wrong target.

Mr. LIEBELER. Who else said they saw Oswald on the 9th and 10th?

Mr. DAVIS. That was Mr. Price.

Mr. LIEBELER. That was Mr. Price?

Mr. DAVIS. Yes. Mr. Slack said he saw him on the 17th.

Mr. LIEBELER. The 17th only?

Mr. DAVIS. Yes, sir.

Mr. LIEBELER. Can you give me Mr. Slack's full name?

Mr. DAVIS. No, sir; I don't have it.

Mr. LIEBELER. He is just a customer of yours, is that correct?

Mr. DAVIS. Yes, sir; Mr. Brown has talked to him before.

Mr. LIEBELER. Mr. Price was not at the range on the 17th?

Mr. DAVIS. Price was at the range on the 17th; yes, also.

Mr. LIEBELER. Did he also say that he thinks that these gentlemen were with Mr. Oswald?

Mr. DAVIS. He thought this one individual that was with this taller fellow in booth No. 8, was Oswald.

Mr. LIEBELER. Both Mr. Slack and Mr. Price came to that conclusion, is that correct?

Mr. DAVIS. Yes.

Mr. LIEBELER. Am I correct in understanding then that both Mr. Price and Mr. Slack observed these two gentlemen on the 17th, but only Mr. Price observed them on the 9th and 10th, is that correct?

Mr. DAVIS. Yes, sir.

Mr. LIEBELER. Do you know whether Mr. Price thinks they are the same men?

Mr. DAVIS. He definitely thinks that it is the same man Oswald on the 9th and 10th. I don't believe he said there was anyone with him, and that he come out there just at dark, right before dark and was driving an old-model Chevrolet, or was in an old-model Chevrolet.

Mr. LIEBELER. Was it just a car or a station wagon?

Mr. DAVIS. I don't remember. He just said it was an old-model car, and he could have meant a station wagon when he said an old car.

Mr. LIEBELER. Did you observe the rifle that these men at booth 8, were using?

Mr. DAVIS. No, sir.

Mr. LIEBELER. You did not at anytime observe it?

Mr. DAVIS. I possibly could have when I walked up there, but I didn't pay any attention.

Mr. LIEBELER. And you wouldn't be able to identify that rifle if I showed you a picture of it now?

Mr. DAVIS. No, sir; when you see as many rifles as I do out at that range out there, it would be hard unless there was something outstanding about it.

Mr. LIEBELER. There was nothing outstanding about that that you can remember now?

Mr. DAVIS. I was more or less mad when I went down there, because someone was shooting at the wrong target.

Mr. LIEBELER. Did you observe these two gentlemen leaving the range on the 17th?

Mr. DAVIS. No, sir; I sure didn't.

Mr. LIEBELER. Have you had experience with the sighting in of rifles?

Mr. DAVIS. Yes.

Mr. LIEBELER. You are quite experienced in that field, as a matter of fact, are you not?

Mr. DAVIS. Well, I have taught myself in the past 5 months of operation of that gun range to where I can usually sight one in within 8 to 10 shots pretty close. Mr. Price is a gun enthusiast and he is real good at it, and he has been doing it for a long time.

Mr. LIEBELER. If a man purchased a rifle from a mail-order house that had a telescopic sight mounted on it, would you have any opinion as to what the accuracy of that rifle would be without it having actually been sighted in by actual firing of the rifle?

Mr. DAVIS. If the gun was anywhere near accurate, it would have to be an accident, because the slightest jar can knock a scope 2 or 3 foot out of balance, and there is no way that you could ship a gun and carry a gun around a little bit and make sure it being accurate. That is why your deer hunters practice and shoot their guns in every year before they go deer hunting. And I have saw them waste almost five boxes of shells trying to get them accurate down there after having sighted them in the year before.

Mr. LIEBELER. Are you familiar with the technique of boresighting?

Mr. DAVIS. Yes, sir.

Mr. LIEBELER. If a rifle is boresighted is that enough to make it accurate?

Mr. DAVIS. By the average individual, no. And by the shops around Dallas here, no. Because they have brought us several guns out there that have been boresighted in various shops around Dallas and we have had to resight them, because another thing, the scope will have to be adjusted to the individual eyes, too.

Mr. LIEBELER. And that can only be done through firing a rifle?

Mr. DAVIS. That is right, that can only be done from firing a rifle and sighting it in. You can get it close, but you couldn't get it right on target, especially at a hundred yards.

Every gun I sight in, I boresight them myself at a 25-yard target to get them into the 25-yard target, and once I get it within an inch of the "bullseye," then I go to the long range, which is easy to bring it in.

Mr. LIEBELER. Are you familiar with the Irving Sports Shop in Irving, Tex.?

Mr. DAVIS. Nothing; only I have dropped a poster off, advertising, when I first opened the gun range, and I am not familiar with the owner of it.

Mr. LIEBELER. Do you know a gentleman by the name of Dial Ryder?

Mr. DAVIS. No, sir; not the name. I may know the face, but I don't know the name.

Mr. LIEBELER. He works in the Irving Sports Shop.

Mr. DAVIS. No, sir.

Mr. LIEBELER. Sights rifles and mounts scopes and things like that.

Mr. DAVIS. No; I am not familiar with him.

Mr. LIEBELER. Do you know whether you have ever sighted in a rifle that has been boresighted at the Irving Sports Shop?

Mr. DAVIS. No, sir; not offhand. We usually don't ask them where they sighted the guns in because it is not a good idea to run down any gunshop.

Mr. LIEBELER. Are you familiar with the area around Love Field?

Mr. DAVIS. Fairly familiar with it; yes, sir.

Mr. LIEBELER. Do you think it would be possible to practice with a high-powered rifle around Love Field?

Mr. DAVIS. It would be right about Bachman Lake, around the lake itself, as long as the police didn't catch you. There is the river bottom right in there.

Mr. LIEBELER. Do you think it would be possible to fire out there, to sight a rifle in without having a police notice it or someone in the neighborhood notice it and calling it to the police?

Mr. DAVIS. As long as you stayed 400 yards off the highway, there is places down there you could get that it would be possible.

Mr. LIEBELER. There are areas surrounding the field that are not built up to such an extent so that you could actually practice with a rifle in that area, is that correct?

Mr. DAVIS. Yes.

Mr. LIEBELER. Have you ever heard of anybody firing a rifle in that vicinity?

Mr. DAVIS. I have people all the time that have been practicing in the Trinity River bottoms around Dallas come out to the range and have been glad we opened that range so they could quit it because it is not a safe practice.

Mr. LIEBELER. Is that near Love Field?

Mr. DAVIS. Yes. The Trinity River bottom is not far from there. It is actually between Irving and Love Field.

Mr. LIEBELER. How far is it from Love Field itself if you wanted to go to the Trinity River bottom and didn't have an automobile? Could you take a bus to Love Field or near Love Field and then walk that readily to the Trinity River bottom?

Mr. DAVIS. Yes.

Mr. LIEBELER. One could do that very easily?

Mr. DAVIS. It is a mile and a half.

Mr. LIEBELER. I don't have any other questions at this point. I do want to ask you if you can give me, Mr. Davis, Mr. Slack's address?

Mr. DAVIS. I don't have it here, but I have some clippings at home out of a newspaper that has it there. He lives on Urbandale. If you have a Dallas phone book, I can probably get it out of the phone book.

Mr. LIEBELER. What about Price?

Mr. DAVIS. Mr. Price lives on Rice Street in Grand Prairie.

Mr. LIEBELER. If you can think of anything that you would like to add to the record, I would appreciate it if you would indicate that.

Mr. DAVIS. The only thing that I would like to say is that there were several other people mentioned that they saw Oswald on the 17th, but they said they didn't want to get involved in it. I don't know whether they were just talking or what it was.

Mr. LIEBELER. Do you know their names?

Mr. DAVIS. Not no particular persons. My wife, I'm sure, can tell you some of them. She more or less runs the gun range through the week, and I am only there through the weekend.

Mr. LIEBELER. Thank you very much for coming in, Mr. Davis. I appreciate your cooperation. The Commission wants you to know that it appreciates the fact that you have cooperated with us in the way you have. Thank you very much.

TESTIMONY OF VIRGINIA LOUISE DAVIS

The testimony of Virginia Louise Davis was taken at 10 a.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. Would you rise and raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. DAVIS. I do.

Mr. LIEBELER. My name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission that is investigating the assassination of President Kennedy. I have been authorized to take testimony from you and from other witnesses pursuant to authority granted to the Commission by Executive Order 11130, dated November 29, 1963, and Joint Resolution of Congress No. 137.

As I told your husband, whose testimony which I just took, Mr. Rankin sent you both a letter last week which was returned to Washington because it could not be delivered at the gun range. It was addressed to the Sports Drome Rifle Range and it could not be delivered there.

Mr. Rankin in the letter advised you that we would be in touch with you to arrange for the taking of your testimony. He enclosed copies of the Executive order and the congressional resolution, as well as a copy of the Commission's rules governing the taking of testimony from witnesses.

I gave your husband a copy of those documents and he has them and will make them available to you if you want to look at them. You have been provided with copies this morning.

As I told Mr. Davis, you are technically entitled to 3-days' notice before appearing before us, but since you are here, I presume that you would be willing to waive that notice and will go ahead?

Mrs. DAVIS. Sure.

Mr. LIEBELER. We want to question you about the possibility that Lee Harvey Oswald engaged in rifle practice at the rifle range which is operated by you and your husband.

Before I get into the details of that testimony, however, would you state your full name for the record?

Mrs. DAVIS. Virginia Louise Davis.

Mr. LIEBELER. You are married to Floyd Guy Davis, is that correct?

Mrs. DAVIS. Yes.

Mr. LIEBELER. Your address is 2825 Byway, Dallas?

Mrs. DAVIS. Dallas; yes, sir.

Mr. LIEBELER. You and your husband have been operating the Sports Drome Rifle Range since some time in October 1963; is that correct?

Mrs. DAVIS. That's right.

Mr. LIEBELER. Are you a native of Dallas, Mrs. Davis?

Mrs. DAVIS. No; Kentucky.

Mr. LIEBELER. Where in Kentucky?

Mrs. DAVIS. Louisville.

Mr. LIEBELER. When did you move to Dallas?

Mrs. DAVIS. Oh, let's see, it has been 7 years ago, I think. I think we have been here 7 years.

Mr. LIEBELER. You and your husband moved to Dallas from Louisville together; is that correct?

Mrs. DAVIS. He came down about 6 months before I did.

Mr. LIEBELER. Were you married at that time?

Mrs. DAVIS. Yes.

Mr. LIEBELER. The Commission has had reports that various people observed a gentleman whom they believed to be Lee Harvey Oswald at the Sports Drome Rifle Range at 8000 West Davis on various occasions. I would like to have you tell us now just what you know about those reports, and whether or not you have ever seen anybody there that resembled Oswald?

Mrs. DAVIS. No; I did not.

Mr. LIEBELER. You have not?

Mrs. DAVIS. No. There is only three things that stand out in my mind at the time it happened that I can verify what they say, and that is the one night that I was there by myself and Mr. Howard Price got the last customer that came in and took him down there, and he said that he thought it was Lee Harvey Oswald because of the rifle, it being an Italian rifle with this scope on it, and he remembered the gun.

Mr. LIEBELER. Mr. Price told you that?

Mrs. DAVIS. Yes. And then the other time I was there was, this gentleman

that was supposed to have been with him with the beard, and I couldn't forget him—if I would see the man right now I would recognize him, but he has never been back.

Mr. LIEBELER. Can you tell us the date that Mr. Price said he took Oswald in, or this man who he thought was Oswald, who was the last customer?

Mrs. DAVIS. I don't know the exact date, but I wrote it in my journal, but I don't have it with me.

Mr. LIEBELER. When you refer to the journal, what do you mean?

Mrs. DAVIS. It is a daily record I keep of everything that happens at the range. When we first opened, everyone had to sign it. But the FBI picked up the sign-in slips and checked it out, and, of course, Lee Harvey Oswald wasn't on it, but at the time we did not have fences up and anyone could get on the range without us knowing it.

Mr. LIEBELER. Do you know whether or not this man who Mr. Price took down to the range this evening as the last customer signed in the book or not?

Mrs. DAVIS. He did not. It was our last customer and he just went on down with him because it was late and they were tired and cold and wanting to get home. But he was in an old car and he was alone and he was a young slender man, and that is all I know.

Mr. LIEBELER. Do you know what kind of car it was?

Mrs. DAVIS. No; I don't.

Mr. LIEBELER. Mr. Price does?

Mrs. DAVIS. Yes; he does. But I don't. It is just an old car to me. I don't know too much about cars and then the day that Mr. Slack came up there in a panic because someone was shooting at a target that he had paid for instead of his own, I remember that. That is the only three incidents that I remember, and that is all.

Mr. LIEBELER. The first incident was when?

Mrs. DAVIS. A late customer when Mr. Price brought them in.

Mr. LIEBELER. The man was a late customer?

Mrs. DAVIS. Yes.

Mr. LIEBELER. Did you see this man?

Mrs. DAVIS. Yes; I did, but it was dark and I didn't see his face. I just went to the window and Mr. Price said, "I will take him. You won't have to take him down." We always take the customer to the range and stay with them and put their target up for them because you can't let them stay down there. They are liable to shoot anything, and he took him down, and I locked up, and I left, and they were there.

Mr. LIEBELER. You are not able to identify this man if I showed you a picture of Oswald or someone else?

Mrs. DAVIS. I don't remember.

Mr. LIEBELER. The second incident was when Mr. Slack reported to you that someone was firing his target, is that correct? Or was that the third incident?

Mrs. DAVIS. That was the third incident.

Mr. LIEBELER. Let's cover that one. Mr. Slack came up to the office, you say, and complained that someone was firing on his target?

Mrs. DAVIS. Yes.

Mr. LIEBELER. What did you do?

Mrs. DAVIS. My husband went down there and asked the boys to quit firing at someone else's target, and he said something about, "Boys, you must fire at your own target," or something like that. And he got it straightened out, but they left.

Mr. LIEBELER. Did you see any of these men at that time?

Mrs. DAVIS. No; I was in the office. I take care of that part of it.

Mr. LIEBELER. Was this man with the beard there at that time, do you know?

Mrs. DAVIS. No; that was on a Sunday afternoon or a Saturday. It was a Saturday or a Sunday, and the reason I remember him, it was the same day they said Oswald was out there, and I tried to talk to him, which I talked to everyone that comes in, and he was noticeable because he looked like the Castro type. He had this big beard and he was heavy set and big broad shoulders, and well, he was just outstanding in his appearance. He had big red earmuffs on and I couldn't help but notice him.

Mr. LIEBELER. Was anyone with him?

Mrs. DAVIS. I don't know because he never spoke a word. I don't know if anyone was with him or not, but he did have several guns. When I say several, I mean not one or two. It was three or four, and he paid for each rifle.

Mr. LIEBELER. But you did not see anyone with him?

Mrs. DAVIS. No.

Mr. LIEBELER. That was Saturday or Sunday, you say?

Mrs. DAVIS. It was a Saturday or a Sunday, and we was having turkey shoots at the time and having several people out there.

Mr. LIEBELER. That is when the man with the beard was there, is that correct?

Mrs. DAVIS. Yes.

Mr. LIEBELER. Was that the same day that the gentleman complained about somebody firing into their target?

Mrs. DAVIS. It was. It was the same day they was complaining about the two boys next to him firing into his target.

Mr. LIEBELER. We mean Mr. Slack, do we not?

Mrs. DAVIS. Mr. Slack.

Mr. LIEBELER. But you yourself did not see either of these two men who were supposedly firing into Mr. Slack's target?

Mrs. DAVIS. No.

Mr. LIEBELER. So you did not yourself personally observe any of those gentlemen or who was supposed to have been Lee Oswald, is that correct?

Mrs. DAVIS. That's right.

Mr. LIEBELER. Did you ever observe the rifle that was in the possession of this gentleman who was supposed to be Oswald?

Mrs. DAVIS. No; at the time I didn't know one gun from another. Now I can tell you everything they bring in.

Mr. LIEBELER. Do you remember whether or not on this Sunday that Mr. Slack complained that someone was firing into his target, everybody signed into the journal?

Mrs. DAVIS. Not everyone, because at the time we didn't have our fences up. See, we have a fence that is all along the gun range, because there were too many getting on the range without paying.

Mr. LIEBELER. Do you know whether or not the two men who were supposed to be firing into Mr. Slack's target signed in the journal?

Mrs. DAVIS. No.

Mr. LIEBELER. You don't know one way or the other, Mrs. Davis?

Mrs. DAVIS. I don't know, because the only reason we was having them sign in was to sign them cards to invite them to the next turkey shoot.

Mr. LIEBELER. Would you have seen them at the time they signed it, necessarily, or might someone else?

Mrs. DAVIS. Someone might sign in for them.

Mr. LIEBELER. And you would not necessarily have observed these individuals signing in?

Mrs. DAVIS. No; because the man who was outstanding, he didn't sign in. I didn't see the man until he walked through the gun range. He didn't walk through the entrance, or I would have seen him.

Mr. LIEBELER. Mr. Davis mentioned the names of Mr. Slack and Mr. Price, and he said that there were some others.

Mrs. DAVIS. There was a doctor and his son that was out there that day. They remembered the rifle and they reported that to me before any of it came out in the paper, but I didn't get his name. But I do think that the FBI contacted this doctor.

Mr. LIEBELER. Would you remember his name if I told you it was Dr. Wood? Would that ring a bell with you?

Mrs. DAVIS. No, it doesn't. It has been so long ago.

Mr. LIEBELER. Now, other than this doctor and Mr. Slack and Mr. Price, do you know of anyone else who said that they thought that they saw Oswald at the range?

Mrs. DAVIS. Not that I would take their word for it.

Mr. LIEBELER. Tell us what you mean by that. You must have somebody in

mind, somebody who told you these stories, and I would like to have you tell them to us if you would.

Mrs. DAVIS. Well, there was a mister—what is his name—Camplen, Charlie Camplen, and he said he was out there on a Wednesday.

Mr. LIEBELER. He said that Oswald?—

Mrs. DAVIS. But I didn't get into any detail, so I don't know.

Mr. LIEBELER. But Camplen told you he saw Oswald on a Wednesday?

Mrs. DAVIS. Yes. -

Mr. LIEBELER. Is there anybody else that has claimed to have seen Oswald at the range?

Mrs. DAVIS. No.

Mr. LIEBELER. Do you know Mr. James Thompson?

Mrs. DAVIS. Yes; Jim, he did say he thought he did, and I think he kind of backed off. I don't know what to believe. I just don't know. He said he wasn't going to say he did, because he couldn't swear to it.

Mr. LIEBELER. Do you remember what day that he, Mr. Thompson, thought he might have seen Oswald?

Mrs. DAVIS. It was on a Sunday. It was the same Sunday, because he was helping run the targets down.

Mr. LIEBELER. What did Thompson tell you about this?

Mrs. DAVIS. He told—he didn't talk to me too much about it. In fact, he said he don't remember. He couldn't say he actually saw him. At first he did say he saw him, and he did remember the incident about the target, and Slack, but he don't, he said he couldn't swear that it was Oswald. And we have never discussed it further.

Mr. LIEBELER. Thompson lives—

Mrs. DAVIS. He is with the Bardahl Co. He is a representative of Bardahl.

Mr. LIEBELER. Does he live in the 1100 block of Gilpin Street?

Mrs. DAVIS. Yes.

Mr. LIEBELER. Is that in Dallas?

Mrs. DAVIS. Yes.

Mr. LIEBELER. What about Mr. B. G. Moses, do you know him?

Mrs. DAVIS. Yes; he is a neighbor. He lives across the street from me. But I just don't know about him. I mean, he hasn't had too much to say about it.

Mr. LIEBELER. Did he talk to you about it?

Mrs. DAVIS. No; in a way, he did, and well, in a way—he didn't actually come out and say—he said, "I think I saw him." I will put it that way. He thinks.

Mr. LIEBELER. Was this the same Sunday that you had the incident concerning the target?

Mrs. DAVIS. He worked that week, but I don't know if he was down there or not that Sunday. It seems to me like he was working the trap. He was in the office, come in and out of the office, but I don't think he was on the rifle range.

Mr. LIEBELER. On the Sunday we are speaking of?

Mrs. DAVIS. Yes.

Mr. LIEBELER. Do you remember the date of this Sunday?

Mrs. DAVIS. No, I don't. I think it was around November, maybe the 13th, something like that. I wouldn't know unless I had my dates in front of me. I don't remember names or dates too well, but I remember faces.

Mr. LIEBELER. Was it the weekend before the assassination?

Mrs. DAVIS. Oh, yes.

Mr. LIEBELER. It was the last weekend preceding the assassination?

Mrs. DAVIS. Yes; and we did quite a bit of advertising when we opened that range. The last week in October is when we opened the range, and we had in that month, we ran, let's see, it was 1600 and some people through there, so you know the word got around that it was a public gun range and was open.

Mr. LIEBELER. So that anybody who was interested in it would have known about it?

Mrs. DAVIS. That's right.

Mr. LIEBELER. Do you have any opinion as to whether or not Oswald was really at the range as a result of all these discussions?

Mrs. DAVIS. I really do think he was. I didn't see the man. I couldn't say one word, but I really think he was, sincerely, because the two men, especially Howard Price, he is the kind of person that you can believe what he says. He is intelligent. When he says he knows a rifle, he knows that rifle. He can get out there and dig out slugs, which he does, and melt them down to the lead, and he can tell you what slug is out of each gun, which I can't do. He is just a gun enthusiast and he loves it and he remembered that gun.

But that is the only thing I can say. I did not see the man and I couldn't say. I mean nothing except I would take his word for it. He wouldn't be the kind, and he told us this before it all come out in the paper, and the rifle, it hadn't been identified in the paper when he identified it. But Slack, I don't know too much about him. He is just a temperamental hothead. He was very hot, and they kept kicking his booth. He said they had odd shoes on and kept kicking his booth. If someone is knocking this desk, she couldn't write, and he kept knocking the side of the booth and he couldn't shoot, and that made him angry. But that is the only thing that I know.

Mr. LIEBELER. You are basing your opinion basically on the conversation you had with Mr. Price and your respect for Mr. Price's judgment?

Mrs. DAVIS. That's right.

Mr. LIEBELER. Did Mr. Price tell you, or did you learn how these men got to the rifle range?

Mrs. DAVIS. No.

Mr. LIEBELER. Did they walk or come in a car?

Mrs. DAVIS. Now, Mr. Price said they came in a car, this old car. I think he knows the make of it, but like I say, I didn't see him. The only thing—only time I saw a car at a late arrival was the night I was telling you about that Price took him down there, but I saw the man get out, but that is all.

Mr. LIEBELER. Did Mr. Price see these two men on the Sunday before the assassination when they had the incident over the target?

Mrs. DAVIS. I don't think he was down there that day. I don't remember. I don't think so. I know Jim Thompson was working that day and Mr. Moses and my husband and I, and we never have over four, so I don't think we was—I may be mistaken, he may have been there, but not working for us, because he was there every day.

Mr. LIEBELER. Price was?

Mrs. DAVIS. Price was.

Mr. LIEBELER. Can you think of anybody else who might have seen Oswald at the range, or this fellow they thought was Oswald, come and told you about it?

Mrs. DAVIS. No, I sure can't.

Mr. LIEBELER. I don't think I have any more questions at this point. Is there anything that you can think of?

Mrs. DAVIS. I have thought and thought, and I would give anything if I could think of something or identify someone he was with. I think that would be more of a help to you people than anything, wouldn't it?

Mr. LIEBELER. Yes, it would.

Mrs. DAVIS. My husband did call in that he saw this bearded man. Do you have that on your records?

Mr. LIEBELER. Your husband told us.

Mrs. DAVIS. He went right to the phone and called, because we were convinced. Do you know anybody that was with him that day? The man may be completely innocent, but we just feel that he was with him because he was so belligerent and stood around and he wouldn't talk. You don't find people like that at a gun range. They are really friendly and they come out to shoot and have a good time, and I have never had anyone treat me like he did.

Mr. LIEBELER. This bearded man?

Mrs. DAVIS. Yes.

Mr. LIEBELER. Did you see the rifle that the bearded man had with him?

Mrs. DAVIS. He had several, yes. He had them, but I couldn't identify them. I could now. They like for you to discuss their rifles with them when they come in. They think they are important, you know. And now I can identify a rifle, but I didn't know a rifle from a shotgun, a .22 from a 16-gauge shotgun. I mean, I didn't know the difference.

Mr. LIEBELER. So you wouldn't be able to identify the rifle that the bearded man had with him if I showed you pictures of a rifle?

Mrs. DAVIS. No; because like I say, at that time they were just guns.

Mr. LIEBELER. If you don't have anything else that you think would be helpful to us at this point, I will thank you for coming in and cooperating with us the way you have. I want you to know the Commission appreciates it very much.

Mrs. DAVIS. All right.

TESTIMONY OF MALCOLM HOWARD PRICE, JR.

The testimony of Malcolm Howard Price, Jr., was taken at 9:15 a.m., on April 2, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. LIEBELER. Would you rise, sir, and raise your right hand?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PRICE. I do.

Mr. LIEBELER. Mr. Price, my name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy. I have been authorized to take your testimony by the Commission, pursuant to authority granted to the Commission by Executive Order No. 11130, dated November 29, 1963, and Joint Resolution of Congress No. 137. I want to give to you a copy of that Executive order and of that joint resolution, as well as a copy of the rules of procedure adopted by the Commission governing the taking of testimony of witnesses.

We want to inquire of you concerning the possibility that you saw Lee Harvey Oswald at the Sports Drome Rifle Range, 8000 West Davis, sometime in November 1963.

Before we get into the details, I would like to have you state your full name for the record.

Mr. PRICE. It is Malcolm Howard Price, Jr.

Mr. LIEBELER. Where do you live, Mr. Price?

Mr. PRICE. At 1127 Rice, Grand Prairie.

Mr. LIEBELER. Where were you born?

Mr. PRICE. I was born at Graham, Tex.

Mr. LIEBELER. Have you lived all your life here in Texas?

Mr. PRICE. No; I have lived in Oklahoma for 4 years and in California for 5 years.

Mr. LIEBELER. How long have you lived in Dallas—this last time—in Grand Prairie?

Mr. PRICE. Oh, about 13 years.

Mr. LIEBELER. When were you born?

Mr. PRICE. April 6, 1928.

Mr. LIEBELER. Where are you employed?

Mr. PRICE. I am retired—I am unemployed.

Mr. LIEBELER. I understand that's primarily because of the fact that you have a heart condition?

Mr. PRICE. Yes; that's right.

Mr. LIEBELER. Are you married?

Mr. PRICE. Yes; I am.

Mr. LIEBELER. Do you have any children?

Mr. PRICE. I have five.

Mr. LIEBELER. Are you familiar with Sports Drome Rifle Range?

Mr. PRICE. Yes; very familiar with it.

Mr. LIEBELER. As a matter of fact, you work there from time to time, do you not?

Mr. PRICE. I have helped them there—I'm not, as you say, employed, but I

do help there from time to time. They are close friends of mine and I have helped them get the things set up and get it started.

Mr. LIEBELER. Are you referring to the Davises?

Mr. PRICE. Virginia and Floyd Davis.

Mr. LIEBELER. The Commission has information to the effect that sometime during November 1963, you saw a gentleman at the rifle range whom you subsequently came to believe was Lee Harvey Oswald; is that correct?

Mr. PRICE. That's right. The first time that I saw this person was in September, the last week--the last Saturday of September, and that was the afternoon that they opened the rifle range.

Mr. LIEBELER. On the last Saturday of September?

Mr. PRICE. Yes.

Mr. LIEBELER. That would be September 28?

Mr. PRICE. Yes.

Mr. LIEBELER. Tell me the circumstances under which you first saw this fellow?

Mr. PRICE. Well, it was just about dusky dark and he came in in an old model car, I would judge it was possibly a 1940 or 1941 model Ford.

Mr. LIEBELER. Was there anyone with him?

Mr. PRICE. No; he was by himself, and I have heard that he couldn't drive, but he was driving that day because he was the only one in the car, and he came down and inquired if there was anyone there that could set a scope, a telescope on a rifle, and I told him that I could, and he said, well—he had one that he had had mounted and boresighted but it hadn't been fired on a range and that he would like to have it sighted in, so I went down and set up a target on a hundred yards.

Actually, he set the target up himself and I drove my car and turned the headlights on on the target and as I proceeded to set the rifle—I fired the rifle approximately 12 to—12 to 18 times I would say and zeroed it in on a hundred yards and Mr. Davis came in from work before we left and he also drove his pickup down and turned his lights on. He drove his pickup down on the opposite side and turned his lights on the target.

Mr. LIEBELER. On the opposite side of the target from your car?

Mr. PRICE. Yes; and Mrs. Davis went home—she was tired and wasn't feeling too good and she went home as soon as he got down there.

Mr. LIEBELER. As soon as Mr. Davis did?

Mr. PRICE. Yes.

Mr. LIEBELER. Did Mr. Davis see this fellow at that time?

Mr. PRICE. Well, I don't know whether he saw him or not. He apparently don't remember it.

Mr. LIEBELER. You have discussed it with Mr. Davis?

Mr. PRICE. Oh, we have talked about it some, but he doesn't—he don't even recall turning his headlights on.

Mr. LIEBELER. Now, did this man fire the rifle himself?

Mr. PRICE. He fired three shots after I had got it set to where I could fire a pattern, with three shots in a bull's eye. I turned it over to him and I said, "Now, I'm satisfied with it, you try it."

And, he fired three shots and he scored bull's eye with all three—a very tight pattern and he said, "Well, I am completely satisfied."

Mr. LIEBELER. How much did you charge him for zeroing the rifle in?

Mr. PRICE. I didn't charge him anything. I charged him \$1 for the use of the range and that was all. I just did that as a favor to Floyd to help him get his business in. I figured this was just another hunter who had come down to get his rifle zeroed in for deer season.

Mr. LIEBELER. Did you have any other conversation with this fellow at that time?

Mr. PRICE. No, that was all. It was rather abrupt. He didn't talk too much, and I was kind of surprised that he didn't fire the rifle more. He just fired the three shots and he said, "Well, that's good enough," and he got up and left.

Mr. LIEBELER. Did he leave the shell casings lying there at the range or did he take them with him?

Mr. PRICE. No, he took them with him—he picked them all up after the rifle was fired and took the shell casings along with him.

Mr. LIEBELER. You had an opportunity to observe the rifle, did you not?

Mr. PRICE. Yes, I had it in my hand.

Mr. LIEBELER. Would you be able to identify the rifle?

Mr. PRICE. Well, I believe I would—it was a foreign make rifle and I wasn't too familiar with it at the time.

Mr. LIEBELER. Did you see it again?

Mr. PRICE. On two other occasions that he was there.

Mr. LIEBELER. Before we go on to that, you indicated that in order to see the target you had to turn the lights of the automobile on and that of Mr. Davis' truck on; is that right?

Mr. PRICE. Yes.

Mr. LIEBELER. Was it light up at the rifle range from where you fired?

Mr. PRICE. Oh, yes; we have neon lights there.

Mr. LIEBELER. So you didn't have any difficulty in seeing this fellow?

Mr. PRICE. No—no difficulty at all.

Mr. LIEBELER. Then this fellow just put the rifle in the car and drove off?

Mr. PRICE. Yes.

Mr. LIEBELER. Did he have a gun case or anything like that?

Mr. PRICE. Well, if he did, he didn't bring it down to the firing house.

Mr. LIEBELER. He didn't have anything he wrapped the rifle in?

Mr. PRICE. Not that I know of. In fact, the best I remember, when he got out of the car, he just picked the gun up out of the back seat because it wasn't wrapped in anything or wasn't in a case.

Mr. LIEBELER. Did you see this fellow again?

Mr. PRICE. On two other occasions—one was 2 weeks later and at turkey shoot. It was Sunday, though, it was on a Sunday.

Mr. LIEBELER. It would have been in October sometime, then, is that right?

Mr. PRICE. Yes, it would.

Mr. LIEBELER. The last Saturday in September, which is the day you indicated was the first time you saw him was the 28th of September?

Mr. PRICE. Yes; that was the day they opened. They opened in the afternoon.

Mr. LIEBELER. And 2 weeks later would have been the 12th of October, and the Sunday following would be the 13th of October; is that right?

Mr. PRICE. Yes, somewhere around there. They had a turkey shoot and I went down to participate in a turkey shoot and he was sitting in Booth 6 or 8 and was firing on a 100-yard line with a heavy bore rifle and I didn't talk to him then, but the third time that I saw him there I did.

Mr. LIEBELER. Did you see this time in October, the day of this turkey shoot, did you see that he had the same rifle you had observed?

Mr. PRICE. No, I didn't pay too much attention to that. I just saw him as he came by and he went on down to the booth. There are people that come down there and some of them have as high as six or seven different rifles. This Mr. Slack that you just talked to—I noticed him in particular because he had quite a variety every time he come down there—he had three or four rifles with him.

Mr. LIEBELER. There's nothing that happened on this second time that you saw that particularly stands out?

Mr. PRICE. Well—not that I know of personally, but I do understand there was a hassle between him and Mr. Slack over shooting the wrong target or something like that. I was over on the opposite end shooting at a target for the turkey shoot and I didn't pay any attention to that. That was their business.

Mr. LIEBELER. Who told you that there was a hassle between this guy and Slack?

Mr. PRICE. It was Mr. Davis and Mrs. Davis.

Mr. LIEBELER. But you, yourself, don't remember anything that happened on this day, as far as this fellow was concerned?

Mr. PRICE. No.

Mr. LIEBELER. Now, going back to the first time you saw him, was there anyone there at the rifle range besides this man, Mr. Davis and yourself?

Mr. PRICE. At the first time I saw him—me and Mrs. Davis was the only one there, and we were just fixing to close up and go home and he came in and, like

I said, inquired if there was anybody that could set a telescope. I took him down to set his telescope and we stayed there that much longer and Mr. Davis came in and Mrs. Davis went on home.

Mr. LIEBELER. Did Mrs. Davis have an opportunity to see this man?

Mr. PRICE. Not that I know of—she knew there was somebody there but she was inside the building.

Mr. LIEBELER. There was nobody else there?

Mr. PRICE. There was no one else there.

Mr. LIEBELER. When was the next time you saw him, the third time?

Mr. PRICE. Well, I don't remember just exactly when it was, but it was—it could be anywhere from 1 to 3 weeks later—I don't remember exactly, but it was on a Sunday, Sunday was the only time I went down there after that in a good while.

Mr. LIEBELER. Mr. Price, this is Mr. Davis from the attorney general's office for the State of Texas.

Mr. Price has testified that he saw Oswald out at the Sports Drome Rifle Range.

Mr. PRICE. I don't remember the exact date on that, but the third time that I saw him he did have the same gun.

Mr. LIEBELER. He did?

Mr. PRICE. Yes.

Mr. LIEBELER. Well—

Mr. PRICE. And I asked him if it was still doing the job, if it was still set, and he said, "It was shooting just fine," and Mr. Slack was there at the time and at this particular time—that might have been the day that they had the hassle there, I don't know, but they were sitting right next to one another—Mr. Slack was in booth 9 and Oswald was in booth 8, and he commented on his telescope.

Mr. LIEBELER. Who commented on the telescope?

Mr. PRICE. Oswald.

Mr. LIEBELER. Commented to you?

Mr. PRICE. Yes; he asked me to look through it, and he said, "It's one of the clearest telescopes that I have ever seen—one of the brightest." He said, "It's a Japanese scope and I gave \$18 for it."

Mr. LIEBELER. He told you that he paid \$18 for it?

Mr. PRICE. Yes; he said that it was—he remarked that it was a 4-power telescope and he said it was mounted on Redfield mounts. You see, they make mounts for several different guns, but I don't know one mount from another myself. I just took his word for it that it was a Redfield mount, but I looked through the scope and it was very clear. It was very bright and we compared it with two scopes that Mr. Slack had on his gun and a fellow that was shooting on the right side in booth 7—I don't know who that was, but we compared it with three different American-made scopes and his telescope was brighter and clearer by far. You could read the lines and numerals on the target very plainly with it.

Mr. LIEBELER. Did he tell you that he paid \$18 for the scope or did he say that he paid \$18 for the whole works?

Mr. PRICE. No; he said he paid \$18 for the scope.

Mr. LIEBELER. Did he tell you where he had it mounted?

Mr. PRICE. He said that he got the thing from a gunsmith in Cedar Hill for a debt, the gun, and that he bought the scope and that the gunsmith mounted it for him.

Mr. LIEBELER. The same gunsmith?

Mr. PRICE. Yes.

Mr. LIEBELER. And that was in Cedar Hill?

Mr. PRICE. It might be; but I don't know of any gunsmith in Cedar Hill.

Mr. LIEBELER. But you remember that he did tell you it was done by a gunsmith in Cedar Hill?

Mr. PRICE. Yes; then, I questioned him about it, I told him, I said, "I didn't know there was a gunsmith in Cedar Hill."

Mr. LIEBELER. And what did he say?

Mr. PRICE. He said, "Yes; one over there and he owed me some money and he

gave me this gun to settle the debt" and he said, "I bought the scope and he mounted it and boresighted it."

Mr. LIEBELER. Did he tell you where this gunsmith was located?

Mr. PRICE. No; he didn't say anything about the location other than it was in Cedar Hill.

Mr. LIEBELER. Did he tell you what the guy's name was?

Mr. PRICE. No.

Mr. LIEBELER. Was there anyone with him that day or was he by himself?

Mr. PRICE. I don't know; I don't know whether he was by himself or not.

Mr. LIEBELER. You didn't see anybody else that seemed to be with him?

Mr. PRICE. No; there was a lot of people there and everybody was milling around talking to everybody else and I don't know whether he was with anyone or not.

Mr. LIEBELER. Now, what about the fellow that was in the booth on the other side of Mr. Slack, do you remember anything about him—I think you said.

Mr. PRICE. All I remember about him was that he was a big fellow with a long black—it was either black or dark red beard.

Mr. LIEBELER. Did you talk to him at all?

Mr. PRICE. Other than just to comment on his scope—I didn't have any conversation at all with him.

Mr. LIEBELER. You are talking about Oswald now?

Mr. PRICE. No; I'm talking about the fellow with the beard.

Mr. LIEBELER. Did you look through his scope too?

Mr. PRICE. Yes; I did.

Mr. LIEBELER. Did Oswald talk to the fellow with the beard?

Mr. PRICE. Well, I suppose—he spoke to all of them—to Oswald and Slack both, about the clarity of the telescope.

Mr. LIEBELER. Were you there when they were talking about the clarity of Oswald's telescope?

Mr. PRICE. Yes.

Mr. LIEBELER. Did you see this fellow that you think was Oswald come or go from the range or did you just see him there then?

Mr. PRICE. I just saw him there. I just saw him there a couple of times.

Mr. LIEBELER. A couple of times that day?

Mr. PRICE. No; two separate times, I believe, that Oswald was present at the range both times that he was, as I remember, but I don't know whether they were there together or not.

Mr. LIEBELER. We are getting our wires crossed—you're talking now about the fellow with the beard?

Mr. PRICE. Yes.

Mr. LIEBELER. You meant that he was there on the range a couple of different times?

Mr. PRICE. Yes; he was there both times that I saw Oswald.

Mr. LIEBELER. That you saw Oswald?

Mr. PRICE. That I saw Oswald; yes. The second and third time.

Mr. LIEBELER. But you never saw them come and go together?

Mr. PRICE. No; I didn't pay any attention to who came—whether they came and left together or how they got there, but just that one particular time—he was the only one there.

Mr. LIEBELER. You never noticed how Oswald came to the rifle range and left the range?

Mr. PRICE. That's right.

Mr. LIEBELER. Except that first time you saw him?

Mr. PRICE. That's right.

Mr. LIEBELER. Did anything else happen with relation to this fellow that you think was Oswald on this third time that you saw him there at the rifle range?

Mr. PRICE. No; it was just a conversation about the telescope is all.

Mr. LIEBELER. Did you see the rifle closely that day—you must have handled it in looking through the scope?

Mr. PRICE. Oh, yes; I handled it—it was a Mauser-type rifle.

Mr. LIEBELER. What do you mean by that—I don't know anything about rifles?

Mr. PRICE. Well, it's strictly a military rifle and it's patterned after the German Mauser.

Mr. LIEBELER. A bolt-action rifle?

Mr. PRICE. A bolt action, and the general outline it had—about oh, possibly a six shot clip that set just ahead of the trigger, and I understand it was a 6.5 Italian, but at that time I didn't know. I thought it was a Mauser because there's a friend of mine in Grand Prairie that has an Argentine Mauser that was 7.6 and it looked very familiar—they looked a whole lot alike.

Mr. LIEBELER. Did you have a chance to look at any of the writing or printing that was stamped on the rifle?

Mr. PRICE. Well, the only thing that I could see on it—I looked for a brand name so I could see approximately where it was made, and the only thing that I could find on it was a serial number.

Mr. LIEBELER. Did you look closely for a brand name?

Mr. PRICE. I didn't examine it too close.

Mr. LIEBELER. But you did see the serial number?

Mr. PRICE. I saw the serial number and the gun wasn't blued at the time—it had a bright finish on the barrel. It looked like it had been placed in a lathe and turned down, as far as—well, in an attempt to sporterize the gun.

Mr. LIEBELER. It had been worked on in some manner in an attempt to sporterize it?

Mr. PRICE. I thought it had.

Mr. LIEBELER. How far did the barrel protrude from the stock of the rifle, how far did it stick out from the end of the stock?

Mr. PRICE. Possibly 6 or 8 inches at the most.

Mr. LIEBELER. Had the stock been cut back in this attempt to sporterize the rifle?

Mr. PRICE. Well, not that I could tell—it was similar to a German Mauser and they have, you know, they have got a full length, almost a full length stock with a wooden piece on the top of them also.

Mr. LIEBELER. And the wooden piece on top was still on this rifle—which you did see?

Mr. PRICE. No; I don't believe it was.

Mr. LIEBELER. It had been taken off?

Mr. PRICE. Yes.

Mr. LIEBELER. It had been taken off as part of the attempt to sporterize the rifle?

Mr. PRICE. Yes.

Mr. LIEBELER. Had the end of the barrel been cut off?

Mr. PRICE. I don't know whether it had been cut off or not.

Mr. LIEBELER. You say the barrel had a shiny finish?

Mr. PRICE. Yes; it did at that time.

Mr. LIEBELER. I will show you two pictures that have been previously marked "Exhibits 3 and 4" on the deposition of Mr. Greener and ask you if you recognize that as the rifle that this man had at the range?

Mr. PRICE. [Examining instruments referred to.] Except for the sling and the forepiece—I would say they are the same gun. The gun had no sling on it. It did have the mounts on the side for a sling.

Mr. LIEBELER. It didn't have a sling on it?

Mr. PRICE. It didn't.

Mr. LIEBELER. What do you mean when you say the forepiece?

Mr. PRICE. The forepiece is this top wooden piece; of course, that could be taken off and replaced very easily.

Mr. LIEBELER. The wooden piece that is on top of the barrel, is that what you are referring to?

Mr. PRICE. Yes.

Mr. LIEBELER. And you say that that was not on the rifle that you saw?

Mr. PRICE. No; it wasn't. This barrel has a step along in here somewhere.

Mr. LIEBELER. A step?

Mr. PRICE. A step along in here building it up to a larger diameter and another one here, which you can see.

Mr. LIEBELER. It gets larger by degrees as it comes back toward the action, is that right?

Mr. PRICE. That's right, and that's the reason I thought at the time that it had been placed in a lathe and turned down, but I'm not too familiar with the foreign made guns and I have learned since then that all Mauser rifles are that type—they are made that way.

Mr. LIEBELER. With these steps as they come back toward the action?

Mr. PRICE. That's right.

Mr. LIEBELER. Is this the same kind of scope that you saw on the rifle that Oswald had, the fellow you thought was Oswald?

Mr. PRICE. Yes; it had large receivers at both ends and I believe, now, I might not be right about the brand name, but I believe it was a Tascosa, since I examined it—it was a Japanese made scope. They make several different brands of those things—it could be any of them, but I believe, as I remember it—it was a Tascosa.

Mr. LIEBELER. So, if you took the sling off this rifle and took the top wooden piece off the barrel, you think it would look pretty much like the one that this fellow had?

Mr. PRICE. Yes.

Mr. LIEBELER. Now, you testified before that when you examined this rifle, you looked for the brand name and you weren't able to find a brand name?

Mr. PRICE. That's right.

Mr. LIEBELER. But you did see the serial number?

Mr. PRICE. The serial number was—it was in here, in here, or in here—I believe it was right along in here.

Mr. LIEBELER. And you are referring to the fore part of the action or the part of the rifle just before the action and immediately under the front edge of the scope, is that right?

Mr. PRICE. Yes; the largest diameter of the barrel. The clip is here.

Mr. LIEBELER. It fits in just in front of the trigger?

Mr. PRICE. It fits in just in front of the trigger there.

Mr. LIEBELER. I will hand you some pictures and see if you can recognize any of the people in them as the man you saw at the rifle range—these have been previously marked "Commission Exhibits Nos. 451 and 453 through 456."

Mr. PRICE. [Examining documents referred to.] Yes; this is the only one that has any similarity I can recall.

Mr. LIEBELER. You are referring to No. 455—does that look like him?

Mr. PRICE. Well, these all seem like a photograph of the same fellow, but this is the only one that has any resemblance, as I can remember.

Mr. LIEBELER. Now, I show you another picture—it is a photograph of a street scene with several people in it and I show you two different pictures and ask you if you notice anybody in there as being the fellow you saw at the rifle range?

Mr. PRICE. Yes; this one here and this one here—he has a part of the receding hairline on the right side.

Mr. LIEBELER. Which one?

Mr. PRICE. This one—right here—he's got a long—kind of a sharp nose.

Mr. LIEBELER. The pictures that I have just showed you do not have any marks on them, is that right?

Mr. PRICE. That's right.

Mr. LIEBELER. Let me show you two other pictures which are the same as the pictures I just showed you except that they have some green marks on them.

Mr. PRICE. Yes.

Mr. LIEBELER. The first picture I showed you—you have indicated on it that you recognized the man who has a green mark over his head.

Mr. PRICE. That's right.

Mr. LIEBELER. In the identical picture which has been marked as "Pizzo Exhibit No. 453-B," and that is the man that you saw at the rifle range?

Mr. PRICE. Right.

Mr. LIEBELER. On the second picture I showed you, you identified as the man you saw at the rifle range—the man who has a green "X" over him?

Mr. PRICE. That's right.

Mr. LIEBELER. And that picture has been marked "Pizzo Exhibit No. 453-A." I'll show you a picture that has been marked as "Pizzo Exhibit No. 453-C," and ask you if you recognize that as the man you saw on the rifle range?

Mr. PRICE. Yes.

Mr. LIEBELER. Do you have any questions about it at all?

Mr. PRICE. About that picture?

Mr. LIEBELER. Whether that's the fellow?

Mr. PRICE. Other than the scar or cut on his head, because he didn't have a cut on his head at the time.

Mr. LIEBELER. When did you first become aware of the fact that this fellow you saw was Lee Oswald, did you ever know his name?

Mr. PRICE. No; I never knew his name.

Mr. LIEBELER. When did you first become aware of the fact it was Oswald—when did you first think that it was Oswald?

Mr. PRICE. When I saw him on television when they were transferring him from the Dallas jail.

Mr. LIEBELER. And did you recognize him right away as the fellow you had seen at the rifle range?

Mr. PRICE. Yes; and I contacted the FBI the next day. I debated on it all night whether I should call them or get mixed up with it or not.

Mr. LIEBELER. Did you mention it to anyone else, when you saw him on television?

Mr. PRICE. Yes; my family.

Mr. LIEBELER. Did you talk about it with anyone else before you told the FBI?

Mr. PRICE. No.

Mr. LIEBELER. Whom did you talk with at the FBI, do you remember?

Mr. PRICE. Charlie Brown.

Mr. LIEBELER. Let's see if we can establish the date of the last time that you saw this man at the rifle range. Do you recall that the President was assassinated on Friday, November 22? Can you tell us approximately how long prior to the assassination this time was that you saw the man?

Mr. PRICE. The last time I saw him was a week before Thanksgiving; Sunday before.

Mr. LIEBELER. The Sunday before Thanksgiving—that's the last time you saw him at the rifle range?

Mr. PRICE. That's the last time that I was down at the rifle range—the last time I went there until after, oh, a month or so after the assassination.

Mr. LIEBELER. You mean it was the Sunday immediately preceding Thanksgiving?

Mr. PRICE. That's right; I was down there for the turkey shoot we had.

Mr. LIEBELER. You saw him at the rifle range that day?

Mr. PRICE. Yes.

Mr. LIEBELER. Well, the last Sunday before Thanksgiving was after the assassination.

Mr. PRICE. It was after?

Mr. LIEBELER. Yes; and you saw this man at the rifle range, you saw Oswald at the rifle range after the assassination?

Mr. PRICE. I believe I did, because that was the last time that I went down there.

Mr. LIEBELER. And the time you saw him the last time and looked through the scope was the last time you were down at the rifle range?

Mr. PRICE. Yes; that was the last day I was down there.

Mr. LIEBELER. What makes you say it was the Sunday preceding Thanksgiving, are you sure about that?

Mr. PRICE. Well, I'm not exactly positive but it was getting close to Thanksgiving because I was trying to get a turkey.

Mr. LIEBELER. Do you remember whether you saw him after the assassination?

Mr. PRICE. No.

Mr. LIEBELER. You are not sure one way or the other?

Mr. PRICE. I know I haven't seen him after the assassination, but it was before this assassination—I was down there the last time and I was thinking it

was a week before Thanksgiving, but anyhow, it was before the assassination, the Sunday before, but they were holding a turkey shoot.

Mr. LIEBELER. The Sunday before the assassination would have been the 17th—that would have been two Sundays before Thanksgiving.

Mr. PRICE. Well, it might be right—that's been so long ago—I'm not sure about the dates, I don't remember dates too well.

Mr. LIEBELER. But you were pretty clear in your mind you didn't see Oswald after the assassination?

Mr. PRICE. That's right.

Mr. LIEBELER. Have you ever seen him since?

Mr. PRICE. I have never seen him since. I have been down there quite often since December.

Mr. LIEBELER. Down at the rifle range?

Mr. PRICE. Yes.

Mr. LIEBELER. And business at the rifle range has fallen off since the assassination, rather sharply, hasn't it?

Mr. PRICE. Well, for a while it continued, but it has fallen off very sharply in the last, oh, in the last month and a half except for Sundays—they do have good business on Sunday.

Mr. LIEBELER. Did the FBI show you any pictures of anybody and ask you to identify them when they talked to you?

Mr. PRICE. It was the FBI or Secret Service, one of the two, I believe it was the FBI.

Mr. LIEBELER. Did they show you any of the pictures that we have shown you this morning?

Mr. PRICE. They have shown one similar—they had three or four photos showing this bruise and cut on the forehead.

Mr. LIEBELER. Did they show you a picture of the rifle?

Mr. PRICE. I believe the Secret Service showed me a picture of the rifle. I told them the same thing—it wasn't made up exactly the same—it didn't have the sling, it didn't have the forepiece, like there had been an attempt to sporterize the gun.

Mr. LIEBELER. The last time you saw this man at the rifle range—do you remember if there was anybody else there that you know?

Mr. PRICE. Garland Slack.

Mr. LIEBELER. And you saw Mr. Slack?

Mr. PRICE. Yes.

Mr. LIEBELER. Anybody else?

Mr. PRICE. Well, there was this big fellow—I don't know who he is.

Mr. LIEBELER. Have you ever seen him since?

Mr. PRICE. No; I haven't. I understand that Mr. Davis saw him one time because he called me and told me that he saw him, about 2 weeks ago, and he turned the license number of the car over to the FBI.

Mr. LIEBELER. But you, yourself, have never seen him since?

Mr. PRICE. I have never seen him since.

Mr. LIEBELER. Was there anybody else that last day at the rifle range that saw this man that might be able to identify him other than Mr. Slack and Mr. Davis?

Mr. PRICE. Well, not that I know of. There was a lot of people there—there were 300 or 400 people there. There could be any number of them that could identify him, but I don't know them.

Mr. LIEBELER. Can you think of anything about this subject that I haven't asked you about that you think I should have asked you about—anything you would like to add?

Mr. PRICE. No; a conversation I had with him about the telescope—I forgot that. I forgot to mention that—to Mr. Brown when he was out, and I don't know whether I mentioned that to the Secret Service agent or not. It will be in his report if I did.

Mr. LIEBELER. The conversation about the clarity of the scope?

Mr. PRICE. Yes. He wasn't—he didn't seem to be too talkative to anyone other than when he was talking about the telescope—he seemed rather proud of that.

Mr. LIEBELER. Did you ever see him talk to this big fellow other than talk to him about this telescope on this time you have told us about?

Mr. PRICE. Well, not that I particular remember.

Mr. LIEBELER. Did you form any impression as to whether they were together or not?

Mr. PRICE. No.

Mr. LIEBELER. You couldn't tell one way or the other?

Mr. PRICE. No; I didn't pay any attention to it. There was—I just thought of it—there was a doctor and his son there at the same time and they were firing a .308 caliber Winchester, I believe—it was either a Winchester or a Remington and anyhow, they had identical guns and they were sharpening up for, I believe, they said they were going to Canada and they were there at the same time.

Mr. LIEBELER. This was the Sunday, the last time you saw him?

Mr. PRICE. Yes.

Mr. LIEBELER. Do you know their names—do you know what their names are?

Mr. PRICE. No; I don't—I don't know their names—I have heard it but I don't remember it.

Mr. LIEBELER. Would you remember it if I mentioned it to you?

Mr. PRICE. Well, I might.

Mr. LIEBELER. Is the doctor's name—Dr. Wood?

Mr. PRICE. That don't sound like it—there was a doctor there and his son—I know they were father and son.

Mr. LIEBELER. About how old was the son?

Mr. PRICE. He was in his early twenties, I believe.

Mr. LIEBELER. And did they talk to this fellow about the telescope?

Mr. PRICE. I don't remember whether they had any conversation with him or not.

Mr. LIEBELER. What makes you mention that?

Mr. PRICE. It's just the fact that they were there at the same time and I know they were talking to Garland Slack and there is a possibility that they either observed or talked to Oswald, because he was sitting next to Slack.

Mr. LIEBELER. You have nothing else that you want to add—I don't think of any more questions. I want to thank you for coming down and cooperating with us to the extent that you have and it has been considerable cooperation because you got very short notice and you came very early this morning, and we appreciate this and we want you to know that the Commission appreciates this very much. Thank you.

Mr. PRICE. Well, I try to help all I can. I don't remember dates too well—it's been quite some time. I can remember faces but I can't remember names and dates worth a hoot.

Mr. LIEBELER. Well, we sure appreciate your coming down.

Mr. DAVIS. Thanks again—we appreciate your coming down.

Mr. PRICE. You bet.

TESTIMONY OF GARLAND GLENWILL SLACK

The testimony of Garland Glenwill Slack was taken at 8:30 a.m., on April 2, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. Would you stand up for just a moment, Mr. Slack. Will you raise your right hand. Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SLACK. I do.

Mr. LIEBELER. Please be seated, sir.

Mr. Slack, my name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy.

I have been authorized to take your testimony and the testimony of other

witnesses by the Commission pursuant to authority granted to the Commission by Executive Order No. 11130, dated November 29, 1963, and joint resolution of Congress No. 137. I want to give you a copy of the joint resolution and the Executive order and a copy of the rules of procedure adopted by the Commission governing the taking of testimony of witnesses.

Actually, Mr. Slack, you are entitled to 3 days' notice before you would be required to come and testify, and I realize we didn't give you that much notice but you are also entitled to waive the notice, and I assume that you will do so since you are here, and I assume that you are perfectly willing to go ahead, is that correct?

Mr. SLACK. Yes.

Mr. LIEBELER. I want to ask you today about the possibility that you saw Lee Harvey Oswald at the Sports Drome gun range sometime in the month of November 1963. Before we get into that, however, I would like you to state your full name for the record, if you would?

Mr. SLACK. Garland Glenwill Slack.

Mr. LIEBELER. Where do you work, sir?

Mr. SLACK. I work for myself. Heating contractors and real estate development.

Mr. LIEBELER. Where do you live?

Mr. SLACK. 3130 DeLee Street.

Mr. LIEBELER. How many people do you have working with you?

Mr. SLACK. Just my wife and I now. We are on a semiretired basis. We were in the water business and we sold out our water business to the city of Dallas in June, and we are on a semiretired basis.

Mr. LIEBELER. In June of 1963?

Mr. SLACK. That's right; this last year.

Mr. LIEBELER. How old are you, Mr. Slack?

Mr. SLACK. Fifty-nine. No; I am 58. I will be 59, the 9th of May.

Mr. LIEBELER. Are you married, Mr. Slack?

Mr. SLACK. Yes.

Mr. LIEBELER. Do you have any children?

Mr. SLACK. Two.

Mr. LIEBELER. They live here in Dallas?

Mr. SLACK. No. Johnny Glenwill is a mechanical engineer. He is working on a Government project in Richmond, Ind., and Marylyn Slack, she is the wife of an Air Force man, Vernon Stone, stationed at Burke Burnett. I have six grandkids. Our profession, we are in the real estate business. We just sell what we own. We own half a million dollars worth of property on the—on Military Parkway, and the heating business, we only do what people can force us to do, our old friends' jobs that we had put in 30 years ago. And we are on an area selling off all our land around us. We subdivide and sell off 10 or 12 lots, and when we get that finished, we subdivide another tract.

Mr. LIEBELER. Are you familiar with the Sports Drome gun range, Mr. Slack?

Mr. SLACK. Yes; quite familiar with it.

Mr. LIEBELER. Do you know the man who owns it or runs it?

Mr. SLACK. Yes; and I knew the man before he even took it over, the manager of the rifle range.

Mr. LIEBELER. You knew Mr. Davis before he took it over?

Mr. SLACK. Yes; he ran a ditching machine and dug water ditches for the water works. I didn't know that until after we got real well acquainted, and I knew I had seen him, but I never could figure out until "Doc" Carter and Charlie Brown, they knew my full name and found out where I worked and who I was, and I said I knew him but where, I didn't know.

Mr. LIEBELER. Were you out at the rifle range at any time in November of 1963?

Mr. SLACK. Yes; we were there the Saturday before Armistice Day. We marked it on our calendar. That was November the 9th. We were out there late in the evening and there were not very many people there, because we got there in the really closing time. But we didn't even shoot the rifle because they wanted the people to go home. But we went back Sunday for this turkey shoot.

Mr. LIEBELER. What was the date?

Mr. SLACK. Now that was the 10th.

Mr. LIEBELER. You went back to the rifle range the immediately following Sunday, is that right?

Mr. SLACK. That is right, the 10th. Oswald was there the 10th. He was there the 17th. The 10th was the turkey shoot. And I contacted him three or four times trying to get him to pay a dollar and get in the turkey shoot. Ten men were paying a dollar a shoot, and he commented he could win the turkey but he didn't have the dollar.

Mr. LIEBELER. This was on the 10th, is that right?

Mr. SLACK. But had no direct contact no more than asked him like the 10 other fellows I talked to. That was my impression of him.

The next, the 17th, is where he and I had the run in, where he shot my target. I paid two bits and put up a target, and before I got ready to shoot it there would be somebody shoot a hole in it. So Lucille, my wife, she was with me. She was keeping score. We got to noticing who it was, and maybe he would shoot anybody's target, and I raised the devil. I didn't see why I have to pay my two bits and pay for a new target sheet and I'm shooting No. 9, and the rifle range operator came and told him not to shoot my target after that, and that is how I remember the part in his hair and the look on his face.

And I told him, I said, "You are not going to win no turkey shooting rapid fire."

He shot rapid fire about three or four times, and they had a cap full of shells and they were shooting—I mean he was burning up the ammunition. And I talked about that going back to Snug Harbor, because somebody is going to get hurt, because everybody shooting everybody's target.

And there was a bunch of ruffians shooting pistols, and there was lots of people. And I remember when I told him that, he give me a look that I never would forget it. That is the only reason I remember him when they showed him on television. It made me sick and I tried to figure out. It took me a day to figure out where I had seen him.

I said, Lucille, we own the waterworks and we know a lot of men and do a lot of things. We have a fish hatchery and we contacted maybe five or six people we don't know every day, and I didn't sleep at night for 3 nights until I pinned down where we saw him.

And I went to the rifle range and these four or five other people knew he had been there, but they were afraid to say anything about it.

But when I asked the manager, I said, "Oswald was over here," and he said, "Yes, I know he was." And they were afraid it would hurt their business.

And I told Charlie Brown and Doc Carter where I saw the fellow, and I think it was; everyone doubts if they knew anything at all on him, so they met me over there and between the three, they admitted sure.

Mr. LIEBELER. Who is this Charlie Brown that you referred to?

Mr. SLACK. He is the FBI man. He and Doc Carter, they came out two different times and I talked to them.

Mr. LIEBELER. Carter is also an FBI agent?

Mr. SLACK. One was Secret Service and one was the FBI.

Mr. LIEBELER. You mentioned there were other people out at the range who saw Oswald. Do you remember their names?

Mr. SLACK. No, sir; because I was not taking their names. But I do know that they got the boy that worked on his rifle scope on Wednesday. That was in the middle of the week, between the 10th and the 17th. They got his deposition, because the boy, I know, put his scope on his rifle for him.

Mr. LIEBELER. Do you know the boy's name?

Mr. SLACK. No, sir; I don't know his name. Never tried to find out his name. I never talked about it, because Charlie Brown and Doc Carter asked me not to tell what I knew, and that is all. I had nothing to gain. In other words, they took it up, what they found, I never knew.

Mr. LIEBELER. When you mentioned this fellow that put the scope on the rifle, how do you know? Tell us what you know about that?

Mr. SLACK. Because I read it in the paper about a week afterwards.

Mr. LIEBELER. You have no direct knowledge yourself about the scope?

Mr. SLACK. No; there were so many different fellows working on the rifle range, there was possibly three or four boys who did it, and I never really connected which one it would be, because I wasn't doing any investigating anyway. See what I mean?

I felt like that knowing the guy and connecting it together, if I just kept my mouth shut and tried to just remember seeing the fellow, there was a lot of that done. It was done in our own family.

In other words, Vernon Stone was with me and Jimbo, he is 12 years old, the boy, and when it dawned on me where I saw him and I knew that I had my son-in-law take my gun, my custom-made gun out of Oswald's, take it out of his hand and put it in the car, because I was afraid he would steal it, and I told Vernon by long distance on the telephone, and Vernon did too, and well, he already had made up in his mind that he never had seen that fellow. He didn't remember anything, and Jimbo doesn't either. He didn't want to remember.

Mr. LIEBELER. What is the incident about the rifle? Did Oswald have your rifle at any time?

Mr. SLACK. He handled my rifle and he handled my targets, that was the 17th.

Mr. LIEBELER. Did you say anything to Oswald other than—

Mr. SLACK. The only time—I didn't specifically say to Oswald. I said to all the boys, to seven or eight shooters, about that rapid firing and about shooting other targets rather than the one they bought and paid for. If they were in chair 7, and there was a number down a 100 yards, No. 7, he was supposed to shoot No. 7.

Mr. LIEBELER. Other than that, you didn't say anything to him?

Mr. SLACK. That is all I said.

Mr. LIEBELER. Did you have a chance to see the rifle that he had?

Mr. SLACK. I absolutely saw the rifle.

Mr. LIEBELER. What kind of rifle was it?

Mr. SLACK. It was an Italian type rifle, but it never showed in the newspapers, a picture of that rifle.

In other words, if the first picture that came out of the officer holding the rifle, that was on the floor of the Book Depository, if that was the gun, I had never seen that gun before, and I know rifles and I know scopes.

Mr. LIEBELER. What was the difference between it and the rifle you saw?

Mr. SLACK. The one he had was a small three-quarters, about seven hundred fifty thousandths diameter tube, a small tube no bigger than your thumb, with the windage gage. They were practicing. It was a cheap scope. Well, \$5.66 scope. But it was sporterized. You cut the wood off of them. Short barrel.

Mr. LIEBELER. In other words, this rifle that Oswald had was a sporterized rifle? It had been rebuilt?

Mr. SLACK. Just as advertised. I have seen besides the Oswald, I have friends that have those rifles. I wouldn't shoot a toad frog with one of them, because I know that they are just junk.

In other words, you take that rifle as it was manufactured, and you cut the barrel off 8 inches, and you take all the wood off the top of the barrel and cut this off here, and varnish it, and have it blued, and it makes a pretty little gun. It was one that he had wrapped up and handed over the fence, but they had two other guns that type. They had no scopes on them.

Mr. LIEBELER. Was there somebody else?

Mr. SLACK. That Sunday there sure was. The tall boy had the biggest feet of any kid I ever saw, and about the time he would go to shoot, he would kick with his feet, and I said if my feet was that big I would bump somebody too.

He was the boy that drove him to that rifle range the 17th. They found the boy. He had no connection with him except he had driven him there.

Mr. LIEBELER. How do you know they found him?

Mr. SLACK. I read it in the paper. I don't know what his name was. Don't know where they found him, but they found him, and he had no connection with him, no more than I had. He just probably begged a ride and he took him to the rifle range, but they had three guns.

Lucille remembers the boy handing the guns over the fence, and they were throwing the guns in the back of the old model car and taking off like they did.

And I recognized that because a gun, a good gun, you are not supposed—

they just threw those old guns in that car, or they took two of them. Of course, one was wrapped up in a blanket, a dirty looking old grey blanket that had a red trim, I remember. I remember that, because we found an old blanket at our house and I told Lucille I was trying to think, I knew it was something common, this good gun, it was wrapped up and tied up.

The sporterized Italian gun was tied up and he handed it over the fence nicely. And he had a grey and red maroon, looked slick as satin, and I remember it well, what a gun case—you see everything at a shooting place—some bring a rifle in a tote sack and—for a gun case.

The other thing I remember about that blanket he had wrapped around his gun, it was tied up with a rag string that was torn about an inch and a half wide out of a filling station type wipe cloth, a ribbon, pink, and he had torn it up and—to use as a rag string.

Mr. LIEBELER. Do you remember what kind of car these fellows drove?

Mr. SLACK. No; I couldn't remember it, and Lucille couldn't except it was an older model car.

Mr. LIEBELER. Was it a sedan?

Mr. SLACK. A four-door sedan, and it was a dark color, and he left there like a crazy bunch of hoodlums. And Lucille would remember that because she made a remark to me. You know how boys take off and make the dust fly.

Well we had—in other words, without having some reason, you wouldn't notice what kind of car it was.

Mr. LIEBELER. I want to show you a picture of a rifle. Two pictures that have previously been marked as Exhibits 3 and 4, on the deposition of Mr. Greener, and ask you if that looks like the rifle they had at the rifle range?

Mr. SLACK. I don't remember a carrying strap on it, this rifle here. Of course, that is something you use to carry the gun, if you take it. That could be it, that is right, with the sling off. When I saw the gun the sling was not on it.

I don't think it had the wood up above the barrel, because when it is sporterized, as I remember, the whole barrel is painted blue.

Mr. LIEBELER. So there was not as much wood to the front of the rifle on the one you saw at the range, is that right?

Mr. SLACK. That's right.

Mr. LIEBELER. What about the scope? Was it the same kind of scope?

Mr. SLACK. I can say no. Pictures do something to you, but that scope seems like it is a 1-inch, that scope, according to the size of the gun and proportions of sizes. This is the same gun upside down, the other side.

Mr. LIEBELER. Well, you are pretty clear this isn't the rifle because of the wood that protrudes?

Mr. SLACK. This rifle had the barrel cut off. I know this rifle right here. This is proportionately, Mr. Liebeler—

Mr. LIEBELER. Pardon?

Mr. SLACK. No; the sight is, the open sight is out on it since it has been cut off.

Mr. LIEBELER. The one that you saw at the rifle range had been cut off, is that correct?

Mr. SLACK. It had been cut off, and I will swear it had been reblued, and it did not have the front ramp sight of that rifle.

Mr. LIEBELER. So that the rifle you saw at the rifle range is not the same rifle as the picture I have just shown you, is that right?

Mr. SLACK. Now they had two other rifles that would fit that. They were not sporterized.

Mr. LIEBELER. But they didn't have scopes on them?

Mr. SLACK. They didn't have scopes on them.

Mr. LIEBELER. But you remember that the rifle you saw at the range did have the barrel cut off and didn't have the sight on the front so it couldn't have been this rifle?

Mr. SLACK. I would say that. I would say that is not it, because the sporterized rifle, the shiny new one, I don't think it had the metal binding on it. The top wood, so this holds the top wood. Now, that is the type of rifle, see

what I mean. But I really notice things about rifles like a jewelry man or a lady would about the setting of a ring. I wouldn't know—but I know rifles.

Mr. LIEBELER. But this was the same general type of rifle as the one you saw that had been sporterized and had the wood cut off?

Mr. SLACK. This is a magazine. You recognize one of them a mile off.

Mr. LIEBELER. Let me show you some pictures of a man or some men that have been previously marked Commission Exhibits 451 and 453 through 456. I want to ask you if this looks like either one of the men that you saw at the rifle range on the 17th of November?

Mr. SLACK. The jacket was the first thing I remembered. When they described the jacket in the paper before I even looked at the fellow, because the man pulled a jacket off and put it on top of a load of sand you used it for a pad to shoot from—

Mr. LIEBELER. Is that the guy you saw? Does anyone in those pictures look like him?

Mr. SLACK. Those heavy eyebrows and that part in the hair, but apparently he had more hair. Maybe he got a haircut afterwards.

Mr. LIEBELER. Who had more hair, the fellow?

Mr. SLACK. The picture. The man I saw in this picture right here.

Mr. LIEBELER. The man you saw had more hair?

Mr. SLACK. Yes; he sure did.

Mr. LIEBELER. Do you think that any of these pictures are a picture of the man that you saw at the rifle range that day?

Mr. SLACK. The difference in position he was in and everything, that looked like him, but he wasn't that sleepy-eyed. He was a cocky guy.

Mr. LIEBELER. Referring to Exhibit 453?

Mr. SLACK. When he looked at me. I don't see how in the world he could ever get a pleasant look on his face like this picture here. Probably he could, but—

Mr. LIEBELER. You think that the picture 456 looks a little more pleasant than the fellow you remember seeing at the rifle range, is that right?

Mr. SLACK. He sure does.

Mr. LIEBELER. Let me show you another picture, Mr. Slack, that has been previously marked as Pizzo's 453-C, and ask you if that looks like the fellow you saw at the rifle range?

Mr. SLACK. That is him. I would know that baby face and that chin, and he had a—I remember people, but no names.

Mr. LIEBELER. What about the hair?

Mr. SLACK. That is the man I saw at the rifle range.

Mr. LIEBELER. You are sure about that?

Mr. SLACK. I know it is. In other words, just like if I saw you tomorrow. Because his eyes were deep like a man that was, that wears highly magnified glasses and then doesn't have his glasses on. And he had that deep—that is the man we saw out there. That is the man. And I would remember him 20 years from now, just over that one incident.

Mr. LIEBELER. Have you seen that guy's picture in the paper?

Mr. SLACK. But he don't have a good—he didn't have a very good likeness of him, like the paper pictures. That was him as I saw him at the rifle range, and as I saw him 1 second before. No, one-tenth of a second before he was shot. That is the time.

Mr. LIEBELER. You mean on television?

Mr. SLACK. On television. And I saw when they were transferring him even before that. And I told Lucille, I told my wife, wait a minute, I've got to see the side of his face.

Mr. LIEBELER. Could you recognize the side of his face?

Mr. SLACK. But not positive enough until I got to see him at the time he was shot. You see, you read the papers and you get to where you imagine things and you find yourself imagining that you saw somebody, and I never had anything that made me as sick for 3 days. Absolutely made me sick of stretching my brain of trying to figure out what contact we had had with the guy.

Mr. LIEBELER. Here is another picture. Take a look at that and see if you can recognize anybody in that picture?

Mr. SLACK. The fifth fellow from the left, because I saw the side of his face quite a bit at the rifle range. He has rather a long nose and long chin and a high forehead. In other words, that was the thing about the man that I would remember.

Mr. LIEBELER. Here is another picture. It is the same picture that I just showed you except that it has a green line over the fellow that you have indicated, does it not?

Mr. SLACK. Well, it is like this picture. Those are the front, no, he doesn't have a part. He didn't have that hair. I would remember his hair. And he had the hair that grew down his neck, all the way down into his jacket.

Mr. LIEBELER. You say this fellow here in the picture, the fifth fellow from the left is not the person?

Mr. SLACK. That is the fellow. As I remember, this is the fellow that is under the green mark. But seemed like he had more hair. You see, I shot in one chair. I looked at the side of that fellow quite a bit.

Mr. LIEBELER. You think the fellow you saw at the rifle range had more hair than the fellow with the green mark?

Mr. SLACK. Yes; of course, the wind blew and he was bareheaded. I guess he had a haircut in this picture here. He had quite a bit of hair on his back and on his neck like me. I need a haircut. But I remember, because on the television the hair was also down on his neck. Even more so than he shows in the picture there. Probably taken at different times and under different conditions. Just like this picture here, he is a pleasant looking fellow.

Mr. LIEBELER. This fellow looks more pleasant than the guy you saw?

Mr. SLACK. Yes; of course, at times, a fellow can be sorry on the world and still there would be a little fun come into him sometime. And he had big ears. His ears stood out, what I mean.

Mr. LIEBELER. The picture that you are looking at is 453-B, Pizzo's exhibit, that we have been referring to. I don't think I have any more questions, Mr. Slack. I want to thank you very much for coming in and cooperating with us the way you have. I know we gave you very little time and we appreciate it very much.

Mr. SLACK. We had already forgotten everything about it, and we figured it was, well, it was just some unpleasant memory, and it couldn't have shocked me. Now this newspaper, Gruber, was a press, a Washington pressman, was he some of your bunch?

Mr. LIEBELER. What was his name?

Mr. SLACK. Gruber.

Mr. LIEBELER. What about him?

Mr. SLACK. He is the fellow that came to see me about 3 weeks ago. He called me three or four times and give me a lot of trouble, and I give him to understand that I didn't want to talk with him, because the newspaper had, I thought, made too big a show out of it.

And they used my name and used my address. They didn't put my picture, with the assassination, or the picture, but I expected it any time to come out, but I have a good friend with the Times Herald, Mr. Albert Jackson, and I called Albert and I told him not to send his men because I was not talking to the newspaper. My phone was tapped and they came out the next day and everything that I told Albert, the newspaperman, and I told him that, because I didn't want it to get in the paper. He never put it in their paper. My own friend never got anything, but the news, they got it all.

Mr. LIEBELER. What made you think your telephone was tapped?

Mr. SLACK. I think it was because they had things in the paper.

Mr. LIEBELER. Who do you think tapped it, the newspaper people?

Mr. SLACK. The FBI and the Secret Service, they didn't tap it. They don't do things like that.

Mr. LIEBELER. The Secret Service doesn't?

Mr. SLACK. No.

Mr. LIEBELER. What about the FBI?

Mr. SLACK. They said they did not, and I blamed it on the newspaper. And they came and made a television picture of me and gave me an interview. And I wanted to know what identification they had and who they were with, and

they fooled around and made about a 3-minute conversation and they never did show it, but it never was shown anyplace. Just newshounds. And they put up a big front that it was the Warren Commission.

Mr. LIEBELER. Who were they?

Mr. SLACK. The television guys from Fort Worth, and they were in such a big hurry to leave, they just took my picture and took off. They had 15 minutes to get to Fort Worth, and I never heard any more of it at all.

Mr. LIEBELER. I don't think they had anything to do with the Warren Commission.

TESTIMONY OF DR. HOMER WOOD

The testimony of Dr. Homer Wood was taken at 3 p.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. Dr. Wood, would you please rise and raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Dr. WOOD. I do.

Mr. LIEBELER. Please be seated. My name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy.

I have been authorized to take your testimony by the Commission pursuant to authority granted to it by Executive Order No. 11130, dated November 29, 1963, and joint resolution of Congress No. 137. I understand that Mr. Rankin wrote to you last week. Did you get a letter from him?

Dr. WOOD. We each had an airmail letter from Washington, yes.

Mr. LIEBELER. I understand that Mr. Rankin included a copy of the Executive Order to which I have first referred as well as a copy of the joint resolution of Congress and the rules of procedure relating to the taking of testimony by the Commission, is that correct?

Dr. WOOD. That is correct.

Mr. LIEBELER. We want to question you about the possibility that Lee Harvey Oswald was at the Sports Drome Rifle Range at 8000 West Davis Street in Dallas, Tex., sometime during November 1963—before going into the details of that particular incident, please state your full name for the record.

Dr. WOOD. Homer Wood.

Mr. LIEBELER. You are a dentist, is that correct?

Dr. WOOD. That is correct.

Mr. LIEBELER. Would you state briefly for us your educational background.

Dr. WOOD. Well, I had 2 years of pre dental at Southern Methodist University and 4 years at Baylor University College of Dentistry, Dallas, Tex.

Mr. LIEBELER. Are you a native Texan?

Dr. WOOD. I am a native Texan, yes.

Mr. LIEBELER. Born here in Dallas?

Dr. WOOD. Born in Besse May, Tex. It is a dead town now.

Mr. LIEBELER. When were you born?

Dr. WOOD. July 4, 1910.

Mr. LIEBELER. How long have you been practicing dentistry?

Dr. WOOD. Since 1938.

Mr. LIEBELER. The Commission is advised that sometime during November of 1963, you and your son, whose name I understand is Sterling Charles Wood, went to the Sports Drome Rifle Range, is that correct?

Dr. WOOD. That is correct. If I recall correctly, it was on November 16. That was a Saturday afternoon.

Mr. LIEBELER. Are you clear in your own mind that it was a Saturday that you went to the range?

Dr. WOOD. Yes.

Mr. LIEBELER. Was that the only time that you went to the rifle range during November?

Dr. WOOD. That is correct.

Mr. LIEBELER. What time of day did you go out there?

Dr. WOOD. I was listening to the Southwest Conference football game. My boy kept asking me to "Hurry, daddy, I want to go to try my scope out on my gun," and I listened to half of the game. I presume when we got out there it was around 3 o'clock in the afternoon. At the rifle range, I am not definite, but it was between 3 and 5. We left before 5.

Mr. LIEBELER. Left the range before 5?

Dr. WOOD. Yes, sir.

Mr. LIEBELER. Did you get an opportunity to finish listening to the game?

Dr. WOOD. No; we didn't hear any more of the game.

Mr. LIEBELER. Tell us what happened after you arrived at the range?

Dr. WOOD. Well, the range was pretty busy because it was just before deer season and most of the fellows out there was sighting in their scope, and we waited a short while to get a place for my boy to sit down to sight in his scope. Then when he did—now do you want me to start here with Oswald?

Mr. LIEBELER. I want you tell me just what happened.

Dr. WOOD. Okay. My boy was shooting his rifle, and there was a fellow sitting to his right. I thought it was an offbrand gun. It wasn't shooting like the other rifles there. When he would fire the rifle, at the end of the barrel there would be a ball of fire coming out at the end of the barrel, and that is what attracted my attention to this fellow.

When I said to my son, I said, "Son, be careful, I am afraid that gun is going to blow up." And I was kind of laughing and joking around with the other fellow that was waiting in—waiting to sight in their scope and I would hand him cotton and I would say, "Get ready, this fellow is getting ready to shoot this 105 howitzer." And I said to my son, step back, or lean over, or be careful, and he said, "Daddy, that is all right, it is an Italian carbine."

So they fired several rounds, and after they would fire three or four rounds, then the keeper out there would say let's go look at our targets, and we would go down and I would look at my boy's target and he wasn't doing so good, but the second round we went down there and we noticed this fellow's target to our right, and my boy made a statement, "Daddy, this fellow is not having much trouble." So I did notice his target, and most of his shots was within the target, but there were a few that was outside the target, from an inch to 2 inches outside of it.

Mr. LIEBELER. Outside the bulls-eye?

Dr. WOOD. Bulls-eye. And that is as far as—do you want me to get into the Oswald deal now, or you just want me to go on and tell what he did, or are you going to ask me some questions?

Mr. LIEBELER. I want to ask you first of all, did you talk to this fellow at all?

Dr. WOOD. I didn't say a word to him, but my son did.

Mr. LIEBELER. Did your son tell you at that time what he had said to the fellow?

Dr. WOOD. He didn't tell me at that time, no, sir. He told me later on.

Mr. LIEBELER. He told you after the assassination, is that correct?

Dr. WOOD. Yes; after the assassination he told me that. Yes, sir; that is true.

Mr. LIEBELER. He told you what he said to the fellow after the assassination. Now you mentioned previously that when you warned your son to be careful of that rifle because of your fear that it would blow up and that your son had told you, don't worry, it is an Italian carbine, is that correct?

Dr. WOOD. Well—

Mr. LIEBELER. And that is substantially what he had mentioned to you at the range, that it was Italian?

Dr. WOOD. Yes.

Mr. LIEBELER. Do you know whether or not your son spoke to this man before he told you it was an Italian carbine, or not?

Dr. WOOD. I feel sure he did not speak to the man before.

Mr. LIEBELER. Your son's statement was based only on his observation of the rifle, is that correct?

Dr. WOOD. On his observation of the rifle and what he knows about guns, which is quite a bit. He studies about guns a lot.

Mr. LIEBELER. Do you think your son would be qualified to make a statement in this regard?

Dr. WOOD. I feel sure more so than I am. I know very little about guns, but he knows quite a bit.

Mr. LIEBELER. Did you observe this fellow leave the rifle range before you?

Dr. WOOD. I did not, but I didn't notice when the change was made, but my son said he did. He noticed that the fellow came there after my boy had sat down and this fellow had left before my boy had finished. The reason for that was, that my boy was having some trouble sighting in his scope, and he asked the keeper to help him. This fellow was there less than most of the fellows that was out there.

Mr. LIEBELER. Do you remember the name of the keeper?

Dr. WOOD. I do not. He was a tall fellow; all I know.

Mr. LIEBELER. Slender?

Dr. WOOD. Slender, yes.

Mr. LIEBELER. Do you know Mr. Floyd Davis?

Dr. WOOD. No, sir; he might have been the fellow that was helping my son, I don't know. But I recognized his picture later in the paper when it came out, and—that this fellow was there practicing, and I recognized the fellow as the fellow that helped my son.

Mr. LIEBELER. Helped your son sight in his scope?

Dr. WOOD. Helped my son sight in his scope, and I don't know who owned the range. I have no idea.

Mr. LIEBELER. Did there come a time subsequent to that that you were able to identify this man that you had seen there as Lee Harvey Oswald?

Dr. WOOD. Would you repeat that?

Mr. LIEBELER. After you saw this man, you left the rifle range. Then later on the next Friday the President was assassinated, and at sometime subsequent to that time, did you connect up Lee Harvey Oswald with this man that you saw at the rifle range?

Dr. WOOD. I did.

Mr. LIEBELER. Tell me when and how you did that?

Dr. WOOD. I saw him flashed on the television screen at home several times. They would interrogate him and bring him down the hall and bring him back to his cell. This particular time I mentioned to my wife, I said to her, "Honey, that looks exactly like the fellow that was sitting next to Sterling at the rifle range. But I am not going to say anything to Sterling because I want to see if he recognizes him and if he thinks it was."

Well, I would say within 30 minutes or an hour he was flashed back on the screen and he said to me, "Daddy, that is the fellow that was sitting next to me out on the rifle range."

Mr. LIEBELER. So that you, independently of your son, first noticed the resemblance between Oswald—

Dr. WOOD. And mentioned it to my wife.

Mr. LIEBELER. And Sterling was not in your presence at that time?

Dr. WOOD. No, sir; he was not in the room.

Mr. LIEBELER. Then later he came into the room, saw Oswald's picture on the television, and said to you that that was the guy that was out at the rifle range that previous Saturday, is that correct?

Dr. WOOD. Yes.

Mr. LIEBELER. You did not mention to Sterling in any way the resemblance between Oswald and the fellow at the rifle range prior to the time he mentioned it himself?

Dr. WOOD. No. They mentioned on the newscast that he was an ex-Marine. Well, I figured an ex-Marine would be a husky sort of fellow, and I kept watching him, and he didn't look like a Marine to me. But he was a Marine but he didn't seem to me to have the build.

He looked to me as a fairly frail man, not too strong, and that is the reason I wasn't thinking too much about it until he was flashed on the screen and then his profile just came to me that that was the man that was out at the rifle range.

Mr. LIEBELER. What did you do then after you had had this conversation and Sterling's observation?

Dr. WOOD. I said I think I should report that to either the Dallas police or FBI.

Mr. LIEBELER. Did you do so?

Dr. WOOD. I did not until the following Monday. On Sunday, the next morning—this was Saturday night—on Sunday morning we went to church and my wife said after church, let's go down and look at the place where the President was assassinated. We haven't been down, so we went down there and we looked over the area and we walked back to our car, and I would say it was between 12 and 1 o'clock, and I turned on the radio in the car and it said Oswald had been shot.

So I said to my wife, well, I don't know whether it will do any good now to turn it in or not, and I didn't turn it in. But later on, on Monday I had a fellow in my office who works for the State comptroller's office and told him about this incident and he said, "Dr. Wood, I certainly would turn it in. Any thing that you could do will help."

So after he left the office, I called the FBI and told them I thought I had some information that might be of importance to them concerning the Oswald case, and they talked to me, and this was on Monday. And I told them I was leaving town. I think I told them, I am not positive, but we went out, me and my wife and son went out to Uvalde deer hunting, and while we were out there—this was on, we went out Tuesday, and we were there Wednesday night, and Will Fritz of the Dallas police force called me and questioned me about my son and me and were we sure, and I said we were fairly sure that it was, and he wanted to know when we were coming back, and I said that me and my wife were thinking about going to Mexico so it will be Sunday before we return. And he said, when you return would you please call me.

Well, that was on the following Monday, and I called Will Fritz and he had two men from homicide come out and talk to me. And on my lunch hour, two FBI agents came out and talked with me.

Mr. LIEBELER. Was this on Monday, too?

Dr. WOOD. It was on Monday. I believe. I am fairly sure it was on Monday because I called as soon as I came back, and I recall that when I called, there was the homicide, two officers from Will Fritz' office came, and as well as I remember, they called my office girl, the FBI called my office girl and asked could they come out to see me, and they came out around my lunch hour, and I talked to the FBI at that time.

Mr. LIEBELER. Do you remember the names of the agents that spoke to you?

Dr. WOOD. I don't remember the agents, sure don't.

Mr. LIEBELER. Did you observe the rifle that this fellow was firing closely enough so that you could be able to identify it?

Dr. WOOD. I don't think I could identify it.

Mr. LIEBELER. Did the FBI or the Dallas police show you any pictures of Oswald when they interviewed you?

Dr. WOOD. Both the Dallas police and the FBI, I think, showed me the same photograph that each showed me as they came out.

Mr. LIEBELER. And you identified that man in that photograph as the fellow you had seen at the rifle range?

Dr. WOOD. I put it in this category that I couldn't be absolutely positive, but in my mind I was positive that it was Oswald that I saw out at the rifle range.

Mr. LIEBELER. They showed pictures also to your son, did they not?

Dr. WOOD. He said they did; yes, sir.

Mr. LIEBELER. You weren't there when they did?

Dr. WOOD. They interviewed my son at school. The Secret Service came out to his school, I think, a couple of times to see him, and an officer from Will Fritz' office came out once or twice to school to see him, and the FBI

came out, I think, at the house on two occasions just before I got off from the office, and I never was there when my son saw either of them.

Mr. LIEBELER. Do you know that the FBI subsequently showed your son a picture of the rifle used to assassinate the President?

Dr. WOOD. I knew this.

Mr. LIEBELER. Were you aware of the fact that your son indicated that the picture that the FBI showed them was not the same rifle that was in possession of this man at the rifle range?

Dr. WOOD. I am not aware of that. I am aware of the fact that he—he thinks he said that the rifle they first showed him was the rifle, but the scope was not the same scope that he showed them. I think that is what my boy said. I don't know for sure whether they showed him two different pictures or not, but one time they came out, the FBI come and stayed a very short while and said is this the scope. That is the way I understood my wife to say, and my boy said no, that is not the scope.

Mr. LIEBELER. I want to show you some pictures that have previously been marked as Commission Exhibits 451 and 453 through 456, and ask you if any of the pictures I show you resemble the men who you saw at the rifle range?

Dr. WOOD. I pick out someone nearest resembling—is that what you are asking me? Or is the likeness of either of these to him?

Mr. LIEBELER. Yes, is this the fellow you saw at the rifle range, do you think? Are any of these pictures of the man you saw at the rifle range?

Dr. WOOD. May I ask this, that the profile that I got of the man, as I told the FBI, was not a profile like this. It was a lateral side profile, because I was facing in this angle, and I said I could only describe him from a lateral view and from the shoulder up, even though I walked down to the rifle range to the target with him. I did not pay a bit of attention to him.

Mr. LIEBELER. So would the picture here, Commission Exhibit 454, be a lateral view of the type you describe.

Dr. WOOD. No, sir.

Mr. LIEBELER. That is too much from the front?

Dr. WOOD. Well, now, that is a right lateral view. I assume his was a left lateral view. But still I would say that wasn't.

Mr. LIEBELER. You would say what?

Dr. WOOD. That was not the man that I saw.

Mr. LIEBELER. That was not the man you saw?

Dr. WOOD. Yes, sir.

Mr. LIEBELER. I show you a photograph that has been previously marked as Pizzo Exhibit 453-A and ask you if you recognize any of the individuals in that photograph as the man you saw in the rifle range?

Dr. WOOD. Yes. The man holding the paper facing me with a green mark above his head.

Mr. LIEBELER. With the green mark, with two marks above him? There are two different marks and you indicated the—

Dr. WOOD. The green marking above this fellow right here [pointing].

Mr. LIEBELER. That has an "X"-shaped mark.

Dr. WOOD. Yes, sir.

Mr. LIEBELER. I show you another picture which has been marked Pizzo Exhibit 453-B, and ask you if any of the individuals there appear to be the same as the man you saw at the rifle range?

Dr. WOOD. Yes. The man with one green marking above the top of his head is—I would identify as the man.

Mr. LIEBELER. I show you another picture that has been marked as Pizzo Exhibit 453-C, and ask you if you recognize that individual as the man you saw at the rifle range?

Dr. WOOD. I do.

Mr. LIEBELER. Do you have any doubt about it?

Dr. WOOD. In my mind there is no doubt. If I just had to swear on a Bible, I couldn't, but in my mind, it is him.

Mr. LIEBELER. Well, of course, you realize that you are testifying under oath.

Dr. WOOD. I know he is a dead man and all that, but I must say in my own mind it is him, I am positive.

Mr. LIEBELER. Now I show you two pictures which have been marked Exhibits 3 and 4, on the deposition of Mr. Greener, and ask you if you recognize either of those pictures as the rifle in the possession of the man at the range?

Dr. WOOD. I didn't observe the rifle close enough to say either one of these was or wasn't. I only observed the way the rifle was fired, so I couldn't identify either one as being the rifle that assassinated, or the man that was shooting out at the rifle range.

Mr. LIEBELER. You are unable to identify that as being the rifle either one way or the other?

Dr. WOOD. Yes.

Mr. LIEBELER. Do you know of anybody else that was at the range when you observed this fellow who also observed him?

Dr. WOOD. Yes. I told the FBI of Kenney Longley. Dr. Longley's son, a dental surgeon, a friend of mine, was talking to me at the time they were shooting. He was getting ready to take over one of the booths, and I understand that later the FBI went out to interview him.

And he had two friends with him. They interviewed them too, but I have forgotten their names.

Mr. LIEBELER. Did they observe this individual also?

Dr. WOOD. Other than what I have said, the conversation that I was concerned about, and I handed them each cotton to put in their ears when he fired this rifle, and I don't know how much observation they made of the man.

Mr. LIEBELER. Have you discussed with them the question of whether or not this man was Lee Harvey Oswald?

Dr. WOOD. I haven't seen—I will retract that statement. I had seen Dr. Longley's son. He had a front tooth knocked out and Dr. Longley brought him over to my office, but nothing was mentioned about Oswald or this man at the rifle range.

Mr. LIEBELER. Longley and those two friends are the only two men that you know of that were also at the range at that time?

Dr. WOOD. The only people I know. I couldn't identify another soul that was out there.

Mr. LIEBELER. You haven't discussed this either with Longley or his two friends?

Dr. WOOD. No, sir.

Mr. LIEBELER. I don't think I have any more questions at this point. If you can think of anything else that you think ought to be on the record about this matter, I want you to feel free to go right ahead and say it. We want to get everything that you know about this.

Dr. WOOD. You mean help you out in the case or any feelings in the case?

Mr. LIEBELER. No; on the question of whether this was Oswald out there at the rifle range, or anything else, if you know any other facts about the case, we want to know those, too.

Dr. WOOD. I have elaborated pretty much to you about what I saw. I was a great admirer of the President and I felt that if there was anything I could do to help clarify or clear up the case, I was willing to do it, and that is why I reported.

Mr. LIEBELER. On behalf of the Commission I want to thank you very much for the cooperation you have shown us, Dr. Wood.

Thank you, sir.

TESTIMONY OF STERLING CHARLES WOOD

The testimony of Sterling Charles Wood was taken at 3:20 p.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. Would you stand up, Sterling, and raise your right hand? Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WOOD. I do.

Mr. LIEBELER. Please sit down. Sterling, my name is Wesley J. Liebeler.

Mr. WOOD. Glad to meet you.

Mr. LIEBELER. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy. I have been authorized to take testimony from witnesses such as you by the Commission, pursuant to provisions of Executive Order 11130, dated November 29, 1963, and joint resolution of Congress No. 137.

I believe that Mr. Rankin sent a letter to you and to your father last week, and that he enclosed copies of those two documents along with a copy of the rules governing the taking of testimony by the Commission or staff members. Do you remember getting that letter?

Mr. WOOD. Yes, sir; but I didn't read those rules.

Mr. LIEBELER. That is all right. Your father got them and you have them still in your possession?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Would you state your name for the record?

Mr. WOOD. Sterling Charles Wood.

Mr. LIEBELER. How old are you?

Mr. WOOD. Thirteen.

Mr. LIEBELER. Do you go to school?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Where do you go to school?

Mr. WOOD. Boude Storey Junior High.

Mr. LIEBELER. Where do you live?

Mr. WOOD. 1326 Alaska Street.

Mr. LIEBELER. The Commission has been advised that you and your father went out to the Sports Drome Gun Range on West Davis at about 8000 West Davis sometime in November, is that correct?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Can you tell us the date that you went out there?

Mr. WOOD. It was the Saturday before. It was 6 days before the President was killed. It was a Saturday.

Mr. LIEBELER. The Saturday before he was assassinated?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Who all went out to the range, just you and your father?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Can you tell me about what time you got out there?

Mr. WOOD. I would say it was about 1:30, right after my daddy was off from work.

Mr. LIEBELER. How long did you stay out there?

Mr. WOOD. About an hour.

Mr. LIEBELER. You went out there to sight your rifle in for deer hunting?

Mr. WOOD. Yes.

Mr. LIEBELER. Did you go deer hunting?

Mr. WOOD. Yes.

Mr. LIEBELER. Did you get a deer?

Mr. WOOD. No, sir; saw one.

Mr. LIEBELER. Did you get a shot at it?

Mr. WOOD. Yes; I think I hit him and he jumped the fence.

Mr. LIEBELER. Now I understand that you and your father saw a man out there firing in the booth next to you?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Can you tell us what happened right there at the rifle range that day?

Mr. WOOD. Yes, sir; I came out there. I had been shooting for about 10 or 15 minutes and he came up next to me and started shooting, and he only shot about 8 or 10 times and I noticed every time he got through shooting he would take the breech and open it up and put the shell in his pocket. We went down

to check our target and I remembered that his was almost always in the bull's-eye. And as we came back to shoot again, I talked to him and I said, "Sir, is that a 6.5 Italian carbine?" And he said, "Yes, sir."

Mr. LIEBELER. Why did you ask him that question?

Mr. WOOD. Because I read gun books and I was pretty sure that was a 6.5 Italian carbine and I wanted to make sure.

Mr. LIEBELER. Have you told your father about this, that that was an Italian carbine?

Mr. WOOD. Yes.

Mr. LIEBELER. How did you express it?

Mr. WOOD. I said, "Daddy, it looks like a 6.5 Italian carbine," and I asked him if it was a four-power scope, because it was funny looking, it wasn't American, and he said, "Yes, it was."

Mr. LIEBELER. Had you talked to your father about this fellow or this rifle before you talked to this guy?

Mr. WOOD. I think I said that it looked like an Italian make gun, to me.

Mr. LIEBELER. You said that to your father?

Mr. WOOD. Yes.

Mr. LIEBELER. Can you remember why you mentioned that particular gun to your father?

Mr. WOOD. Well, call it an Army rifle.

Mr. LIEBELER. How could you tell that?

Mr. WOOD. Well, you can tell it had been scratched up and it was a surplus gun. It was probably—you can tell it was probably used in the war.

Mr. LIEBELER. Was there anything else peculiar about this rifle that made you mention it to your father?

Mr. WOOD. It had a sawed-off barrel, shorter barrel than most rifles were.

Mr. LIEBELER. How long did the barrel of the rifle stick out?

Mr. WOOD. About that far out of the stock.

Mr. LIEBELER. Would you say that was about 3 or 4 inches?

Mr. WOOD. Yes.

Mr. LIEBELER. You say that the barrel was sawed off?

Mr. WOOD. You could tell it was shorter than most military rifles, and every-time he shot, a spit of fire would come out and I could feel the heat when he shot every time.

Mr. LIEBELER. What kind of a rifle do you have, Sterling?

Mr. WOOD. Winchester 30-30.

Mr. LIEBELER. Do you know about how long it is?

Mr. WOOD. No, sir; I wouldn't have any idea. It is a shorter rifle than most of them, which is 30-30.

Mr. LIEBELER. Do you know how long a yardstick is? Can you visualize that in your mind?

Mr. WOOD. Yes.

Mr. LIEBELER. Is your rifle longer or shorter than a yardstick?

Mr. WOOD. It is about, I would say it was shorter than a yardstick, yes.

Mr. LIEBELER. What about the rifle that this fellow had, was it longer or shorter?

Mr. WOOD. Longer than a yard stick, because it is—a Winchester is a small gun to start off with, and a military rifle is a pretty long rifle.

Mr. LIEBELER. This one, even though the barrel was sawed-off, you think it was still longer than a yardstick?

Mr. WOOD. Yes.

Mr. LIEBELER. Could you guess about how much longer than a yardstick it would be?

Mr. WOOD. No, sir; it wasn't too much bigger than a yardstick.

Mr. LIEBELER. Did you talk to this fellow any more than just ask him what you have already told us?

Mr. WOOD. No, sir.

Mr. LIEBELER. And he said only two words to you?

Mr. WOOD. Yes.

Mr. LIEBELER. Did he leave the range before you or after?

Mr. WOOD. Before I did.

Mr. LIEBELER. Did you see him go?
Mr. WOOD. Yes.
Mr. LIEBELER. How did he go?
Mr. WOOD. He left with a man in a newer model car.
Mr. LIEBELER. Did you see the model?
Mr. WOOD. No, I didn't. They went into the parking lot. They went around and I heard the car door slam and they took off, but it was a newer model.
Mr. LIEBELER. What kind of car?
Mr. WOOD. It was a Ford, if I remember.
Mr. LIEBELER. About what year would you say?
Mr. WOOD. I don't remember. I just knew it was a newer model car.
Mr. LIEBELER. Was it a convertible or station wagon?
Mr. WOOD. It was a hardtop.
Mr. LIEBELER. A hardtop?
Mr. WOOD. Yes.
Mr. LIEBELER. About this other fellow that this guy was with, was he a big man or just—
Mr. WOOD. About the same size this man was.
Mr. LIEBELER. How tall would you say this man was?
Mr. WOOD. Oh, about 5'9".
Mr. LIEBELER. About 5'9"?'
Mr. WOOD. Yes.
Mr. LIEBELER. Now the FBI talked to you about this once before or a couple of times, didn't they?
Mr. WOOD. Yes.
Mr. LIEBELER. Did the FBI ask you now how this fellow left the range?
Mr. WOOD. What do you mean by that?
Mr. LIEBELER. Did he ask you, did he go and get in a car or did he leave with somebody else?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. Do you remember them asking you this?
Mr. WOOD. Yes.
Mr. LIEBELER. Do you remember what you told him?
Mr. WOOD. Yes.
Mr. LIEBELER. What did you tell him?
Mr. WOOD. I told him they left in a newer model car. He had to go around through the main office because that was 30 yards down and he had to come around and he left in a newer model car with this man, and he wasn't driving.
Mr. LIEBELER. That the man who you saw firing was not driving?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. Did you tell the FBI what kind of car it was?
Mr. WOOD. I think I told him, I am pretty sure it was a Ford. That is what I remember, because I like Fords and I remember what a Ford looks like.
Mr. LIEBELER. Did you tell the FBI that this fellow who you saw shooting this rifle left with another man?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. You are pretty clear about that?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. And you also told that the fellow you saw shooting the rifle wasn't driving the car, is that right?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. Now later on the next week after the President was assassinated, did you see a picture of this man or observe his picture on television or the radio or newspaper, or see him in any other way?
Mr. WOOD. Are you talking about Oswald?
Mr. LIEBELER. The man that was firing at the rifle range?
Mr. WOOD. That is what made me notice him.
Mr. LIEBELER. Tell us about that.
Mr. WOOD. The man out at the rifle range had a mean, stern face. You could tell he was a cold man, and that is what made me look at him more than I did anybody else. So when I saw the picture on television that night, I was sure it was him.

Mr. LIEBELER. You spoke to your father about it?

Mr. WOOD. Yes; we went to get a paper about the assassination and I said, "Dad, that does look like the man to me." And he said it did, too.

Mr. LIEBELER. Did your father mention it to you first, or did you mention it to your father?

Mr. WOOD. I mentioned it to him first.

Mr. LIEBELER. You mentioned it to him first?

Mr. WOOD. Yes.

Mr. LIEBELER. Was your mother there when you mentioned it to him?

Mr. WOOD. No, sir; she was out. We had gone out to get a paper.

Mr. LIEBELER. The first time you saw this guy's picture was in the newspaper, is that right?

Mr. WOOD. Yes; I kept remembering how he looked and I finally told my dad.

Mr. LIEBELER. You told your father that this guy you saw at the rifle range looked like Oswald, based on the picture of Oswald in the newspaper?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Now, did you ever read in the newspaper anything about Oswald's ability to drive an automobile?

Mr. WOOD. No, sir; I didn't read anything about that.

Mr. LIEBELER. Do you remember whether or not Oswald could drive a car or not?

Mr. WOOD. I think he could, because my mother told me something about him going to Mexico or something.

Mr. LIEBELER. Now you said that your mother told you something about Oswald going to Mexico, is that right?

Mr. WOOD. Yes.

Mr. LIEBELER. You never were aware of the fact or heard that Oswald could not drive a car, is that right?

Mr. WOOD. Do you mean—I didn't get what you said.

Mr. LIEBELER. Did anybody ever tell you that Oswald couldn't drive a car?

Mr. WOOD. No, sir.

Mr. LIEBELER. You never heard that?

Mr. WOOD. No, sir.

Mr. LIEBELER. And you don't know that now?

Mr. WOOD. No, sir; I thought he could drive.

Mr. LIEBELER. Did this other man that he was with fire a rifle at all?

Mr. WOOD. No, sir.

Mr. LIEBELER. He did not?

Mr. WOOD. No, sir.

Mr. LIEBELER. Sterling, I want to show you some pictures of some men, and these pictures have previously been marked as Commission's Exhibit 451 and 453 through 456, sir. There are five of them. I want you to look at them and tell me if any of the pictures look like the guy you saw at the rifle range that you think was Oswald?

Mr. WOOD. No, sir.

Mr. LIEBELER. None of those look like him?

Mr. WOOD. No, sir.

Mr. LIEBELER. Now I want to show you another photograph which has not yet been marked, and ask you to look at it very carefully and tell me if any of the people in that picture look like the boy at the rifle range?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Which one?

Mr. WOOD. That one with the paper in his hand.

Mr. LIEBELER. Now I want to show you another picture that has been marked as Pizzo Exhibit 453-B, and ask you, that is the same picture, isn't it?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. You pointed out that he has a green line over his head and you say that is the fellow you saw at the rifle range?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Here is another picture that I want you to look at and see if you see anybody that looks like the fellow you saw at the rifle range?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Which one is that?
Mr. WOOD. That man right here.
Mr. LIEBELER. This one right here?
Mr. WOOD. Yes.
Mr. LIEBELER. Here is another picture just the same one as the one I showed you.
Mr. WOOD. Yes, sir.
Mr. LIEBELER. The man that you pointed out as being the individual that you saw at the rifle range has a green mark over his head. There are two different marks. It looks like an "X," but it is two marks as opposed to one mark over here.
Mr. WOOD. Yes, sir.
Mr. LIEBELER. And you say that is the man you saw at the rifle range?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. I want to show you a picture that has been marked "Pizzo Exhibit 453-C," and ask you if that looks like the fellow you saw at the rifle range?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. Have you seen that picture before?
Mr. WOOD. No, sir.
Mr. LIEBELER. One like it?
Mr. WOOD. No, sir; not unless it's been in the paper. I think there has been one like that in the paper.
Mr. LIEBELER. Did the FBI show you a picture of Oswald?
Mr. WOOD. They showed me a picture with his gun in his backyard.
Mr. LIEBELER. And you recognized that picture as being the man you saw at the rifle range?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. I show you two pictures that have been previously marked as Exhibits 3 and 4, on the deposition of Mr. Greener. Tell me whether that is the rifle the man had?
Mr. WOOD. It does look like the rifle, but the scope looks a little funny to me.
Mr. LIEBELER. What looks funny about the scope?
Mr. WOOD. Because I seem to remember when I got a glance, it seemed to get bigger at the end and get smaller as it went along.
Mr. LIEBELER. Would you say that is not the scope that was on the rifle?
Mr. WOOD. I am not too sure, but I would say that looks like a foreign made scope.
Mr. LIEBELER. The one in this picture does?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. You are pretty sure in your own mind that the scope that was on the rifle at the range was not an American scope, is that correct?
Mr. WOOD. Yes; it looked Japanese.
Mr. LIEBELER. Sterling, you noticed how the sling is mounted on this rifle?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. It is mounted on the side on the butt, is it not? And on the side of the rifle, also?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. Is that the way the sling was on the rifle that you saw at the rifle range?
Mr. WOOD. I am not too sure. It was either mounted underneath or on the side. I am not sure.
Mr. LIEBELER. You wouldn't remember one way or the other?
Mr. WOOD. I think it was mounted on the side. I am not too sure. I wouldn't want to be positive.
Mr. LIEBELER. Now do you remember that the FBI showed you a picture of a rifle?
Mr. WOOD. Yes, sir.
Mr. LIEBELER. Is this the same picture?
Mr. WOOD. As I remember, it looks like the same picture.
Mr. LIEBELER. Did you tell the FBI that the weapon in the picture that they showed you was not the one you observed out at the rifle range?

Mr. WOOD. I said that was not the one. It didn't have this background in it. It's a picture that he showed me.

Mr. LIEBELER. This is not the same picture the FBI showed you?

Mr. WOOD. No, sir.

Mr. LIEBELER. Well, now, the FBI did show you a picture of a rifle?

Mr. WOOD. Yes; it was an enlarged picture.

Mr. LIEBELER. Did you tell them that that was the rifle that the man you think is Oswald had, or was not the rifle?

Mr. WOOD. I told them that was not the rifle.

Mr. LIEBELER. You told them that was not the rifle?

Mr. WOOD. Yes.

Mr. LIEBELER. The rifle in this picture, is this the same rifle? Can you tell, or a different rifle that was in the picture that the FBI showed you?

Mr. WOOD. You mean to say—I don't know what you said.

Mr. LIEBELER. The FBI agent showed you a picture of a rifle?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Is the rifle that he showed you, the picture that he showed you, the picture of the same rifle as is in the picture we have here on the desk, or were they different rifles or can you tell?

Mr. WOOD. I think they were the same rifles, except the rifle that he showed me didn't have that scope. I told them that that wasn't the scope.

Mr. LIEBELER. That is what you told me just now?

Mr. WOOD. Yes; so it would be a different rifle.

Mr. LIEBELER. My question is this. Note that I am not asking you now whether this rifle is the same as the one that the fellow at the rifle range had, or whether or not the rifle that the FBI showed you, or the picture that the FBI showed you, was a picture of the same rifle that Oswald had on the rifle range—I just want to know now whether you can tell me whether the picture that I am showing you now is a picture of the same rifle as the FBI showed you.

Mr. WOOD. Yes, sir.

Mr. LIEBELER. It is?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. And you still say now that the scope on this rifle doesn't look like the scope the guy at the rifle range had?

Mr. WOOD. Yes.

Mr. LIEBELER. But this is the same scope as in the picture that the FBI showed you?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Did the FBI ask you about the sling mount on the rifle?

Mr. WOOD. I think they did.

Mr. LIEBELER. What did you tell them about that?

Mr. WOOD. I think I told them it was mounted on the underneath, I am not too sure. I wasn't too positive then when I told them that.

Mr. LIEBELER. And you are not sure now?

Mr. WOOD. I am not sure now, because I didn't have that long of glance.

Mr. LIEBELER. How did the FBI agent talk to you? Did he try to convince you that it wasn't the same rifle, or just show the picture and let you tell?

Mr. WOOD. Let me tell.

Mr. LIEBELER. He didn't try to convince you one way or the other?

Mr. WOOD. No, sir; he didn't try to force me one way or the other.

Mr. LIEBELER. Now the scope that we have here on this rifle is enlarged at the forward end, is it not?

Mr. WOOD. It is big towards the muzzle of the rifle; yes, sir.

Mr. LIEBELER. Is that the way the scope was on the rifle that you saw at the rifle range, too?

Mr. WOOD. Yes, sir; but it was the same size as that, and it got smaller as it came to a point, but it was a big point.

Mr. LIEBELER. Well, now, this one here is big at the back and it gets smaller in the middle, and then gets bigger at the front end. Now tell me the difference between this one and the one that you saw at the rifle range?

Mr. WOOD. This was bigger and it got smaller as it went along.

Mr. LIEBELER. It didn't get bigger at the forward end?
Mr. WOOD. No; I didn't get that good a glance, but what I saw is what I told you.

Mr. LIEBELER. All right, you are pretty sure in your own mind that that was Lee Oswald that you saw at the rifle range?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Do you know Kenney Longley?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Was he out there that day?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Did he see this guy?

Mr. WOOD. I don't know if he saw him or not.

Mr. LIEBELER. Did you talk to him about it?

Mr. WOOD. Yes, sir; I think I did, because I was standing, he was waiting in a booth to shoot. They all were filled up, and he stood back there and was noticing it, too. He noticed the fire coming out of the gun.

Mr. LIEBELER. Well, now, have you talked to Kenney Longley about this fellow at the rifle range since the assassination?

Mr. WOOD. I haven't seen him.

Mr. LIEBELER. Was there anybody else out there at the range that day that you knew?

Mr. WOOD. A friend of mine, Charles McDowell, but he was busy gathering shells.

Mr. LIEBELER. And he didn't see this guy, as far as you know?

Mr. WOOD. I don't know if he saw him. I don't think so. Maybe he did.

Mr. LIEBELER. Have you talked to McDowell about it since the assassination?

Mr. WOOD. Yes.

Mr. LIEBELER. Did you ask McDowell whether he saw this fellow?

Mr. WOOD. No, sir; but I am pretty sure, because he was right next to him, and he was down under the booth gathering shells.

Mr. LIEBELER. You said that you have talked to McDowell about this guy at the rifle range?

Mr. WOOD. Yes.

Mr. LIEBELER. What did you talk to him about?

Mr. WOOD. I talked to him about, I told him that very same night I talked to my daddy, and I called him on the phone and told him that I saw that man out there, and we talked about the President's death, and that was all. He said he remembered him, too, I think.

Mr. LIEBELER. Did you tell him that you thought that the fellow at the rifle range was Oswald?

Mr. WOOD. Yes, sir.

Mr. LIEBELER. What did he say?

Mr. WOOD. He didn't know, and he wasn't too sure, but he wasn't as close as I was to him.

Mr. LIEBELER. Where does this fellow live?

Mr. WOOD. McDowell?

Mr. LIEBELER. Yes.

Mr. WOOD. Marsalis, the first street over from where I do. I don't know the address.

Mr. LIEBELER. Now, Sterling, I don't think I have any more questions that I can think of right now, but I want to say this: If you can think of anything else about this fellow that I haven't asked you about, or that you think you should tell me, I want you to tell me now so we can get it on the record.

Mr. WOOD. Well, I remember we went down to look at our target, and he left after I did. Because I went down there real quick and I remember looking at his, and as I was leaving, he came down to look at his target and was looking at how accurate it was, and that is about all I have to tell you.

Mr. LIEBELER. He was a pretty good shot?

Mr. WOOD. He was the most accurate of all the targets that I noticed.

Mr. LIEBELER. Okay, Sterling, I want to thank you very much. You have been very helpful. I hope we weren't too hard on you. The Commission wants you to know that it appreciates the cooperation you have given to us.

Mr. WOOD. Yes, sir.

Mr. LIEBELER. Thank you very much.

Mr. WOOD. All right.

TESTIMONY OF THERESA WOOD

The testimony of Theresa Wood was taken at 4 p.m., on April 1 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. Would you rise and raise your right hand, please. Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. WOOD. I do.

Mr. LIEBELER. Please sit down. My name is Wesley J. Liebeler. I am a staff attorney on the President's Commission investigating the assassination of President Kennedy. Mr. Rankin wrote a letter to your husband and your son last week, telling them that he wanted to question them. I have just concluded questioning both of them. I would like to ask you a couple of questions about some points that came up during their statements.

Mr. LIEBELER. Would you state your full name, for the record, please?

Mrs. WOOD. My married name?

Mr. LIEBELER. Yes; your married name.

Mrs. WOOD. Theresa Wood.

Mr. LIEBELER. You are the wife of Dr. Homer Wood, are you not?

Mrs. WOOD. Yes, sir.

Mr. LIEBELER. And the mother of Sterling Charles Wood?

Mrs. WOOD. Yes, sir.

Mr. LIEBELER. Do you recall that sometime after the assassination of the President, your husband saw a picture of Oswald either in the newspaper or on television and said something to you about it? Do you remember that?

Mrs. WOOD. Yes.

Mr. LIEBELER. Tell me what happened, and the circumstances and what you saw?

Mrs. WOOD. He thought he was the same man they saw out at the gun range. In fact, he was sure of it. And he asked Sterling, and Sterling said, "Yes, daddy, it is the same man." And they were very, very sure of it at the time.

Mr. LIEBELER. Now, was Sterling in the room? Did your husband first see Oswald's picture on the television or in the newspapers; do you remember?

Mrs. WOOD. I don't remember exactly. I think it was the newspapers or somewhere. They had three pictures of him. I think it was in the newspapers. Could have been on television.

Mr. LIEBELER. Now, was Sterling there at the time your husband first spoke of this to you?

Mrs. WOOD. No, I don't think so. I think he later asked Sterling.

Mr. LIEBELER. Do you remember whether he asked Sterling, or whether Sterling mentioned it of his own accord without any prompting from his father? Do you remember how that happened?

Mrs. WOOD. No, I don't remember exactly. I know they were both talking about it. They were both pretty sure that he was the man.

Mr. LIEBELER. But you have no recollection at this point that your husband first saw a picture and said to you, now, in substance, that this looked like the man he saw on the rifle range and he wanted to wait and see if Sterling recognized him also, and that he purposely did not mention it to Sterling, but waited to see if Sterling would come forward with the same idea? Do you remember that happening?

Mrs. WOOD. No; my husband was very, very sure. In fact, he was positive. And there was a friend that they met at the range. I think it was the same day. He called him to see if he thought, or if he had recognized Oswald.

Mr. LIEBELER. What was that friend's name?

Mrs. WOOD. It was Kenny Longley.

Mr. LIEBELER. You didn't talk to Longley, did you?

Mrs. WOOD. No.

Mr. LIEBELER. Your husband did?

Mrs. WOOD. I think my husband called, but he never did talk to the boy. The boy was in school.

Mr. LIEBELER. Do you know if he ever talked to the boy about it afterward?

Mrs. WOOD. I don't think so. Kenney Longley though was a good ways off or something, and I don't know whether he really saw him. According to my husband, he said he could have.

Mr. LIEBELER. Do you know of anybody else that was out at the rifle range that your husband or your son knew who might have seen this fellow?

Mrs. WOOD. No.

Mr. LIEBELER. That is about all I wanted to ask you. Thank you very much for your cooperation.

TESTIMONY OF GLENN EMMETT SMITH

The testimony of Glenn Emmett Smith was taken at 9:10 a.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. My name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission to investigate the assassination of President John F. Kennedy.

I have been authorized to take your testimony by the Commission pursuant to authority granted to it by Executive Order 11130, dated November 29, 1963, and joint resolution of Congress No. 137.

I understand that Mr. Rankin wrote to you sometime last week advising you that I would be in touch with you to take your testimony. I understand also that he included with his letter a copy of the Executive order and resolution just referred to, together with a copy of the rules of procedure for the taking of testimony which have been adopted by the Commission in conformance with the Executive order and joint resolution described above.

Did you receive the letter from Mr. Rankin?

Mr. SMITH. I did.

Mr. LIEBELER. Those documents were enclosed with it, were they not? Three different documents in that letter?

Mr. SMITH. [Hands papers to attorney.] I'd better let you look, for I don't know what is in there.

Mr. LIEBELER. Yes; they are. The general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent killing of Lee Harvey Oswald. We want to inquire of you today concerning any knowledge you may have about the alleged sale of a rifle by an individual thought to be Lee Harvey Oswald to one Robert Taylor. We would also like to get from you any information that you have about Oswald's associates in Irving, Tex.

Before we get to the details of that testimony, would you state your full name for the record?

Mr. SMITH. Glenn Emmett Smith.

Mr. LIEBELER. Where do you live, sir?

Mr. SMITH. 1604 Argentia, apartment C.

Mr. LIEBELER. Is that in Dallas?

Mr. SMITH. Yes, sir.

Mr. LIEBELER. Where are you employed?

Mr. SMITH. At Jack's Super Shell, Rock Island and Story Road, Irving.

Mr. LIEBELER. How long have you been employed there?

Mr. SMITH. Since the 25th of April of 1963.

Mr. LIEBELER. In what capacity do you work at the Shell station?

Mr. SMITH. I am a drive attendant. I work the driveway.

Mr. LIEBELER. What did you do prior to the time that you went to work for the Shell station?

Mr. SMITH. I was an income tax consultant.

Mr. LIEBELER. Worked in Dallas?

Mr. SMITH. Yes.

Mr. LIEBELER. How long were you engaged in that?

Mr. SMITH. Just through the tax months, from January 1 to the 15th of April.

Mr. LIEBELER. What do you usually do? Do you usually work service stations?

Mr. SMITH. Yes.

Mr. LIEBELER. How old are you, sir?

Mr. SMITH. Fifty-three.

Mr. LIEBELER. Are you a native of Texas?

Mr. SMITH. Yes.

Mr. LIEBELER. Have you lived all your life in Dallas?

Mr. SMITH. No. I have been here since 1936.

Mr. LIEBELER. Where did you live prior to that time?

Mr. SMITH. Shawnee, Okla.

Mr. LIEBELER. Were you born in Oklahoma or born in Texas?

Mr. SMITH. Born in Texas.

Mr. LIEBELER. Then moved to Oklahoma?

Mr. SMITH. Moved to Oklahoma.

Mr. LIEBELER. Then moved back to Texas?

Mr. SMITH. Moved back to Texas.

Mr. LIEBELER. Do you know one Robert Taylor?

Mr. SMITH. I think I do.

Mr. LIEBELER. How long have you known him?

Mr. SMITH. Since I went to work, since the 25th of April 1963.

Mr. LIEBELER. Is Mr. Taylor also employed at the Shell station where you worked?

Mr. SMITH. Well, I don't know if he is going to be let out or not. He is off sick, and I understand that Mr. Smith has hired another man, which I know he got a man working. I don't know if he is going to let Robert come back.

Mr. LIEBELER. But Mr. Taylor did work at the Shell station from at least April of 1963, up until sometime when he became ill, is that correct?

Mr. SMITH. He was working there when I went to work, and he worked there steadily.

Mr. LIEBELER. He became ill?

Mr. SMITH. Yes.

Mr. LIEBELER. Approximately when did he get sick?

Mr. SMITH. He has been off a week and a half now. He went home sick Saturday a week ago.

Mr. LIEBELER. He hasn't been at work since that time?

Mr. SMITH. Well, he come back and worked 3 hours last Friday and had to go home again.

Mr. LIEBELER. What kind of work does Mr. Taylor do at the station? He is— is he a driveway attendant?

Mr. SMITH. No; a mechanic.

Mr. LIEBELER. You actually have a shop there at the Shell station?

Mr. SMITH. We do minor repairs, no major, just minor repair.

Mr. LIEBELER. How old is Mr. Taylor, do you know, possibly?

Mr. SMITH. I think he is 49. I believe he told me he is 49.

Mr. LIEBELER. Did you ever have any discussions with Mr. Taylor about a man who Taylor thought might be or was Lee Harvey Oswald?

Mr. SMITH. No, sir; I did not. I heard Mr. Taylor, if I may tell you this—

Mr. LIEBELER. I want you to tell me what you know about it.

Mr. SMITH. There was an FBI man called out and talked to us, and I heard Mr. Taylor tell him between customers now, I was just catching little words, and not enough to make very much sense, but I did hear him tell that he had traded a rifle or bought a rifle or something from Oswald.

Now I didn't know Oswald. He showed us his picture, but I didn't know him. He had been through there but I didn't recognize him.

Mr. LIEBELER. The FBI showed you Oswald's picture?

Mr. SMITH. Yes, sir.

Mr. LIEBELER. And you didn't recognize him?

Mr. SMITH. No, sir.

You see, sir—to my knowledge, I have never seen he or his wife.

Mr. LIEBELER. Did you hear Mr. Taylor discussing this rifle that he bought from this fellow, before the FBI fellow talked to him?

Mr. SMITH. No.

Mr. LIEBELER. Do you remember when the FBI man came to the station? Would that have been in about the middle of December of 1963?

Mr. SMITH. I'd be afraid to commit myself. I don't remember when he was there. It's been about 2 or 3 months ago or something like that.

Mr. LIEBELER. Do you remember the man's name?

Mr. SMITH. No; I don't.

Mr. LIEBELER. Would it refresh your recollection if I suggested that his name was Morris J. White? Do you remember that was his name or don't you remember?

Mr. SMITH. I don't remember.

Mr. LIEBELER. Don't you remember that you told the FBI agent that you had heard conversation that Taylor had purchased a rifle from some customer, and that that customer was thought by Taylor to be Lee Harvey Oswald? Didn't you tell that to the FBI agent?

Mr. SMITH. No, sir.

Mr. LIEBELER. You did not?

Mr. SMITH. No, sir; absolutely not. I am absolutely positive.

Mr. LIEBELER. The first time you ever heard anything about this rifle that Taylor was supposed to have purchased was when the FBI agent was interviewing Taylor, isn't that your statement?

Mr. SMITH. That is right.

Mr. LIEBELER. You never heard anything about it from Taylor or anyone else prior to that time?

Mr. SMITH. No, sir.

Mr. LIEBELER. Did you discuss this question of the rifle with Taylor after the FBI agent was there?

Mr. SMITH. Nothing more than he told me that let's see now, Bob said he had traded a rifle, and that is about all. We were busy, and he said he traded a rifle, and that was the day that he showed the picture to me, the picture that the FBI man showed me, and that was all that was said about it.

Mr. LIEBELER. Taylor told you afterwards that the FBI agent had showed him a picture and this picture was supposed to be a picture of Oswald?

Mr. SMITH. He showed both of us the picture.

Mr. LIEBELER. He showed both of you the picture?

Mr. SMITH. Yes.

Mr. LIEBELER. And Taylor told you after the FBI agent left that the picture that the FBI agent showed you was a picture of the man from whom Taylor had purchased the rifle, is that correct?

Mr. SMITH. He told the FBI man that. He didn't tell me that after he left, but he definitely told him that in my presence. I heard him.

Mr. LIEBELER. Did you have any discussions with Taylor after the FBI agent left about this question?

Mr. SMITH. No, sir.

Mr. LIEBELER. Did you have any discussions with anybody else about it?

Mr. SMITH. No, sir.

Mr. LIEBELER. Did you ever see the rifle that Taylor supposedly purchased from this man?

Mr. SMITH. No.

Mr. LIEBELER. Did Taylor ever tell you what kind of rifle it was?

Mr. SMITH. No, sir.

Mr. LIEBELER. And you never heard from anybody what kind of rifle it was?

Mr. SMITH. I never heard anything about it at all.

Mr. LIEBELER. How well do you know Taylor?

Mr. SMITH. I never knew him until I went to work there. Just by working with him, that is all.

Mr. LIEBELER. You never associated with him outside of work?

Mr. SMITH. No, sir; I hadn't.

Mr. LIEBELER. Have you ever formed any opinion as to Taylor's truthfulness or his reliability?

Mr. SMITH. I think he is truthful, and I think he is reliable.

Mr. LIEBELER. You don't think he would tell the FBI agent that he got a rifle from this fellow if he didn't in fact get a rifle from this fellow?

Mr. SMITH. I don't. I sure don't.

Mr. LIEBELER. Do you know where 2515 West Fifth Street is in Irving, Tex.?

Mr. SMITH. Yes.

Mr. LIEBELER. Have you ever been there?

Mr. SMITH. I have taken a lady home that lived there, to bring a car back to service it.

Mr. LIEBELER. Can you remember approximately when that was?

Mr. SMITH. Oh, we serviced her car quite often. What I mean, washed it and greased it, and she comes in occasionally now, but not like she used to.

Mr. LIEBELER. Have you gone to her house more than once to bring the car back to the station?

Mr. SMITH. To the best of my knowledge, I believe three times.

Mr. LIEBELER. Were all of these times prior to the assassination?

Mr. SMITH. Yes, sir.

Mr. LIEBELER. Can you remember approximately when the first time was that you took this lady home to her house and brought the car back to the station?

Mr. SMITH. Well—

Mr. LIEBELER. Do you remember now that you first started to work for the station in the last of April 1963? Can you remember approximately how long after that it was when you first went to this address on Fifth Street?

Mr. SMITH. I sure don't.

Mr. LIEBELER. You have no idea?

Mr. SMITH. No.

Mr. LIEBELER. A month, or 2 months, or just don't remember?

Mr. SMITH. Possibly 2 or 3 months, something like that.

Mr. LIEBELER. Ever have any conversation with this lady during the time that you drove with her back to her house?

Mr. SMITH. Nothing more than just passing the time of day. The only thing, she made the statement one time, the first time I took her home, that she got a little child and she said the baby, he could speak Russian better than he could English. That is the first time I knew there was any Russian blood there.

Mr. LIEBELER. Did she tell you they were Russian, or just told you the little child could speak Russian?

Mr. SMITH. That is all she told me.

Mr. LIEBELER. That the child could speak Russian better than English?

Mr. SMITH. Yes.

Mr. LIEBELER. Did you ever see anyone other than this lady and her children at the house on Fifth Street in Irving?

Mr. SMITH. No, sir.

Mr. LIEBELER. Did you actually go into the house on any occasion?

Mr. SMITH. I helped her. I carried some groceries in her house one time. She had a carload of groceries, and I helped her put them in the house.

Mr. LIEBELER. Do you remember how many children were with her at that time?

Mr. SMITH. Three, I believe.

Mr. LIEBELER. Three children?

Mr. SMITH. Yes.

Mr. LIEBELER. Did you make any judgment as to approximately how old they were? Did it appear to you that they were all her children, or weren't the ages so that it seemed to you that maybe one was the child of somebody else?

Mr. SMITH. I had an idea they were all hers. They were approximately, looked like spaced out about a year or year and a half apart, something like that.

Mr. LIEBELER. Do you remember which child this lady said could speak Russian better than she could speak English?

Mr. SMITH. The baby.

Mr. LIEBELER. The youngest one?

Mr. SMITH. The youngest one.

Mr. LIEBELER. Do you remember hearing this young baby speaking Russian?

Mr. SMITH. I did, but I didn't know what she was talking about. I couldn't understand it, and that is the reason she told me that.

Mr. LIEBELER. Did anybody else speak Russian to the child?

Mr. SMITH. No.

Mr. LIEBELER. Did you hear the lady speak Russian?

Mr. SMITH. No, I didn't.

Mr. LIEBELER. Did the other two children speak Russian?

Mr. SMITH. They didn't do no talking.

Mr. LIEBELER. In either English or Russian; is that right?

Mr. SMITH. No.

Mr. LIEBELER. Could you describe this lady for us?

Mr. SMITH. She is a slender woman, tall, slender woman; has very nice personality, and that is about all that I can say for her. She didn't do much talking either.

Mr. LIEBELER. Did she ever make a statement to you that she was Russian herself?

Mr. SMITH. No, sir.

Mr. LIEBELER. She just indicated to you that the little baby spoke Russian better than English, is that right?

Mr. SMITH. That's right.

Mr. LIEBELER. Did she tell you how it came to be that baby spoke Russian?

Mr. SMITH. No, sir.

Mr. LIEBELER. You didn't ask her?

Mr. SMITH. I didn't ask her.

Mr. LIEBELER. Were you curious about that?

Mr. SMITH. Yes; I was. I went back to the station and talked to the boss about it. I told him, "I believe those people are Russian people living down there," and he said why, and I told him about the lady telling me the little fellow spoke Russian better than English. And they were curious about it, but nothing was ever said. We didn't say anything to her, because she just come in and got gas and that was all. She never did talk much or anything.

Mr. LIEBELER. Did you ever learn what this lady's name was?

Mr. SMITH. No; I did not.

Mr. LIEBELER. And you don't know what it is today?

Mr. SMITH. I do not.

Mr. LIEBELER. Was this child a boy or girl, or could you tell?

Mr. SMITH. I don't know. I never paid any attention to it. I don't know if it was or not.

Mr. LIEBELER. You couldn't tell whether it was a boy or girl?

Mr. SMITH. Well, I didn't know, because I didn't notice. I didn't pay any attention whether it was a boy or girl.

Ordinarily, when I take a car home out there, I try to get there and back as fast as I can and I don't pay any attention other than the house number and what time it is supposed to be delivered.

Mr. LIEBELER. What kind of car did this lady have?

Mr. SMITH. It is a station wagon. I believe a Plymouth.

Mr. LIEBELER. Approximately what year?

Mr. SMITH. About a '53 or '54.

Mr. LIEBELER. Are you sure it is a Plymouth, or could it be some other car?

Mr. SMITH. No; I am not positive. It is either a Plymouth or a Chevrolet. I am not positive.

Mr. LIEBELER. Have you ever seen this lady at any time other than when she brought her car to the gas station to have it serviced, or when you took her to her house?

Mr. SMITH. No, sir.

Mr. LIEBELER. Was there ever anyone with this lady other than the children at any time?

Mr. SMITH. No, sir.

Mr. LIEBELER. Did you ever meet this lady's husband?

Mr. SMITH. No, sir.

Mr. LIEBELER. Did you ever hear anything about him?

Mr. SMITH. No, sir.

Mr. LIEBELER. Did you ever hear that they were separated from each other?

Mr. SMITH. No, sir.

Mr. LIEBELER. When you went into the house this first time to take the groceries in, as I understand it, that was the time when the youngest child was speaking Russian, is that correct?

Mr. SMITH. That's right.

Mr. LIEBELER. When you went into the house, you brought the groceries into the kitchen, is that correct?

Mr. SMITH. No; I set them down in the living room. She told me to put them on the coffee table, and I did.

Mr. LIEBELER. Did you at that time see anything that would indicate to you that there was someone else in the house?

Mr. SMITH. The house was awfully dirty. Boy, I never saw such a mess in my life. Things were on the floor, clothing and papers and everything else.

Mr. LIEBELER. Did you have any idea when you went into the house with her that there might be someone else in the house or was someone there in the house when you came in?

Mr. SMITH. No, sir.

Mr. LIEBELER. Could you tell one way or the other? You didn't see into the bedrooms, did you?

Mr. SMITH. No, sir.

Mr. LIEBELER. There could have been someone else in the bedrooms and you wouldn't have seen them?

Mr. SMITH. There could have been.

Mr. LIEBELER. The lady didn't speak to anybody or call out when she came into the house to anyone else?

Mr. SMITH. No, sir.

Mr. LIEBELER. This lady never indicated to you that this child that spoke Russian was not, in fact, her own child, did she?

Mr. SMITH. No, sir.

Mr. LIEBELER. You always assumed it was this lady's child?

Mr. SMITH. That's right.

Mr. LIEBELER. I want to show you five different pictures that have been marked in a previous procedure as Commission Exhibits 451, 453, 454, 455, and 456. I want you to look at them and tell me if you have seen the individuals depicted in these pictures at any time?

Mr. SMITH. [Looking] No, sir; I sure don't recognize him.

Mr. LIEBELER. You don't recognize any of these?

Mr. SMITH. I don't ever remember seeing him.

Mr. LIEBELER. I show you another photograph which has been marked previously as Pizzo Exhibit 453-B. It is a picture of several people, but one of the individuals has been indicated by a green mark on the face of the photo and I ask you if you have ever seen that individual, to the best of your knowledge?

Mr. SMITH. No, sir; I do not recognize him.

Mr. LIEBELER. I show you another photograph which has been marked previously as Pizzo Exhibit 453-C and ask you if you have ever seen that individual, to the best of your knowledge?

Mr. SMITH. No, sir; I haven't.

Mr. LIEBELER. I asked you before, did I not, whether you have ever seen this rifle that Mr. Taylor told you he had purchased?

Mr. SMITH. I have not seen it.

Mr. LIEBELER. I don't think I have any more questions, Mr. Smith. If you can think of anything that you know that you think the Commission might be

interested in, whether I have asked you about it or haven't asked you, I would appreciate it if you would indicate that.

Mr. SMITH. Well, I don't think I have a thing in the world, because actually I didn't know Oswald or his wife, either one. I don't ever remember seeing them.

And I do want to tell you this. At the time President Kennedy was assassinated, I thought this woman who lived on Fifth Street, right after it happened, I thought that was his wife simply because of her saying that this child spoke Russian and the police arrested Oswald, and I figured in my own mind that this was his wife, but it turned out differently, and that is the only thing that I learned about.

Mr. LIEBELER. You learned that it wasn't this lady's husband that was involved, by reading the newspapers, is that correct?

Mr. SMITH. Yes, sir; and as far as if this lady that lived on Fifth Street had a husband, I have never seen a man around there at all, and I have never seen a man with her. Ordinarily, just human nature would cause a man and his wife to be together sometime.

Mr. LIEBELER. But you have never seen this lady with her husband?

Mr. SMITH. I have never seen her with a man.

Mr. LIEBELER. I want to thank you very much, Mr. Smith, for coming in, I appreciate it.

Mr. SMITH. I wish there was something I could do, but I don't know a thing in the world I could help you with, I believe.

Mr. LIEBELER. Thank you. I appreciate it very much.

TESTIMONY OF W. W. SEMINGSSEN

The testimony of W. W. Semingsen was taken at 11 a.m., on March 31, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. Please rise and raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SEMINGSSEN. I do.

Mr. LIEBELER. Please be seated. Mr. Semingsen my name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission which has been appointed to investigate the assassination of President Kennedy. The staff counsel have been authorized by the Commission to take testimony pursuant to authority granted to the Commission by Executive Order 11130, dated November 29, 1963, and joint resolution of Congress No. 137.

I believe that Mr. Rankin wrote you a letter last week telling you we would be in touch with you to take your testimony, and he sent that letter along with copies of the Executive order and joint resolution of Congress, as well as a copy of the Commission's rules of procedure relating to the taking of testimony is that not correct?

Mr. SEMINGSSEN. Yes; I received Mr. Rankin's letter.

Mr. LIEBELER. We want to inquire of you today concerning the possibility that Lee Harvey Oswald received money order telegrams through the offices of Western Union here in Dallas, or possibly in Fort Worth or Irving, and also briefly as to a money order telegram sent by Jack Ruby to an associate of his on November 24, 1963.

Mr. LIEBELER. Before we get into the details of that, would you state your full name for the record?

Mr. SEMINGSSEN. My name is W. W. Semingsen.

Mr. LIEBELER. By whom are you employed, sir?

Mr. SEMINGSSEN. The Western Union Telegraph Co.

Mr. LIEBELER. In what capacity are you employed?

Mr. SEMINGSSEN. As vice president, Gulf Division, headquarters, Dallas, Tex.
Mr. LIEBELER. What is the nature of your duties with the Western Union Co. in that position?

Mr. SEMINGSSEN. They are administrative and executive in capacity. I have jurisdiction over the operations in eight of the Gulf Division states.

Mr. LIEBELER. What are those States?

Mr. SEMINGSSEN. Texas, New Mexico, Colorado, Kansas, Missouri, Arkansas, Oklahoma, and Louisiana.

Mr. LIEBELER. In your capacity as vice president of the Gulf Division, are you generally familiar with the recordkeeping procedures, the manner in which records of telegrams sent or received are kept by the company?

Mr. SEMINGSSEN. Yes; I am.

Mr. LIEBELER. You are not in direct supervision of the recordkeeping procedure?

Mr. SEMINGSSEN. No; I am not. That is delegated to various supervisory employees.

Mr. LIEBELER. But in your capacity as vice president, you are thoroughly familiar with the way records are kept by the company?

Mr. SEMINGSSEN. Yes. I do have knowledge of recordkeeping, general knowledge of recordkeeping.

Mr. LIEBELER. In anticipation of the fact that your testimony would be taken by the Commission, you have prepared a statement which is dated March 30, 1964, which consists of five pages relating to the efforts made by Western Union in investigating the possibility that money orders payable to Oswald or his alias, O. H. Lee and Alek James Hidell, may have been received in the Dallas or Fort Worth or Irving office of Western Union? And also relating to telegrams sent or received by Jack Ruby during certain indicated periods; is that not correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. I would like to mark that document as Exhibit 3001.

I have marked the memorandum received as Exhibit 3001 on the deposition of W. W. Semingsen, March 31, 1964, Dallas, Tex., and have initialed it, and I will ask you also to initial it, if you would, Mr. Semingsen.

(Witness initials and signs on page 5.)

Mr. LIEBELER. Am I correct in understanding that you did prepare this report in anticipation of giving testimony to the Commission?

Mr. SEMINGSSEN. Yes; I did, in the interest of expediting the testimony.

Mr. LIEBELER. And you are thoroughly familiar with the matters set forth in Exhibit 3001, are you not?

Mr. SEMINGSSEN. Yes; I am.

Mr. LIEBELER. The material set forth in that memorandum is true and correct, to the best of your knowledge, is it not?

Mr. SEMINGSSEN. Yes; it is.

Mr. LIEBELER. We should note for the record that Exhibit 3001 has in the left-hand margin certain numerals which I have placed there running from 1 through 7, which refers to attachments to the exhibit, which, in effect, form a part of the memorandum. And, you have marked, have you not, the exhibits running 1 through 7 which you intend should be a part of the memorandum; is that correct?

Mr. SEMINGSSEN. Yes; that is correct.

Mr. LIEBELER. The attachments to the exhibit, which are numbered 1 through 7, are photostatic copies of the originals of certain documents, or of copies of certain documents which you retain in your possession, as are described in Exhibit 3001; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. I refer specifically to the item marked "Attachment 1 to Exhibit 3001," which consists of photostatic copies of four separate documents. Please identify for the record the first one of those documents.

Mr. SEMINGSSEN. The first one of the documents on page 1 of the attachment is the original money order application prepared and filed by Jack Ruby in Dallas, Tex., on November 24, 1963, at 11:17 a.m., as noted by the automatic time stamp shown on the application.

Mr. LIEBELER. We will mark that as Exhibit No. 5118, and note for the record

that we are marking these at the request of Mr. Hubert, who has the responsibility for area 5 of the investigation, relating to Mr. Ruby.

I have marked the document referred to as Exhibit 5118 on the deposition of Mr. W. W. Semingsen, March 31, 1964, in Dallas, Tex., and have initialed it, and ask you to initial it also, if you would, Mr. Semingsen.

Mr. SEMINGSEN. [Initials.]

Mr. LIEBELER. The next document forming a part of attachment No. 1 to Exhibit 3001, is what, Mr. Semingsen?

Mr. SEMINGSEN. It is the duplicate or carbon copy of the original money order receipt given to Jack Ruby at the time he filed the money order application. The original of this receipt was given to Mr. Ruby and found in his possession by the police at the time of his arrest.

Mr. LIEBELER. We will mark the copy which you have just described as Exhibit 5119 on the deposition of Mr. W. W. Semingsen, Dallas, Tex., March 31, 1964. [Also introduced as Lane Exhibits Nos. 5118 and 5119.]

I have initialed the copy which you have just described, and ask that you also initial it, please.

Mr. SEMINGSEN. [Initials.] I have so done.

Mr. LIEBELER. The next document forming a part of attachment No. 1 to Exhibit 3001, is what, sir?

Mr. SEMINGSEN. This is the original money order receipt, showing the signature of the money order payable to Karen Bennett at Fort Worth, Tex., on November 24, 1963.

Mr. LIEBELER. I have marked the third document to which we just referred as Exhibit 5120 on the deposition of Mr. W. W. Semingsen, Dallas, Tex., March 31, 1964, and have initialed it. I notice that you have already initialed that exhibit; is that not correct, Mr. Semingsen?

Mr. SEMINGSEN. Yes.

Mr. LIEBELER. The next document forming a part of attachment No. 1 to Exhibit 3001, is what, sir?

Mr. SEMINGSEN. That is a copy of the original money order message received in Fort Worth authorizing the payment of the money to the payee.

Mr. LIEBELER. We will mark that telegram as 5121 on the deposition of Mr. W. W. Semingsen, Dallas, Tex., March 31, 1964. I have initialed it and ask you, sir, to do the same. [Also introduced as Strong Exhibits Nos. 5120 and 5121.]

Mr. SEMINGSEN. [Initials.] And I have so done.

Mr. LIEBELER. On page 1 of your memorandum, Exhibit 3001, you indicate that a search of your records in the Dallas, Tex., office show that no money orders payable to Lee Harvey Oswald or his aliases, O. H. Lee or Alek James Hidell, went through that office during the period June through November 1963; is that correct?

Mr. SEMINGSEN. That is correct.

Mr. LIEBELER. Would you tell us how you came to that conclusion?

Mr. SEMINGSEN. A search was made of our "Received money order file" for the period mentioned by supervisory employees, and no "Received money orders" were found. The "Received money orders" are filed in date order.

Mr. LIEBELER. Is it a fact, Mr. Semingsen, that the receiving office of your company—in this case, Dallas, Tex.—actually keeps records showing the receipt of money orders payable to any person who received money orders through that office?

Mr. SEMINGSEN. Yes; that's correct.

Mr. LIEBELER. Who issued instructions that this search be made?

Mr. SEMINGSEN. I issued the instructions at the request of the FBI.

Mr. LIEBELER. Are you personally satisfied that the search was carried out in a thorough manner and that there are in fact no records in the possession of the Western Union Telegraph Co. that would indicate that any money orders payable in the names mentioned above during the period June through November 1963, exist?

Mr. SEMINGSEN. I am satisfied that a very thorough search was made by competent supervisory personnel who are familiar with our records.

Mr. LIEBELER. And you are in fact satisfied that there are no records in the possession of your company that would indicate that money order telegrams

had been received by Oswald under his own name or other names during that period; is that correct?

Mr. SEMINGSSEN. I am satisfied as to that.

Mr. LIEBELER. Now, also on the bottom of page 1 of your memorandum you indicate that no telegrams were sent by Lee Harvey Oswald or by any person under the name of the two aliases which we have mentioned, through the Dallas, Tex., office during the period September 1 to November 22, 1963; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. Would you tell us how you came to that conclusion?

Mr. SEMINGSSEN. The same supervisory personnel who made the search for the "Received money orders" made the search for any telegram sent by Lee Harvey Oswald and alias already mentioned. The search was confined to "Sent paid cash message" and to "Sent collect messages."

Mr. LIEBELER. Those messages are filed chronologically, is that correct?

Mr. SEMINGSSEN. Those messages are filed in date order.

Mr. LIEBELER. You mentioned two categories of messages to which the search was confined, and those were "Sent paid messages," or "Sent collect messages"?

Mr. SEMINGSSEN. "Sent paid cash messages," and "Sent collect messages."

Mr. LIEBELER. What other type messages are there?

Mr. SEMINGSSEN. The other types of messages are messages charged to customers having authorized charge accounts. It is obvious that a message filed by Oswald would not be found in any of our charge account message files.

Mr. LIEBELER. Now, it is possible to pick up the telephone and call the Western Union office and instruct that a telegram be sent and have it charged to the telephone number, is it not?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. Is that a separate category, or is that a third category?

Mr. SEMINGSSEN. That is a separate category of messages filed by telephone subscribers and charged to their telephone.

Mr. LIEBELER. Was a search made of those messages?

Mr. SEMINGSSEN. I believe a search was made of those message, but I would have to confirm that with Mr. Wilcox, our local district manager in Dallas.

Mr. LIEBELER. Well, for the sake of clarity of the record, at this point let me suggest that we go off the record, and Mr. Wilcox is available. Would you confer with Mr. Wilcox on that point and let us indicate on the record what he has advised you?

Mr. SEMINGSSEN. Yes.

(Discussion off the record.)

Mr. LIEBELER. Let the record indicate that we have conferred off the record with Mr. Wilcox, and you have consulted with him as to whether or not a check was made of the records covering messages called in by telephone and charged to a telephone number. Would you tell us what Mr. Wilcox indicated?

Mr. SEMINGSSEN. Mr. Wilcox made reference to notes in these files and has determined that a search was not made of messages sent and charged to the telephone, for the reason that it had been indicated that Oswald had filed messages at our office. In such event, the message would not be charged to the telephone, and for that reason, a search of the sent messages charged to the telephone was not made.

Mr. LIEBELER. At the same time you mean to indicate that the thing that prompted this search by your office in the first place was the story that Oswald had actually been in the Western Union office and filed the message in person; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. If he had filed it in person, it would obviously not have been called in by telephone and charged to his telephone number; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. On the top of page 3 of your memorandum 3001, the statement appears "For money orders payable to Lee Harvey Oswald and his aliases or to anyone at a specific address in Dallas—October through November 1963—result: Negative." Would you explain that for us, please?

Mr. SEMINGSSEN. Yes. As I have indicated in my prepared statement, one of

our employees thought he had recognized Oswald as having received a money order at our main office sometime during the dates mentioned.

Mr. LIEBELER. October through November 1963?

Mr. SEMINGSSEN. Yes. It was thought that the money order was payable to someone at a specific address in Dallas, which was the YMCA.

Mr. LIEBELER. So when you searched through the records indicating money orders payable during the period October through November 1963, you determined that no money order had been made payable to Lee Harvey Oswald, or to these aliases, and in addition to that fact, that no money orders of any kind had been made payable to anyone at the YMCA in Dallas; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. Do you know where the information came from that the money order was supposed to have been payable to Oswald at the YMCA?

Mr. SEMINGSSEN. Yes. This information came from one of our night employees, Mr. C. A. Hamblen.

Mr. LIEBELER. Before we get into Mr. Hamblen, I want to cover the rest of the statements made in your memorandum, and we will try to cover them generally. The memorandum indicates that certain money orders were received by Jack Ruby, and that certain telegrams were sent by Jack Ruby through the Dallas office; is that correct?

Mr. SEMINGSSEN. That's correct.

Mr. LIEBELER. And that information was determined as a result of the search that you have just described?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. That is, the search of the money order payable file, plus the telegrams sent file, which search was confined, as you have indicated, only to the telegrams sent cash paid or sent collect; is that correct?

Mr. SEMINGSSEN. That is correct. With respect to the money orders, the search was made of the received money order file records of which we have. As to the telegrams filed by Mr. Ruby, knowing that he was a resident of Dallas, having a business here, we asked the FBI agent to check with the telephone company to see whether or not their records indicate any messages had been sent by Ruby and charged to his telephone. This information was secured by the FBI from the telephone company and enabled us to readily locate the messages in our files which were charged to his telephone.

Mr. LIEBELER. You indicated before that when searching for telegrams sent by Oswald, a general search was made of the chronological dates that you have described; is that correct?

Mr. SEMINGSSEN. That's correct.

Mr. LIEBELER. You searched all the chronological records of the two classifications of telegrams that we have indicated?

Mr. SEMINGSSEN. That's correct.

Mr. LIEBELER. During the time that search was made for telegrams sent by Oswald, did the person making that search also look for telegrams sent by Ruby?

Mr. SEMINGSSEN. No. The search made for telegrams sent by Ruby was confined to the dates given to us by the FBI, which dates were obtained from the telephone company records showing telegrams charged to Ruby's telephone number or numbers on those dates.

Mr. LIEBELER. So, it is possible that Mr. Ruby may have sent other telegrams which were not charged to his telephone number or numbers, and of which we would not be aware as a result of the search made in connection with Mr. Ruby; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. On page 3 of your memorandum, exhibit 3001, you indicate that a telegram dated Painesville, Ohio, January 13, 1964, to Mrs. Lee Harvey Oswald, was received. How did that come to your attention, Mr. Semingsen?

Mr. SEMINGSSEN. That telegram was brought to my attention by District Manager Wilcox, it having been shown to him by one of our main office employees who handled the message.

Mr. LIEBELER. It was shown to Mr. Wilcox because of the nature of the message which the telegram contained; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. The telegram to which reference has just been made is attached to the memorandum as attachment No. 4. Your memorandum also indicates negative results when a search was made of the office in Irving, Tex., in Fort Worth, Tex., and in New Orleans, La., for money orders payable to Oswald or to his aliases, or in the case of New Orleans for money orders sent or received by Oswald and aliases through the periods indicated in the memorandum. Were these statements made in your memorandum as a result of searches made similar to that in the Dallas office, do you know?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. Did you personally instruct the New Orleans office to conduct the search of their records or cause such instructions to be given?

Mr. SEMINGSSEN. The search at New Orleans with respect to received money orders was authorized by our district manager in New Orleans. Later a request was made for a similar search of sent money orders, which was referred to my office. And in this instance I authorized our New Orleans office to make the search.

Mr. LIEBELER. So, as far as you know, the search concerning received money orders was instigated by a direct request to the New Orleans office by the FBI or some other investigatory agency, is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. I notice that the period for which a search was made in the Fort Worth office is confined to July 19, 20, 21, 22, 26, 27, and 29, 1963. Can you tell me the reason for that?

Mr. SEMINGSSEN. The request for the search for money orders payable to Oswald on those dates was made by local FBI agents in Fort Worth of our district manager there. The FBI agents requested the search because they had information to the effect that the mother of Lee Harvey Oswald was a tenant at this address during that time.

Mr. LIEBELER. Which address is that?

Mr. SEMINGSSEN. The address was the Rotary Apartments, 1501 West Seventh Street.

Mr. LIEBELER. Fort Worth?

Mr. SEMINGSSEN. Fort Worth.

Mr. LIEBELER. In answering the last question, you referred to a memorandum in your file from a Mr. T. R. Coates to you, is that correct?

Mr. SEMINGSSEN. That's correct.

Mr. LIEBELER. That is dated December 9, 1963; is that correct?

Mr. SEMINGSSEN. That's correct.

Mr. LIEBELER. The memorandum indicates that a Mr. Meyers of the FBI came to the Fort Worth office of your company and requested that a check be made of the received money orders for the last 2 weekends of July to determine if a money order had been received addressed to Lee Harvey Oswald, or anyone at the address of the Rotary Apartments, 1501 West Seventh Street, Fort Worth, Tex.; is that correct?

Mr. SEMINGSSEN. That's correct.

Mr. LIEBELER. Mr. Coates says that the FBI agent said that the FBI had information that Lee Harvey Oswald's mother was a tenant at that address during that time, and Mr. Coates also indicates that a search of the received money orders of July 19, 20, 21-22, 26-27 and 28-29 were made, but no record was found of any having been received; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. Would it have been possible for Oswald to have received money orders at any offices in Dallas other than a Dallas main office?

Mr. SEMINGSSEN. Yes. He could have received money orders at the branch offices.

Mr. LIEBELER. Would the records of received money orders for the branch offices be filed at the Dallas main office or at the Dallas branch offices?

Mr. SEMINGSSEN. I am not certain about that, but the search of all received money orders was made covering both the main and branch offices.

Mr. LIEBELER. In Dallas?

Mr. SEMINGSSEN. In Dallas.

Mr. LIEBELER. What about suburban offices? We have noted that a specific search was made of the Irving office. Are there other suburban offices at which Oswald could have received money orders, which would not have been uncovered by the search which was made?

Mr. SEMINGSSEN. Yes; it is possible he could have received money orders at such places, for example, at Garland or Grand Prairie.

Mr. LIEBELER. Is there only one office in Irving?

Mr. SEMINGSSEN. Yes; there is one office in Irving.

Mr. LIEBELER. Do you know whether or not the records of received money orders for suburban areas of Dallas are kept in the local suburban office or kept in the Dallas main office?

Mr. SEMINGSSEN. They are kept at the branch office.

Mr. LIEBELER. But you are absolutely certain that the records relating to the money orders received at the Dallas branch office are either kept at the Dallas main office or would the search that was made include a search of the branch offices; is that correct?

Mr. SEMINGSSEN. Yes; and in addition, Irving, Tex.

Mr. LIEBELER. You mentioned a moment ago the fact that one of your employees, Mr. C. A. Hamblen, who is presently a night manager in the Dallas main office—is that correct?

Mr. SEMINGSSEN. I am not sure what his title is.

Mr. LIEBELER. Mr. Hamblen said that he thought he recognized Oswald as a customer in that office, is that correct?

Mr. SEMINGSSEN. Yes. He had indicated that he had thought he had seen Mr. Oswald or someone that looked like him in the office on some occasion, either receiving the money order or sending a telegram.

Mr. LIEBELER. Would you tell us the background of Mr. Hamblen's involvement in this matter. In your own words tell us the story of the events that prompted this search. What investigation was made as to Mr. Hamblen's activities, and what conclusion the company came to in this respect?

Mr. SEMINGSSEN. Perhaps it would be best to get that testimony direct from Mr. Wilcox. However, I did participate in a very thorough questioning of Mr. Hamblen and can furnish you with this information.

Mr. LIEBELER. Would you indicate for us briefly, and we will perhaps go into greater detail with Mr. Wilcox after lunch.

Mr. SEMINGSSEN. Sometime shortly after the killing of Oswald by Ruby, which was shown on television, Mr. Hamblen indicated or mentioned to Mr. Wilcox that he thought he had seen someone who appeared to look like Oswald in our main office, either receiving a money order or sending a telegram. When Mr. Wilcox learned of this information, he had a search made of our files for certain dates which he is in better position to testify on.

Mr. LIEBELER. He caused the search to be made for a telegram that might have been sent by Oswald or money order received by Oswald; is that correct?

Mr. SEMINGSSEN. That is correct. There were two specific instances in which Mr. Hamblen thought that he had seen Oswald in the office. One having to do with a received money order, and the other instance having to do with the filing of a telegram. The search made by Mr. Wilcox revealed no such transactions.

Mr. LIEBELER. Was this search made before or after Mr. Hamblen's views became known to the press?

Mr. SEMINGSSEN. The first search was made before the information reached the press. The second and more intensive search was made following appearance in the press concerning the alleged filing of telegrams and receiving of money orders by Oswald.

Mr. LIEBELER. As I understand the chronology of events here, Mr. Hamblen first indicated to Mr. Wilcox that he, Hamblen, thought he recalled Oswald having been in the Western Union office, the main office in Dallas; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. Subsequent to that time, as I understand it, Mr. Wilcox observed a story in the newspaper that indicated that Oswald had been in the office and had received a small amount of money by telegram money order; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. As I understand it, Mr. Wilcox at that point concluded that the story must have gotten to the press through Mr. Hamblen, and after that time, Mr. Hamblen was questioned by Mr. Wilcox and also by yourself, and gave to Mr. Wilcox certain statements relating to his alleged recollection of Oswald having been in the office; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. You have given me copies of two statements by Mr. Hamblen, dated December 2, 1963, and December 5, 1963, respectively. Did you have any personal involvement in the preparation of these statements to which I have referred?

Mr. SEMINGSSEN. No; I did not. At a meeting in Mr. Wilcox's office following my receipt of copies of these statements, I personally interrogated Mr. Hamblen and other employees whom Hamblen had thought had handled the transactions in question.

Mr. LIEBELER. Specifically, that would have been a Mrs. D. J. McClure? Is that correct?

Mr. SEMINGSSEN. That's correct.

Mr. LIEBELER. Mrs. McClure is an employee of the company who Mr. Hamblen said had had trouble with Oswald and had requested him, Hamblen, to assist in handling Oswald; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. Did you make any written report to the file, or for any other officer of the company, of your interrogation of Mr. Hamblen or Mrs. McClure?

Mr. SEMINGSSEN. No; I did not.

Mr. LIEBELER. Can you state for us at this time the general nature of the interrogation and the conclusions to which you came as a result of your questioning of Mr. Hamblen and Mrs. McClure?

We will note at this time for the record that while Mr. Semingsen is referring to copies of the two statements made by Mr. Hamblen, dated December 2 and December 5, 1963, they will not be marked at this time, since Mr. Semingsen had no direct involvement in the preparation of these statements. They will be marked subsequently upon the examination of Mr. Wilcox.

You may refer to those statements, if you wish.

Perhaps the record should also note that a statement was given to Mr. Wilcox, apparently by Mrs. McClure, on December 4, 1963. Mr. Semingsen, you indicated that you had questioned both of those employees. I assume that when you did question them, you had these statements before you; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. Please state the general nature of your questioning and the conclusions to which you came as a result of your questioning.

Mr. SEMINGSSEN. As previously indicated, I questioned both of the employees separately, individually, and together in the presence of Mr. Wilcox, my purpose being to reconcile the differences in their statements.

After having informed Mr. Hamblen of the extensive search that had been made for the telegram which he so vividly recalled having been filed by someone who looked like Oswald, and calling to his attention that all of the cash messages that had been handled by Mrs. McClure had been accounted for and no such message located, I asked for a further explanation from him. After questioning him, he would give no further explanation in the presence of Mrs. McClure.

Mr. LIEBELER. Did he still stick to the proposition that to the best of his recollection Oswald or someone that he thought looked like Oswald, had, in fact, been in the office and had these difficulties with Mrs. McClure?

Mr. SEMINGSSEN. I similarly questioned Mrs. McClure, and I am satisfied from the answers that she gave that her story is the correct one. Particularly in the absence of any such message in our files.

Mr. LIEBELER. Mrs. McClure's version is that no such person as Oswald ever came in the office, and she had no difficulty with anyone as a result of which she requested assistance from Mr. Hamblen; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. Are you satisfied that is a correct story?

Mr. SEMINGSSEN. I am satisfied that that is the correct story as indicated by Mrs. McClure in her statement that Mr. Hamblen was confused, possibly had Oswald mixed up with someone else who looked very much like him.

Mr. LIEBELER. Mr. Hamblen particularly mentioned a message that this person who he thought looked like Oswald was supposed to have sent to Washington, D.C.; is that correct?

Mr. SEMINGSSEN. Yes.

Mr. LIEBELER. To the Secretary of Navy in particular; is that correct?

Mr. SEMINGSSEN. The message that he had reference to was supposedly a night letter addressed to Washington, D.C., as indicated in his statement of December 5. In that statement he also indicated that the telegram was a cash telegram, accounted for by Mrs. McClure as a night letter. Such accounting would have to appear on her record of cash telegrams accepted.

Mr. LIEBELER. This is the telegram with respect to which Hamblen said Mrs. McClure had difficulty with a customer and requested his assistance; is that correct?

Mr. SEMINGSSEN. That is correct.

Mr. LIEBELER. You have caused a thorough search of Mrs. McClure's records to be made and you have not found any night letter to Washington, D.C.; is that correct?

Mr. SEMINGSSEN. That is correct during the period searched. We did locate several messages to Washington, D.C. I do not recall that they were accepted by Mrs. McClure, but Mr. Wilcox can testify as to that. In any event, a telegram to Washington, D.C., and several other cities fitting the description that Hamblen had given were shown to him and he could not identify any of them as the telegram he had referred to, which Mrs. McClure was supposed to have accepted.

Mr. LIEBELER. What dates were searched for the specific message to Washington, D.C.?

Mr. SEMINGSSEN. All cash messages sent to Washington, D.C., from the latter part of October through November 22, 1963.

Mr. LIEBELER. Can you be more specific as to what the latter part of October might be?

Mr. SEMINGSSEN. Whether or not accepted by Mrs. McClure. In addition, a search of all cash messages accepted by Mrs. McClure during the period November 1 to November 21, 1963, inclusive, was made, and all messages accepted by her were matched out with her cash sheet and all messages have been accounted for. All cash messages accepted by her have been accounted for. None could be identified as the message in question referred to by Mr. Hamblen.

Mr. LIEBELER. When you said it could not be identified, you mean it could not be identified by Mr. Hamblen? When shown to Mr. Hamblen, he could not identify them?

Mr. SEMINGSSEN. Yes.

Mr. LIEBELER. So, you are perfectly satisfied in your own mind based on the investigation which your company has conducted, and your questioning of Mr. Hamblen and Mrs. McClure, that Oswald did not receive any money order through your Dallas office or any of the other offices indicated in your memorandum, Exhibit 3001, and that Oswald did not, in fact, send a message to Washington, D.C., or give a message to Mrs. McClure as indicated by Mr. Hamblen; is that correct?

Mr. SEMINGSSEN. That is correct, and I am satisfied of that conclusion.

Mr. LIEBELER. I have no more questions at this point, Mr. Semingsen. I think that some of the details of the searches made and of other aspects of this matter will be taken up with Mr. Wilcox after lunch. If you have anything else that you would like to add, or you think I should ask you that I haven't asked you, I would appreciate if you would so indicate on the record at this point.

Mr. SEMINGSSEN. I can think of nothing at this time, but if anything further does occur to me, I will be glad to bring it to your attention. I am sure that Mr. Wilcox will be more helpful in answering any questions that you may wish to ask him.

Mr. LIEBELER. Thank you very much, Mr. Semingsen.

TESTIMONY OF LAURANCE R. WILCOX

The testimony of Laurance R. Wilcox was taken at 2 p. m., on March 31, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Mr. LIEBELER. Before I start, I want to swear you in as a witness.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILCOX. I do.

Mr. LIEBELER. Mr. Wilcox, my name is Wesley J. Liebeler. I am a member of the legal staff of the Commission appointed by President Johnson to investigate the assassination of President Kennedy.

Staff counsel have been authorized to take the testimony of witnesses by the Commission pursuant to authority granted to the Commission under Executive Order 11130, dated November 29, 1963, and Joint Resolution of Congress No. 137.

The Commission rules of procedure require that copies of that Executive order and the congressional resolution, as well as copies of the Commission's rules and procedures relating to the taking of testimony be provided to each witness prior to the time his testimony is taken. I now provide you with copies of those documents. The general nature of the testimony that we wish to get from you today relates to investigations made by Western Union Telegraph Co. concerning the possibility that Lee Harvey Oswald received money orders through the offices of your company, either in Dallas or the surrounding area, and the possibility that he may have sent telegrams to other persons through the facilities of your company.

Mr. LIEBELER. Before we get into the details of your testimony, would you please state your full name for the record?

Mr. WILCOX. Laurance R. Wilcox.

Mr. LIEBELER. By whom are you employed?

Mr. WILCOX. Western Union Telegraph Co.

Mr. LIEBELER. In what capacity?

Mr. WILCOX. District manager.

Mr. LIEBELER. What are your duties as district manager?

Mr. WILCOX. Administrative; in charge of the operation for Western Union in the city of Dallas.

Mr. LIEBELER. You are general manager then of the area which includes just the city of Dallas; is that correct?

Mr. WILCOX. District manager.

Mr. LIEBELER. Of just the city of Dallas; is that correct?

Mr. WILCOX. Yes; and immediate surrounding towns such as Garland, Mesquite, Grand Prairie, Irving, and Lancaster. That is all I can think of right now.

Mr. LIEBELER. You are generally in charge of the operations of the company within that particular area; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Did there come a time, Mr. Wilcox, when you caused a search to be made of the records of the Western Union Telegraph Co. to determine whether or not Lee Harvey Oswald had ever received or sent any telegrams through the offices under your jurisdiction?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Would you tell us about that?

Mr. WILCOX. Can I refer to these papers?

Mr. LIEBELER. You may refer to any papers that you wish.

Mr. WILCOX. I want to so that I will have this exactly right as to what took place. My first knowledge of the message that was supposed to have been sent by Oswald was when Mr. Hamblen, early night manager at my office, visited with me telling me—

Mr. LIEBELER. Is that Mr. C. A. Hamblen?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Go ahead.

Mr. WILCOX. Telling me that he had been watching the television, and when he saw the picture of Oswald, he recognized that as being a man that had been in our office and had filed a message.

Mr. LIEBELER. Do you remember when Mr. Hamblen told you this?

Mr. WILCOX. This was on a Wednesday following the assassination—following the shooting of Oswald. He told me that he was positive that he had seen Mr. Oswald in our office.

Mr. LIEBELER. He told you this on Wednesday following the Sunday on which Mr. Oswald was shot by Ruby; is that correct?

Mr. WILCOX. That's right.

Mr. LIEBELER. That would have been November 27, 1963? Thanksgiving was on November the 28th.

Mr. WILCOX. Yes. It was on a Wednesday preceding Thanksgiving. I asked Mr. Hamblen to tell me exactly what had taken place.

He stated that Oswald had filed a message going to Washington—a cash message, and it was written in a peculiar script, as Mr. Hamblen put it. It was typed in pencil. I think what he meant is printed in pencil.

I asked him to immediately set about to obtain copies of that, as I was leaving town, and to get a copy of the message, and to do that it would be necessary for him to see Mr. Pirtle, our bookkeeping manager, and to get the message, put it in an envelope, and address it to my personal attention while I was in Kansas City.

Mr. LIEBELER. Did Mr. Hamblen tell you anything about what the message said or to whom it was addressed, at this first conversation?

Mr. WILCOX. No, he didn't. We left for Kansas City and was there over the Thanksgiving holidays.

Mr. LIEBELER. You and your family?

Mr. WILCOX. Yes. And while there, this article appeared in the Kansas City Star, their evening paper; very much the same story as appeared in the Dallas Times Herald.

Mr. LIEBELER. I show you a copy of a clipping which purports to have appeared in the Dallas Times Herald on November 30, 1963. I ask you if this tells a story similar to the report you saw in the Kansas City Star?

Mr. WILCOX. Yes, same story.

Mr. LIEBELER. We will mark this clipping as Exhibit 3002 on the deposition of Laurance R. Wilcox, at Dallas, Tex., March 31, 1964. I have initialed the clipping in question, Mr. Wilcox, and ask you to do the same.

Mr. WILCOX. [Initials.] Immediately when I read this story in the Kansas City paper I recognized it as being the same story that Mr. Hamblen had told me just a couple of days before in my office.

We returned to Dallas Sunday, and immediately on my return to the office Monday—

Mr. LIEBELER. Monday, I suggest would have been December 2, 1963?

Mr. WILCOX. Yes.

Mr. LIEBELER. And you fix that by recalling that the assassination was on the 22d. The following Friday would have been the 29th. Saturday, the 30th. Sunday the 1st; and Monday would have been December 2?

Mr. WILCOX. Yes, December 2. Now, this was on my return to the office, and we indicated that was December 2. I went over the information that was contained in the newspaper article with Mr. Hamblen, reminding him that this was in effect the same story as he had told me just 2 days before, a few days before. Particularly, its comment about the strange printing on the telegram which he had seen presented by Oswald.

Mr. Hamblen admitted that he had discussed several matters with different reporters, but insisted that he hadn't given out such detailed information as appeared in the newspaper article.

However, I was constrained to feel that he had because it was exactly the same story as he had given me initially in the past week.

There was no doubt in my mind but that the newspaper article stemmed from Mr. Hamblen's visit with a newspaper reporter.

Mr. LIEBELER. In this connection, Mr. Wilcox, you have referred to a copy of

a letter dated December 3, 1963, which appears to be a letter from you to Mr. Semingsen; is that correct?

Mr. WILCOX. Yes, sir; would you like to have a copy?

Mr. LIEBELER. Yes. Did you prepare that letter on or about December 3?

Mr. WILCOX. Yes, I did.

Mr. LIEBELER. Does it accurately reflect the events that occurred prior to that time?

Mr. WILCOX. Yes.

Mr. LIEBELER. I mark that letter as Exhibit 3003, on the deposition of Mr. Laurance R. Wilcox, at Dallas, Tex., March 31, 1964. I have initialed the copy in question, Mr. Wilcox, and would like to have you do the same thing if you would.

Mr. WILCOX. [Initials.]

Mr. LIEBELER. Before we go on, I call your attention to the fact that this letter of December 3, 1963, starts out by saying "This is to supplement my report of December 2 in connection with newspaper article regarding messages and money order to Ruby or Oswald."

Do you have a copy of your report of December 2, referred to in Exhibit 3003?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. May we mark that as Exhibit No. 3004 on the deposition of Mr. Laurance R. Wilcox, Dallas, Tex., March 31, 1964?

Mr. WILCOX. [Hands document to attorney.]

Mr. LIEBELER. I have initialed Exhibit No. 3004 and you have done likewise, have you not?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. You had just indicated that you had talked to Mr. Hamblen upon your return concerning the newspaper story. Would you tell us what happened next?

Mr. WILCOX. I asked Mr. Hamblen if he had obtained the message from the bookkeeping department as I had requested he do, and he stated that he had not found it and did not have it and it wasn't available.

On December 9, Mr. Semingsen, vice president of Western Union, was at my office, and at this time we interviewed several employees for the purpose of finding out if any of them could recall having seen Oswald in our office. We also discussed the Ruby money orders.

Mr. LIEBELER. Can you tell us the names of the employees who were interviewed on December 9, 1963, in connection with the possibility that Oswald might have sent or received telegrams through your company?

Do you have a memorandum reflecting what happened?

Mr. WILCOX. No, because what we did, we asked for statements from these people, and I have those statements and that was the result of that meeting.

Mr. LIEBELER. The meeting you referred to now is the meeting held in your office on December 9?

Mr. WILCOX. The meeting held in my office on December 9.

Mr. LIEBELER. I call your attention to a message that was sent by Mr. Semingsen to Mr. J. H. Waters in New York City, which has been attached as Attachment No. 5 to Exhibit 3001 on Mr. Semingsen's deposition. I show you that message and ask you if that accurately reflects what occurred at the meeting in your office on December 9, 1963?

Mr. WILCOX. This doesn't.

Mr. LIEBELER. You say it does not?

Mr. WILCOX. This was pertaining to Mr. Ruby. This did not have anything to do with that.

Mr. LIEBELER. Let me further point out to you, Mr. Wilcox, that we have statements of Mr. Hamblen dated December 2 and December 5, 1963, which are apparently addressed to you. I show you copies, first, of the statement dated December 2, 1963, and ask you if you can remember the circumstances under which that statement was obtained from Mr. Hamblen?

Mr. WILCOX. This statement was obtained—

Mr. LIEBELER. The statement you are referring to is the statement dated December 2, 1963; is that correct?

Mr. WILCOX. Yes. This statement was obtained at the time I discussed the matter with Mr. Hamblen on December 2, Monday. That was this statement.

Mr. LIEBELER. That visit with Mr. Hamblen is described in Exhibit No. 3003, your letter to Mr. Semingsen on December 3, 1963, is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. And the statement of Mr. Hamblen, dated December 2, 1963, was obtained at that time? That time being the first time that you talked to Mr. Hamblen after this matter appeared in the newspapers; is that correct?

Mr. WILCOX. Yes.

Mr. LIEBELER. Do you have the original of Mr. Hamblen's statement of December 2, 1963?

Mr. WILCOX. I can't find it in my file. I am wondering if it was sent to Mr. Semingsen's file, but we have gone through that.

Mr. LIEBELER. I show you a thermofax copy that has been provided to us, and ask you if that is an accurate copy of the original statement?

Mr. WILCOX. Yes. That was made in our office on the thermofax machine.

Mr. LIEBELER. Let us mark the thermofax copy of the statement of Mr. C. A. Hamblen to Mr. Wilcox dated December 2, 1963, as Exhibit 3005 on the deposition of Mr. Laurance R. Wilcox, at Dallas, Tex., on March 31, 1964.

I have initialed Exhibit 3005, Mr. Wilcox. Will you do the same?

Mr. WILCOX. [Initials.]

Mr. LIEBELER. Does the statement of Mr. Hamblen, Exhibit No. 3005, accurately reflect the conversation which you had with him on December 2, 1963?

Mr. WILCOX. Yes.

Mr. LIEBELER. Did you prepare that statement yourself?

Mr. WILCOX. No, sir; Mr. Hamblen prepared that.

Mr. LIEBELER. Did Mr. Hamblen dictate it himself, or write it out?

Mr. WILCOX. Wrote it on the typewriter himself.

Mr. LIEBELER. Now in the December 2, 1963, statement, Mr. Hamblen says: "As I recall, several weeks ago Mr. Aubrey Lewis had trouble paying this party a money order. He expected to get same without proper ID. He was informed to get some ID and come back and get paid, and as Mr. Lewis recalled he returned about 1 hour later with Navy ID card and a library card and was paid a small amount with this ID and after payment made, party left the office.

Mr. Lewis remarked to me, I would like to pinch the heads off people of his character."

Do you recall discussing this with Mr. Hamblen on December 2, 1963?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Can you remember anything else that Mr. Hamblen might have said about this incident other than that which is reflected in the statement?

Mr. WILCOX. No.

Mr. LIEBELER. Do you recall discussing this statement with Mr. Lewis at any time?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. When did you first discuss it with Mr. Lewis?

Mr. WILCOX. That is what I am trying to find right here. Must have been on December 4 that I talked to Mr. Lewis about it, and his statement addressed to me was written by himself.

Mr. LIEBELER. On December 4, 1963?

Mr. WILCOX. On December 4, 1963.

Mr. LIEBELER. Do you have a copy of that statement?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Could we mark that as Exhibit No. 3006 on the deposition of Laurance R. Wilcox, at Dallas, Tex., March 31, 1964?

In this case you have actually provided me the original of Mr. Lewis' statement, is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. I have initialed Exhibit No. 3006 and would like to have you do the same, if you would.

Mr. WILCOX. [Initials.]

Mr. LIEBELER. Mr. Lewis' statement refers to that portion of Mr. Hamblen's statement, dated December 2, 1963, which we just read, does it not?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. And Mr. Lewis says that he does recall the difficulty he had paying a small money order to a gentleman who struck him as being a feminine type of person, but says he cannot remember the name of that person; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Do you remember discussing that with Mr. Lewis to any extent other than as reflected on this statement?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Could you tell us what you said and what Mr. Lewis said about this?

Before you tell us what was said, this discussion that you are referring to was held on December 4, 1963, or some other time?

Mr. WILCOX. Yes, sir; at that time.

Mr. LIEBELER. Will you tell us what that conversation was?

Mr. WILCOX. The conversation with Mr. Lewis had to do with trying to identify the person that he was supposed to have paid this money order to, and the one with which he had some difficulty in establishing identification.

Mr. LIEBELER. I want you to tell me exactly what happened in as great detail as you can remember it.

Now, at this conversation with Mr. Lewis, the possibility that this money order was to be delivered to someone at the YMCA on Ervay Street in Dallas was discussed, was it not?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Will you tell us all that you can remember about that aspect of the discussion that you had with Mr. Lewis?

Mr. WILCOX. I have discussed the matter with Mr. Lewis regarding the money order which he was having difficulty in paying. He could not pay the money order because the recipient could not produce suitable identification.

Mr. Lewis was a little hazy on the details about it, but was under the impression that it was a money order or a message in the nearby area, possibly on Ervay Street or at the YMCA.

We instituted a search for all money orders during this period, that might be the message to which Mr. Hamblen was making reference.

Mr. LIEBELER. That was the one with which Mr. Lewis had difficulty in paying; is that correct?

Mr. WILCOX. Yes. Now, we found some messages. One in the amount of \$65. One in the amount of \$35. But neither of these were the money orders that Mr. Hamblen had reference to.

Mr. LIEBELER. How did you establish the fact that they were not the money orders?

Mr. WILCOX. He looked at them and decided it wasn't the one, because we couldn't find anything that had reference to this particular identification that Hamblen was talking about.

Mr. LIEBELER. Mr. Lewis looked at these telegrams; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Does the telegram indicate what sort of identification was produced by the person to whom the money order was paid?

Mr. WILCOX. Well, there are several others in here.

Mr. LIEBELER. You are looking through a number of telegrams covering money orders; is that correct?

Mr. WILCOX. Going to different people at the YMCA, but none of them was the money order message. None of them was a money order message that Lewis could identify as being a money order of the type Hamblen was describing. In other words, he couldn't find anything that fitted into that pattern at all.

Mr. LIEBELER. You discussed these money orders with Mr. Lewis after you obtained them from the files; is that correct?

Mr. WILCOX. That's right. Mr. Lewis later told me that it might have been a money order draft that could have been paid to some individual in our town, and that the party holding the draft had presented it at our office for payment,

but was having difficulty in producing suitable identification for us to cash the draft. In that event, we would not have any message or record of message in our file locally.

Mr. LIEBELER. If I understand you correctly, Mr. Wilcox, the situation which you just described would occur when a money order telegram had been delivered to some party at some other office, some office other than the Dallas central office?

Mr. WILCOX. That's right.

Mr. LIEBELER. And he would have the draft in his hand that would have been delivered to him by the telegraph company in some other office, and then he would come to the Dallas central office and attempt to cash that draft: is that correct?

Mr. WILCOX. Yes.

Mr. LIEBELER. And Mr. Lewis said it is possible that the transaction with which he had such difficulty could have been a transaction such as the one we have described; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. In that event, you would not have any record of it in the Dallas office?

Mr. WILCOX. No, sir.

Mr. LIEBELER. Is it correct that you would not have any record of it in the Dallas office even when the draft had been successfully cashed, as it apparently subsequently was in this case?

Mr. WILCOX. No, sir.

Mr. LIEBELER. You would still not have any record of it?

Mr. WILCOX. No, sir.

Mr. LIEBELER. Now, you have produced 11 money orders in the form of telegrams, transmitting money to individuals living at the YMCA here in Dallas. Is it correct that these are the only 11 telegrams which you were able to find addressed to the YMCA or to anyone at the YMCA during some period beginning on or about October 1963, and running up to approximately the end of November 1963?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Did you, yourself, personally authorize or instruct that the search be conducted which produced these telegrams?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. That would have been a search through every single money order delivered through the Dallas office through the month of October or November, 1963, is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. These 11 telegrams are the only 11 that were addressed to the YMCA?

Mr. WILCOX. Yes.

Mr. LIEBELER. Now, the dates covered by the search would be October 1 through the 17th of November 1963? Or what was it, as best you can recall?

Mr. WILCOX. The end of November, as I remember.

Mr. LIEBELER. Beginning when?

Mr. WILCOX. Beginning the first part of October.

Mr. LIEBELER. It is a fact, is it not, that none of these 11 telegrams are addressed to Lee Harvey Oswald?

Mr. WILCOX. No, sir; none of them are.

Mr. LIEBELER. Or to anybody using any of Mr. Oswald's known aliases?

Mr. WILCOX. No, sir.

Mr. LIEBELER. I think that we had better, for the record, indicate the names of the people to whom these telegrams are addressed. There is a telegram dated October 4, 1963, addressed to George McMurray, transmitting \$15, is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. There is also a telegram dated October 10, 1963, addressed to Michael C. Robinson, transmitting \$100 to Mr. Robinson at the YMCA, is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. And there is a telegram dated October 11, 1963, transmitting \$150 to James McGinley, is that right?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Also for the record we better indicate who sent these telegrams. The telegram to Mr. McMurray was sent by Mrs. Mildred McMurray in Plainfield, N.J.; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. The telegram to Mr. Robinson was sent by Mrs. S. R. Robinson, of Charleston, S.C.; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. The telegram to Mr. McGinley was sent by Cornelius McGinley of Chicago; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. There is a telegram dated October 15, 1963, to Mr. Jack Burge from Rosalie A. Burge, Tulsa, Okla., transmitting \$10; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. There is also a telegram dated October 19, 1963, to John A. Casber from John Casber of Midland, Tex., transmitting \$35?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. A telegram dated October 28, 1963, to Gary Aue from Mrs. G. C. O'Quinn, Ft. Morgan, Colo., transmitting \$65.

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. There is a telegram dated October 31, 1963, to Stanley S. Quipiec from Stayea Houston of Ware, Mass., transmitting \$50; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. There is also a telegram dated November 22, 1963, to Welton Hayes from Louis W. Hayes, of Rome, N.Y., transmitting \$25; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. And a telegram dated November either 27 or 28.

Mr. WILCOX. It would be November 7. This is a transmission, November 7.

Mr. LIEBELER. 1963 to John M. Brandes, Jr., from Helen Tuttle, San Antonio, transmitting \$20; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. And one dated November 22, 1963, to Frank or Grace Fitzell, from the Akron Dime Bank in Akron, Ohio, transmitting \$200; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. And one dated November 28, 1963, to George McMurray from Mildred McMurray, Plainfield, N.J., transmitting \$6; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. And the addresses in each case were located then at the YMCA on North Ervay in Dallas; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Those were the only money order telegrams to individuals at the YMCA that you were able to find in the search of your records, and you are satisfied that those are the only money order telegrams in existence addressed to people in the YMCA during that period; is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Now, Mr. Lewis' statement of December 4, 1963, mentions that the individual with whom he had difficulty in paying the money order was a man of Spanish descent, is that correct?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Did you have any discussion with Mr. Lewis about that?

Mr. WILCOX. We may have had it at the time we read this statement, but I don't recall anything specific.

Mr. LIEBELER. Did you have any discussion with Mr. Lewis as to whether he recognized this individual with whom he had difficulty in paying the money order, as Lee Harvey Oswald, from pictures of Oswald which appeared in the newspaper?

Mr. WILCOX. I asked him about that and he said he couldn't describe or associate the party to the extent that he could associate it with Oswald's picture or anything like that.

Mr. LIEBELER. He just had no recognition?

Mr. WILCOX. Other than that he had some difficulty in paying a money order.

Mr. LIEBELER. Now, as a result of these events that followed Mr. Hamblen's statement to the newspaper reporter and the subsequent investigation that was requested or instigated by the FBI and the Secret Service and other investigatory agencies, you conducted certain searches of certain files in your office in an attempt to locate any money orders that Oswald might have received, or any telegrams that Oswald might have sent during certain periods; is that correct?

Mr. WILCOX. Yes; I can give you those dates.

Mr. LIEBELER. Let me show you Exhibit 3001, which is a memorandum from Mr. Semingsen, and ask you if that memorandum accurately sets forth the dates and the checks that were made of the files in the Dallas and Irving, Tex., offices of your company to determine whether or not Oswald had received or sent any telegrams?

Mr. WILCOX. Yes, sir; that's right.

Mr. LIEBELER. Mr. Semingsen testified this morning that the paying office—that is, the office through which a money order is delivered, maintains a chronological record or file of all money orders passing through that office; is that correct?

Mr. WILCOX. That's right.

Mr. LIEBELER. It is my understanding that you caused the files for both Dallas and Irving to be searched for the periods indicated in Exhibit 3001?

Mr. WILCOX. That's right.

Mr. LIEBELER. You were unable to find any money order payable to Lee Harvey Oswald or O. H. Lee or Alex James Hidell; is that correct?

Mr. WILCOX. That's correct.

Mr. LIEBELER. Is it possible that money orders could be sent to someone just by using initials or some shorthand name?

Mr. WILCOX. No; you never see anything because you would have no way to identify the man or associate it that you are paying it to them correctly, associate it with any identification that he might have.

Mr. LIEBELER. Since each individual must produce identification at the time the money order is paid, the money order is naturally in the full name?

Mr. WILCOX. Correct. They could be accepting it for someone—it might not be their correct name, but they could have some identification that, if it was just a small money order, but we can't change that identification. If it meets what shows on the money order, then we pay it.

Mr. LIEBELER. But you have never heard of a situation where a money order is paid to somebody just addressed to him by initials or something like that?

Mr. WILCOX. No.

Mr. LIEBELER. How many offices, approximately, does the Western Union office have in Dallas?

Mr. WILCOX. There are eight branch offices.

Mr. LIEBELER. Plus a central office?

Mr. WILCOX. Plus a central office.

Mr. LIEBELER. Is it possible to receive money orders through the branch office?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Are the files of money orders received through branch offices kept in the branch offices, or the Dallas central office?

Mr. WILCOX. Kept at our main office.

Mr. LIEBELER. So, that the search that you made of the records of the central office would include money orders that were received through any branch office located within the City of Dallas, is that correct?

Mr. WILCOX. That's right.

Mr. LIEBELER. You said before that your district covered not only the City of Dallas, but surrounding communities including Irving?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Are the records relating to money orders received through these other offices of suburban communities located or kept in the suburban offices or the Dallas central office?

Mr. WILCOX. In this case, this was an agency office and it would be—the records

were kept at the Irving agency office. We did search those records at the Irving agency office.

Mr. LIEBELER. That fact is indicated in Exhibit 3001, is it not?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. The records of telegrams or money orders received through other suburban offices such as Garland, for example, would also be kept in the Garland office, would they not?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. But no search was made of any suburban office other than Irving; is that correct?

Mr. WILCOX. That's right.

Mr. LIEBELER. Mr. Semingsen's memorandum also indicates that a search was made of the files in Fort Worth and in New Orleans, but you have no direct personal knowledge of what happened at those offices, do you?

Mr. WILCOX. No, sir.

Mr. LIEBELER. We also have here a statement from Mr. Hamblen dated December 5, 1963. Do you have the original of that statement?

Mr. WILCOX. Yes; I do have.

Mr. LIEBELER. We will mark the original as Exhibit No. 3007 on the deposition of Laurance R. Wilcox, at Dallas, Tex., March 31, 1963.

I have initialed Exhibit No. 3007, Mr. Wilcox, and I would like you do the same.

Mr. WILCOX. [Initials.]

Mr. LIEBELER. This statement was apparently taken on December 5, 1963. Do you recall the circumstances under which it was given?

Mr. WILCOX. This was following a meeting and discussion that we held on December 4, at which time we discussed the money orders and messages with Mr. Hamblen, Mrs. McClure, and Mr. Lewis.

Mr. LIEBELER. Who was present at this discussion other than the individuals you just mentioned and yourself?

(Mr. Wilcox phoned his office re: correct date of meeting.)

Mr. WILCOX. I did hold this meeting.

Mr. LIEBELER. Let the record indicate that Mr. Wilcox has just conferred telephonically with Mr. Semingsen and wishes now to clarify the statements concerning the time on which certain meetings were held with the employees.

Mr. WILCOX. I did hold the meetings with these people on December 4, and did obtain these statements, including the statement from Mrs. McClure, Mr. Lewis, both indicated as December 4, and the statement from Mr. Hamblen which is dated December 5.

Following this meeting I endeavored to find the message or messages that Mr. Hamblen was referring to, which he insisted Mrs. McClure had accepted from Mr. Oswald. I did extract from our files all messages matching the message numbers on the cash sheet prepared by Mrs. McClure.

Mr. LIEBELER. Did the FBI ask you to do this because Mr. Hamblen said that a message with which Mrs. McClure had difficulty was given to her by a man who Hamblen thought was Oswald, and that the message was one to Washington, D.C., specifically to the Secretary of the Navy—

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. And that it was accounted for on Mrs. McClure's sheet as a night letter that was set forth on her cash sheet; is that correct?

Mr. WILCOX. That's right.

Mr. LIEBELER. So you then got all of the telegrams that were listed on Mrs. McClure's cash sheets; is that correct?

Mr. WILCOX. From the 1st of November through the November 22. We could not find any such messages. However, we did extract all messages going to Washington, D.C., regardless of the names to whom they were sent, or signed, including some messages going to other points, because of their peculiar type of printing.

Now, would you like to see those messages?

Mr. LIEBELER. Yes, sir; I would. Let me ask you specifically if the period covered in terms of this extraction was from October?

Mr. WILCOX. From November 1.

Mr. LIEBELER. From November 1?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. You picked that period because Mr. Hamblen said that he thought the event occurred about 10 days prior to the assassination; is that correct?

Mr. WILCOX. That's right. Now, I think you have the only thermofax of Mrs. McClure's. Would you want the original?

Mr. LIEBELER. Yes; I do want to mark the original statement of Mrs. McClure, dated December 4, 1963, which has been previously referred to by Mr. Wilcox. I will mark it as Exhibit 3008 on the deposition of Mr. Laurance R. Wilcox at Dallas, Tex., on March 31, 1964.

I have initialed that exhibit, Mr. Wilcox, and would like to have you do the same.

Mr. WILCOX. [Initials.]

Mr. LIEBELER. Who prepared Mrs. McClure's statement?

Mr. WILCOX. Mrs. McClure wrote that.

Mr. LIEBELER. She typed it on the typewriter herself?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Were you present at the time she prepared it?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Did you discuss these incidents with her prior to the statement?

Mr. WILCOX. Only during the course of the meeting that she attended in my office.

Mr. LIEBELER. During the course of that time, Mrs. McClure indicated to you, did she not, that she had no recollection of any of the events described by Mr. Hamblen concerning the message allegedly sent to Washington, D.C.?

Mr. WILCOX. That's right.

Mr. LIEBELER. Let's mark these telegrams as Exhibits 3009 through 3014. I have initialed each one of them and would like to have you do the same. I have not indicated on each one of them in detail. It is on your deposition and on the dates, as I have on the others, but that fact will appear from the record.

Mr. WILCOX. [Initials.]

Mr. LIEBELER. You have now provided me with six telegrams, cables which have been marked for identification as Exhibits 3009 through 3014, and it is my understanding that these telegrams and cables were all shown to Mr. Hamblen and he was unable to identify any of them as answering the description of the telegram or cablegram with which Mrs. McClure had had difficulty, and which Mr. Hamblen thought had been sent by a person resembling Lee Harvey Oswald, is that correct?

Mr. WILCOX. That's right.

Mr. LIEBELER. And a thorough search of the files along the lines that you have previously indicated was unable to produce any other telegrams even remotely falling into the category described by Mr. Hamblen; i.e., a telegram to Washington, D.C. or in a peculiar hand script such as described by Mr. Hamblen to any destination, whether it be Washington or otherwise; is that correct?

Mr. WILCOX. That's right.

Mr. LIEBELER. Now, you have provided me with a letter from yourself to Mr. Semingsen, dated December 6, 1963, which we will mark as Exhibit 3015, on deposition of Laurance R. Wilcox, at Dallas, Tex., March 31, 1964. I have initialed that exhibit and ask you to do the same, sir.

Mr. WILCOX. [Initials.]

Mr. LIEBELER. And ask you if you prepared the original of that letter on or about December 6, 1963?

Mr. WILCOX. That's right.

Mr. LIEBELER. You sent the original of it to Mr. Semingsen, did you not?

Mr. WILCOX. Yes, sir; that's right.

Mr. LIEBELER. And the letter accurately sets forth the events preceding that date which we have been discussing here, does it not?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. You have also provided me with a copy of a letter from yourself to Mr. Semingsen, dated December 9, 1963, to which is attached the original of statement from Mrs. Betty Bedwell, dated December 6, 1963, and A. I.

English, dated December 6, 1963. I notice that Mr. English's statement is not signed.

Mr. WILCOX. [Signs.]

Mr. LIEBELER. And I ask you if the original of it was signed at the time you received it?

Mr. WILCOX. No, sir; he just signed this on the typewriter to me.

Mr. LIEBELER. No; he did not himself sign it?

Mr. WILCOX. No.

Mr. LIEBELER. You have indicated below that it was in effect signed by Mr. English when he delivered it to you?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Also attached is a statement of Miss Bess Mildred Francis, dated December 9, 1963. Also attached is a statement of Doyle E. Lane, dated December 9, 1963; and one of Mr. E. T. Pirtle, dated December 6, 1963; and one of Ward Townsley dated December 6, 1963. Did you receive those statements from the individuals thus described?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. We have marked the letter described above, together with the attachments just described as Exhibit 3016 on the deposition of Mr. Laurance R. Wilcox at Dallas, Tex., on March 31, 1964. I have initialed the first page of that exhibit and would like to have you do the same.

Mr. WILCOX. [Initials.]

Mr. LIEBELER. Did you send the original of your letter dated December 9, 1963, to Mr. Semingsen on or about that date?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. The statements made in that letter are true and correct to the best of your knowledge, are they not?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. You have also given me the original of a statement dated December 6, 1963, of Mr. Doyle E. Lane. Was that also attached to your letter of December 9, 1963, to Mr. Semingsen?

Mr. WILCOX. No, sir.

Mr. LIEBELER. Did you receive yourself from Mr. Lane the statement just described?

Mr. WILCOX. Yes, sir.

Mr. LIEBELER. Let me mark it as Exhibit 3017 on this deposition.

Would you initial the statement of Mr. Lane which we have marked 3017?

Mr. WILCOX. Yes, sir. [Initials.]

Mr. LIEBELER. Thank you.

You previously testified, Mr. Wilcox, that you had a meeting on or about December 4, 1963, with Mr. Hamblen, Mrs. McClure, and Mr. Lewis in regard to the meeting we have been discussing, and you also testified that you thought you had an additional meeting on December 9, 1963, at which Mr. Semingsen was present. Would you care to elaborate on that?

Mr. WILCOX. The meeting as you have outlined—the meetings on the dates you have outlined are correct. The meeting on December 9, at which Mr. Semingsen attended was for the purpose of confronting Mr. Hamblen with the messages that we had extracted that were going to Washington, or those which were in peculiar print, that had been accepted by Mrs. McClure during the period of 1st of November until about November 22. Mr. Hamblen, of course, could not identify any of these telegrams as having been the message he described in his statement of December 2 and December 5.

Mr. LIEBELER. Did you form a conclusion at that time as to the accuracy of Mr. Hamblen's recollection concerning the events which he had related to you and to the press?

Mr. WILCOX. Yes.

Mr. LIEBELER. What was that conclusion?

Mr. WILCOX. That this whole thing was a figment of Mr. Hamblen's imagination. I am fearful that he was just emotionally upset over the events as they transpired, and this may have been the factor causing him to say what he had said about the acceptance of the messages and the money order, and possibly have something to do with his statements to the press.

Mr. LIEBELER. As I understand you, you were perfectly satisfied at that time that Oswald had never in fact been in the office either to receive money orders or to send any telegram of the type described by Mr. Hamblen, or as far as you have been able to determine, any other telegram ; is that correct?

Mr. WILCOX. That's right.

Mr. LIEBELER. At this point I can't think of any further questions, Mr. Wilcox. If you can think of anything that you would like to say that in your opinion would be of assistance to the Commission in its work, please indicate that at this time? Can you think of anything else?

Mr. WILCOX. I can't think of anything else now, but if I do, I will be happy to pass it along to you.

Mr. LIEBELER. If you do think of anything subsequently, call it to my attention and I would appreciate it very much.

Thank you very much, Mr. Wilcox. You have been very helpful and very cooperative. The Commission appreciates the cooperation you and Western Union have shown. Thank you very much.

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