

Investigation of Possible Conspiracy

THIS chapter sets forth the findings of the Commission as to whether Lee Harvey Oswald had any accomplices in the planning or execution of the assassination. Particularly after the slaying of Oswald by Jack Ruby under the circumstances described in the preceding chapter, rumors and suspicions developed regarding the existence of a conspiracy to assassinate President Kennedy. As discussed in appendix XII, many of these rumors were based on a lack of information as to the nature and extent of evidence that Oswald alone fired the shots which killed President Kennedy and wounded Governor Connally. Others of the more widely publicized rumors maintained that Oswald must have received aid from one or more persons or political groups, ranging from the far left to the far right of the political spectrum, or from a foreign government, usually either the Castro regime in Cuba or the Soviet Union.

The Commission faced substantial difficulties in determining whether anyone conspired with or assisted the person who committed the assassination. Prior to his own death Oswald had neither admitted his own involvement nor implicated any other persons in the assassination of the President. The problem of determining the existence or nonexistence of a conspiracy was compounded because of the possibility of subversive activity by a foreign power. Witnesses and evidence located in other countries were not subject to subpoena, as they would have been if they had been located in the United States. When evidence was obtained from a foreign nation, it could not be appraised as effectively as if it had been derived from a domestic source. The Commission has given the closest scrutiny to all available evidence which related or might have related to a foreign country. All such evidence was tested, whenever possible, against the contingency that it had been fabricated or slanted to mislead or confuse.

In order to meet its obligations fully, the Commission has investigated each rumor and allegation linking Oswald to a conspiracy which has come to its attention, regardless of source. In addition, the Commission has explored the details of Lee Harvey Oswald's activities and

life, especially in the months immediately preceding the assassination, in order to develop any investigative lead relevant to the issue of conspiracy. All of Oswald's known writings or other possessions which might have been used for code or other espionage purposes have been examined by either the Federal Bureau of Investigation or the National Security Agency, or both agencies, to determine whether they were so used.¹

In setting forth the results of this investigation, the first section of this chapter reviews the facts related to the assassination itself, previously considered in more detail in chapter IV. If any conspiracy did exist, it might have manifested itself at some point during Oswald's preparation for the shooting, his execution of the plan, or his escape from the scene of the assassination. The Commission has therefore studied the precise means by which the assassination occurred for traces of evidence that Oswald received any form of assistance in effecting the killing.

The second section of the chapter deals more broadly with Oswald's life since 1959. During the period following his discharge from the Marines in 1959, Oswald engaged in several activities which demand close scrutiny to determine whether, through these pursuits, he developed any associations which were connected with the planning or execution of the assassination. Oswald professed commitment to Marxist ideology; he defected to the Soviet Union in 1959; he attempted to expatriate himself and acquire Soviet citizenship; and he resided in the Soviet Union until June of 1962. After his return to the United States he sought to maintain contacts with the Communist Party, Socialist Workers Party, and the Fair Play for Cuba Committee; he associated with various Russian-speaking citizens in the Dallas-Fort Worth area—some of whom had resided in Russia; he traveled to Mexico City where he visited both the Cuban and Soviet Embassies 7 weeks before the assassination; and he corresponded with the Soviet Embassy in Washington, D.C. In view of these activities, the Commission has instituted a thorough investigation to determine whether the assassination was in some manner directed or encouraged through contacts made abroad or through Oswald's politically oriented activities in this country. The Commission has also considered whether any connections existed between Oswald and certain right-wing activity in Dallas which, shortly before the assassination, led to the publication of hostile criticism of President Kennedy.

The final section of this chapter considers the possibility that Jack Ruby was part of a conspiracy to assassinate President Kennedy. The Commission explored Ruby's background and his activities in the months prior to the assassination, and especially his activities in the 2 days after the assassination, in an effort to determine whether there was any indication that Ruby was implicated in that event. The Commission also sought to ascertain the truth or falsity of assertions that Oswald and Ruby were known to one another prior to the assassination.

In considering the question of foreign involvement, the Commission has received valuable assistance from the Department of State,

the Central Intelligence Agency, the Federal Bureau of Investigation, and other Federal agencies with special competence in the field of foreign investigation. Some of the information furnished by these agencies is of a highly confidential nature. Nevertheless, because the disclosure of all facts relating to the assassination of President Kennedy is of great public importance, the Commission has included in this report all information furnished by these agencies which the Commission relied upon in coming to its conclusions, or which tended to contradict those conclusions. Confidential sources of information, as contrasted with the information itself, have, in a relatively few instances, been withheld.

CIRCUMSTANCES SURROUNDING THE ASSASSINATION

Earlier chapters have set forth the evidence upon which the Commission concluded that President Kennedy was fired upon from a single window in the southeast corner of the sixth floor of the Texas School Book Depository, and that Lee Harvey Oswald was the person who fired the shots from this point. As reflected in those chapters, a certain sequence of events necessarily took place in order for the assassination to have occurred as it did. The motorcade traveled past the Texas School Book Depository; Oswald had access to the sixth floor of the building; Oswald brought the rifle into the building; the cartons were arranged at the sixth-floor window; and Oswald escaped from the building before the police had sealed off the exits. Accordingly, the Commission has investigated these circumstances to determine whether Oswald received help from any other person in planning or performing the shooting.

Selection of Motorcade Route

The factors involved in the choice of the motorcade route by the Secret Service have been discussed in chapter II of this report.² It was there indicated that after passing through a portion of suburban Dallas, the motorcade was to travel west on Main Street, and then to the Trade Mart by way of the Stemmons Freeway, the most direct route from that point. This route would take the motorcade along the traditional parade route through downtown Dallas; it allowed the maximum number of persons to observe the President; and it enabled the motorcade to cover the distance from Love Field to the Trade Mart in the 45 minutes allocated by members of the White House staff planning the President's schedule in Dallas. No member of the Secret Service, the Dallas Police Department, or the local host committee who was consulted felt that any other route would be preferable.

To reach Stemmons Freeway from Main Street, it was determined that the motorcade would turn right from Main Street onto Houston Street for one block and then left onto Elm Street, proceeding through the Triple Underpass to the Stemmons Freeway access road. This route took the motorcade past the Texas School Book Depository

Building on the northwest corner of Elm and Houston Streets. Because of the sharp turn at this corner, the motorcade also reduced its speed. The motorcade would have passed approximately 90 yards further from the Depository Building and made no turn near the building if it had attempted to reach the Stemmons Freeway directly from Main Street. The road plan in Dealey Plaza, however, is designed to prevent such a turn. In order to keep motorists from reaching the freeway from Main Street, a concrete barrier has been erected between Main and Elm Streets extending beyond the freeway entrance. (See Commission Exhibits Nos. 2114-2116, pp. 35-37.) Hence, it would have been necessary for the motorcade either to have driven over this barrier or to have made a sharp S-turn in order to have entered the freeway from Main Street. Selection of the motorcade route was thus entirely appropriate and based on such legitimate considerations as the origin and destination of the motorcade, the desired opportunity for the President to greet large numbers of people, and normal patterns of traffic.

Oswald's Presence in the Depository Building

Oswald's presence as an employee in the Texas School Book Depository Building was the result of a series of happenings unrelated to the President's trip to Dallas. He obtained the Depository job after almost 2 weeks of job hunting which began immediately upon his arrival in Dallas from Mexico on October 3, 1963.³ At that time he was in poor financial circumstances, having arrived from Mexico City with approximately \$133 or less,⁴ and with his unemployment compensation benefits due to expire on October 8.⁵ Oswald and his wife were expecting the birth of their second child, who was in fact born on October 20.⁶ In attempting to procure work, Oswald utilized normal channels, including the Texas Employment Commission.⁷

On October 4, 1963, Oswald applied for a position with Padgett Printing Corp., which was located at 1313 Industrial Boulevard, several blocks from President Kennedy's parade route.⁸ Oswald favorably impressed the plant superintendent who checked his prior job references, one of which was Jaggars-Chiles-Stovall, the firm where Oswald had done photography work from October 1962 to April 1963.⁹ The following report was written by Padgett's plant superintendent on the reverse side of Oswald's job application: "Bob Stovall does not recommend this man. He was released because of his record as a troublemaker.—Has Communistic tendencies."¹⁰ Oswald received word that Padgett Printing had hired someone else.¹¹

Oswald's employment with the Texas School Book Depository came about through a chance conversation on Monday, October 14, between Ruth Paine, with whom his family was staying while Oswald was living in a roominghouse in Dallas, and two of Mrs. Paine's neighbors.¹² During a morning conversation over coffee, at which Marina Oswald was present, Oswald's search for employment was mentioned. The neighbors suggested several places where Oswald might

apply for work. One of the neighbors present, Linnie Mae Randle, said that her brother had recently been hired as a schoolbook order filler at the Texas School Book Depository and she thought the Depository might need additional help. She testified, "and of course you know just being neighborly and everything, we felt sorry for Marina because her baby was due right away as we understood it, and he didn't have any work * * *." ¹³

When Marina Oswald and Mrs. Paine returned home, Mrs. Paine promptly telephoned the Texas School Book Depository and spoke to Superintendent Roy Truly, whom she did not know.¹⁴ Truly agreed to interview Oswald, who at the time was in Dallas seeking employment. When Oswald called that evening, Mrs. Paine told him of her conversation with Truly.¹⁵ The next morning Oswald went to the Texas School Book Depository where he was interviewed and hired for the position of order filler.¹⁶

On the same date, the Texas Employment Commission attempted to refer Oswald to an airline company which was looking for baggage and cargo handlers at a salary which was \$100 per month higher than that offered by the Depository Co.¹⁷ The Employment Commission tried to advise Oswald of this job at 10:30 a.m. on October 16, 1963. Since the records of the Commission indicate that Oswald was then working,¹⁸ it seems clear that Oswald was hired by the Depository Co. before the higher paying job was available. It is unlikely that he ever learned of this second opportunity.

Although publicity concerning the President's trip to Dallas appeared in Dallas newspapers as early as September 13, 1963, the planning of the motorcade route was not started until after November 4, when the Secret Service was first notified of the trip.¹⁹ A final decision as to the route could not have been reached until November 14, when the Trade Mart was selected as the luncheon site.²⁰ Although news reports on November 15 and November 16 might have led a person to believe that the motorcade would pass the Depository Building, the route was not finally selected until November 18; it was announced in the press on November 19, only 3 days before the President's arrival.²¹ Based on the circumstances of Oswald's employment and the planning of the motorcade route, the Commission has concluded that Oswald's employment in the Depository was wholly unrelated to the President's trip to Dallas.

Bringing Rifle Into Building

On the basis of the evidence developed in chapter IV the Commission concluded that Lee Harvey Oswald carried the rifle used in the assassination into the Depository Building on Friday, November 22, 1963, in the handmade brown paper bag found near the window from which the shots were fired.²² The arrangement by which Buell Wesley Frazier drove Oswald between Irving and Dallas was an innocent one, having commenced when Oswald first started working at the Depository.²³ As noted above, it was Frazier's sister, Linnie May Randle, who had suggested to Ruth Paine that Oswald might be able

to find employment at the Depository. When Oswald started working there, Frazier, who lived only a half block away from the Paines, offered to drive Oswald to and from Irving whenever he was going to stay at the Paines' home.²⁴ Although Oswald's request for a ride to Irving on Thursday, November 21, was a departure from the normal weekend pattern, Oswald gave the explanation that he needed to obtain curtain rods for an "apartment" in Dallas.²⁵ This served also to explain the long package which he took with him from Irving to the Depository Building the next morning.²⁶ Further, there is no evidence that Ruth Paine or Marina Oswald had reason to believe that Oswald's return was in any way related to an attempt to shoot the President the next day. Although his visit was a surprise, since he arrived on Thursday instead of Friday for his usual weekend visit, both women testified that they thought he had come to patch up a quarrel which he had with his wife a few days earlier when she learned that he was living in Dallas under an assumed name.²⁷

It has also been shown that Oswald had the opportunity to work in the Paines' garage on Thursday evening and prepare the rifle by disassembling it, if it were not already disassembled, and packing it in the brown bag.²⁸ It has been demonstrated that the paper and tape from which the bag was made came from the shipping room of the Texas School Book Depository and that Oswald had access to this material.²⁹ Neither Ruth Paine nor Marina Oswald saw the paper bag or the paper and tape out of which the bag was constructed.³⁰ If Oswald actually prepared the bag in the Depository out of materials available to him there, he could have concealed it in the jacket or shirt which he was wearing.³¹ The Commission has found no evidence which suggests that Oswald required or in fact received any assistance in bringing the rifle into the building other than the innocent assistance provided by Frazier in the form of the ride to work.

Accomplices at the Scene of the Assassination

The arrangement of boxes at the window from which the shots were fired was studied to determine whether Oswald required any assistance in moving the cartons to the window. Cartons had been stacked on the floor, a few feet behind the window, thus shielding Oswald from the view of anyone on the sixth floor who did not attempt to go behind them.³² (See Commission Exhibit No. 723, p. 80.) Most of those cartons had been moved there by other employees to clear an area for laying a new flooring on the west end of the sixth floor.³³ Superintendent Roy Truly testified that the floor-laying crew moved a long row of books parallel to the windows on the south side and had "quite a lot of cartons" in the southeast corner of the building.³⁴ He said that there was not any particular pattern that the men used in putting them there. "They were just piled up there more or less at that time."³⁵ According to Truly, "several cartons" which had been in the extreme southeast corner had been placed on top of the ones that had been piled in front of the southeast corner window.³⁶

The arrangement of the three boxes in the window and the one on which the assassin may have sat has been described previously.³⁷ Two of these four boxes, weighing approximately 55 pounds each, had been moved by the floor-laying crew from the west side of the floor to the area near the southwest corner.³⁸ The carton on which the assassin may have sat might not even have been moved by the assassin at all. A photograph of the scene depicts this carton on the floor alongside other similar cartons. (See Commission Exhibit No. 1301, p. 138.) Oswald's right palmprint on this carton may have been placed there as he was sitting on the carton rather than while carrying it. In any event both of these 55-pound cartons could have been carried by one man. The remaining two cartons contained light block-like reading aids called "Rolling Readers" weighing only about 8 pounds each.³⁹ Although they had been moved approximately 40 feet⁴⁰ from their normal locations at the southeast corner window, it would appear that one man could have done this in a matter of seconds.

In considering the possibility of accomplices at the window, the Commission evaluated the significance of the presence of fingerprints other than Oswald's on the four cartons found in and near the window. Three of Oswald's prints were developed on two of the cartons.⁴¹ In addition a total of 25 identifiable prints were found on the 4 cartons.⁴² Moreover, prints were developed which were considered as not identifiable, i.e., the quality of the print was too fragmentary to be of value for identification purposes.⁴³

As has been explained in chapter IV, the Commission determined that none of the warehouse employees who might have customarily handled these cartons left prints which could be identified.⁴⁴ This was considered of some probative value in determining whether Oswald moved the cartons to the window. All but 1 of the 25 definitely identifiable prints were the prints of 2 persons—an FBI employee and a member of the Dallas Police Department who had handled the cartons during the course of the investigation.⁴⁵ One identifiable palmprint was not identified.⁴⁶

The presence on these cartons of unidentified prints, whether or not identifiable, does not appear to be unusual since these cartons contained commercial products which had been handled by many people throughout the normal course of manufacturing, warehousing, and shipping. Unlike other items of evidence such as, for example, a ransom note in a kidnaping, these cartons could contain the prints of many people having nothing to do with the assassination. Moreover, the FBI does not maintain a filing system for palmprints because, according to the supervisor of the Bureau's latent fingerprint section, Sebastian F. Latona, the problems of classification make such a system impracticable.⁴⁷ Finally, in considering the significance of the unidentified prints, the Commission gave weight to the opinion of Latona to the effect that people could handle these cartons without leaving prints which were capable of being developed.⁴⁸

Though the fingerprints other than Oswald's on the boxes thus provide no indication of the presence of an accomplice at the win-

dow, two Depository employees are known to have been present briefly on the sixth floor during the period between 11:45 a.m., when the floor-laying crew stopped for lunch, and the moment of the assassination. One of these was Charles Givens, a member of the floor-laying crew, who went down on the elevator with the others and then, returned to the sixth floor to get his jacket and cigarettes.⁴⁹ He saw Oswald walking away from the southeast corner, but saw no one else on the sixth floor at that time. He then took one of the elevators back to the first floor at approximately 11:55 a.m.⁵⁰

Bonnie Ray Williams, who was also working with the floor-laying crew, returned to the sixth floor at about noon to eat his lunch and watch the motorcade.⁵¹ He looked out on Elm Street from a position in the area of the third or fourth set of windows from the east wall.⁵² At this point he was approximately 20-30 feet away from the southeast corner window. He remained for about "5, 10, maybe 12 minutes" eating his lunch which consisted of chicken and a bottle of soda pop.⁵³ Williams saw no one on the sixth floor during this period, although the stacks of books prevented his seeing the east side of the building.⁵⁴ After finishing his lunch Williams took the elevator down because no one had joined him on the sixth floor to watch the motorcade.⁵⁵ He stopped at the fifth floor where he joined Harold Norman and James Jarman, Jr., who watched the motorcade with him from a position on the fifth floor directly below the point from which the shots were fired. Williams left the remains of his lunch, including chicken bones and a bottle of soda, near the window where he was eating.⁵⁶

Several witnesses outside the building claim to have seen a person in the southeast corner window of the sixth floor. As has already been indicated, some were able to offer better descriptions than others and one, Howard L. Brennan, made a positive identification of Oswald as being the person at the window.⁵⁷ Although there are differences among these witnesses with regard to their ability to describe the person they saw, none of these witnesses testified to seeing more than one person in the window.⁵⁸

One witness, however, offered testimony which, if accurate, would create the possibility of an accomplice at the window at the time of the assassination. The witness was 18-year-old Arnold Rowland, who testified in great detail concerning his activities and observations on November 22, 1963. He and his wife were awaiting the motorcade, standing on the east side of Houston Street between Maine and Elm,⁵⁹ when he looked toward the Depository Building and noticed a man holding a rifle standing back from the southwest corner window on the sixth floor. The man was rather slender in proportion to his size and of light complexion with dark hair.⁶⁰ Rowland said that his wife was looking elsewhere at the time and when they looked back to the window the man "was gone from our vision."⁶¹ They thought the man was most likely someone protecting the President. After the assassination Rowland signed an affidavit in which he told of seeing this man, although Rowland was unable to identify him.⁶²

When Rowland testified before the Commission on March 10, 1964, he claimed for the first time to have seen another person on the sixth floor. Rowland said that before he had noticed the man with the rifle on the southwest corner of the sixth floor he had seen an elderly Negro man "hanging out that window" on the southeast corner of the sixth floor.⁶³ Rowland described the Negro man as "very thin, an elderly gentleman, bald or practically bald, very thin hair if he wasn't bald," between 50 and 60 years of age, 5 feet 8 inches to 5 feet 10 inches tall, with fairly dark complexion.⁶⁴ Rowland claimed that he looked back two or three times and noticed that the man remained until 5 or 6 minutes prior to the time the motorcade came. Rowland did not see him thereafter. He made no mention of the Negro man in his affidavit.⁶⁵ And, while he said he told FBI agents about the man in the southeast corner window when interviewed on the Saturday and Sunday following the assassination,⁶⁶ no such statement appears in any FBI report.⁶⁷

Mrs. Rowland testified that her husband never told her about seeing any other man on the sixth floor except the man with the rifle in the southwest corner that he first saw. She also was present during Rowland's interview with representatives of the FBI⁶⁸ and said she did not hear him make such a statement,⁶⁹ although she also said that she did not hear everything that was discussed.⁷⁰ Mrs. Rowland testified that after her husband first talked about seeing a man with the rifle, she looked back more than once at the Depository Building and saw no person looking out of any window on the sixth floor.⁷¹ She also said that "At times my husband is prone to exaggerate."⁷² Because of inconsistencies in Rowland's testimony and the importance of his testimony to the question of a possible accomplice, the Commission requested the FBI to conduct an inquiry into the truth of a broad range of statements made by Rowland to the Commission. The investigation showed that numerous statements by Rowland concerning matters about which he would not normally be expected to be mistaken—such as subjects he studied in school, grades he received, whether or not he had graduated from high school, and whether or not he had been admitted to college—were false.⁷³

The only possible corroboration for Rowland's story is found in the testimony of Roger D. Craig, a deputy sheriff of Dallas County, whose testimony on other aspects of the case has been discussed in chapter IV. Craig claimed that about 10 minutes after the assassination he talked to a young couple, Mr. and Mrs. Rowland,

* * * and the boy said he saw two men on the sixth floor of the Book Depository Building over there; one of them had a rifle with a telescopic sight on it—but he thought they were Secret Service agents or guards and didn't report it. This was about—oh, he said, 15 minutes before the motorcade ever arrived.⁷⁴

According to Craig, Rowland said that he looked back a few minutes later and "the other man was gone, and there was just one man—the

man with the rifle.”⁷⁵ Craig further testified that Rowland told him that when he first saw the two men, they were walking back and forth in front of the window for several minutes. They were both white men and one of them had a rifle with a scope on it.⁷⁶ This report by Craig is contradicted by the testimony of both the Rowlands, and by every recorded interview with them conducted by law enforcement agencies after the assassination.

As part of its investigation of Rowland's allegation and of the general question of accomplices at the scene of the assassination, the Commission undertook an investigation of every person employed in the Texas School Book Depository Building. Two employees might possibly fit the general description of an elderly Negro man, bald or balding: These two men were on the first floor of the building during the period before and during the assassination.⁷⁷ Moreover, all of the employees were asked whether they saw any strangers in the building on the morning of November 22.⁷⁸ Only one employee saw a stranger whom he described as a feeble individual who had to be helped up the front steps of the building. He went to a public restroom and left the building 5 minutes later, about 40 minutes before the assassination.⁷⁹

Rowland's failure to report his story despite several interviews until his appearance before the Commission, the lack of probative corroboration, and the serious doubts about his credibility, have led the Commission to reject the testimony that Rowland saw an elderly balding Negro man in the southeast corner window of the sixth floor of the Depository Building several minutes before the assassination.

Oswald's Escape

The Commission has analyzed Oswald's movements between the time of the assassination and the shooting of Patrolman Tippit to determine whether there is any evidence that Oswald had assistance in his flight from the building. Oswald's activities during this period have been traced through the testimony of seven witnesses and discussed in detail in chapter IV.⁸⁰ (See Commission Exhibit No. 1119-A, p. 158 and Commission Exhibit No. 1118, p. 150.) Patrolman M. L. Baker and Depository superintendent Roy Truly saw him within 2 minutes of the assassination on the second floor of the building. Mrs. R. A. Reid saw him less than 1 minute later walking through the second-floor offices toward the front of the building. A busdriver, Cecil J. McWatters, and Oswald's former landlady, Mrs. Mary Bledsoe, saw him board a bus at approximately 12:40 p.m., and get off about 4 minutes later. A cabdriver, William W. Whaley, drove Oswald from a cabstand located a few blocks from where Oswald left the bus to a point in Oak Cliff about four blocks from his roominghouse; and Earlene Roberts, the housekeeper at Oswald's roominghouse, saw him enter the roominghouse at about 1 p.m. and leave a few minutes later. When seen by these seven witnesses Oswald was always alone.

Particular attention has been directed to Oswald's departure from the Depository Building in order to determine whether he could have left the building within approximately 3 minutes of the assassination without assistance. As discussed more fully in chapter IV, the building was probably first sealed off no earlier than 12:37 by Inspector Herbert Sawyer.⁸¹ The shortest estimate of the time taken to seal off the building comes from Police Officer W. E. Barnett, one of the officers assigned to the corner of Elm and Houston Streets for the Presidential motorcade, who estimated that approximately 3 minutes elapsed between the time he heard the last of the shots and the time he started guarding the front door.⁸² According to Barnett, "there were people going in and out" during this period.⁸³ The evidence discussed in chapter IV shows that 3 minutes would have been sufficient time for Oswald to have descended from the sixth floor and left the building without assistance.⁸⁴

One witness, James R. Worrell, Jr., claims to have seen a man running from the rear of the building shortly after the assassination, but in testimony before the Commission he stated that he could not see his face.⁸⁵ Two other witnesses who watched the rear of the building during the first 5 minutes after the shooting saw no one leave.⁸⁶ The claim of Deputy Sheriff Roger Craig that he saw Oswald leave the Depository Building approximately 15 minutes after the assassination has been discussed in chapter IV.⁸⁷ Although Craig may have seen someone enter a station wagon 15 minutes after the assassination, the person he saw was not Lee Harvey Oswald, who was far removed from the building at that time.

The possibility that accomplices aided Oswald in connection with his escape was suggested by the testimony of Earlene Roberts, the housekeeper at the 1026 North Beckley roominghouse.⁸⁸ She testified that at about 1 p.m. on November 22, after Oswald had returned to the roominghouse, a Dallas police car drove slowly by the front of the 1026 North Beckley premises and stopped momentarily; she said she heard its horn several times.⁸⁹ Mrs. Roberts stated that the occupants of the car were not known to her even though she had worked for some policemen who would occasionally come by.⁹⁰ She said the policeman she knew drove car No. 170 and that this was not the number on the police car that honked on November 22. She testified that she first thought the car she saw was No. 106 and then said that it was No. 107.⁹¹ In an FBI interview she had stated that she looked out the front window and saw police car No. 207.⁹² Investigation has not produced any evidence that there was a police vehicle in the area of 1026 North Beckley at about 1 p.m. on November 22.⁹³ Squad car 207 was at the Texas School Book Depository Building, as was car 106. Squad cars 170 and 107 were sold in April 1963 and their numbers were not reassigned until February 1964.⁹⁴

Whatever may be the accuracy of Mrs. Roberts' recollection concerning the police car, it is apparent from Mrs. Roberts' further testimony that she did not see Oswald enter a car when he hurriedly left the house. She has stated that when she last saw Oswald, shortly after

1 p.m., he was standing at a bus stop in front of the house.⁹⁵ Oswald was next seen less than 1 mile away, at the point where he shot Patrolman Tippit. Oswald could have easily reached this point on foot by about 1:16 p.m., when Tippit was shot. Finally, investigation has produced no evidence that Oswald had prearranged plans for a means to leave Dallas after the assassination or that any other person was to have provided him assistance in hiding or in departing the city.

BACKGROUND OF LEE HARVEY OSWALD

Finding no evidence in the circumstances immediately surrounding the assassination that any person other than Lee Harvey Oswald was involved in the killing of the President, the Commission directed an intensive investigation into his life for the purpose, among others, of detecting any possible traces that at some point he became involved in a conspiracy culminating in the deed of November 22, 1963. As a product of this investigation, the Commission has compiled a detailed chronological biography of Oswald which is set forth as appendix XIII. Study of the period from Oswald's birth in 1939 to his military service from 1956 to 1959 has revealed no evidence that he was associated with any type of sinister or subversive organization during that period. Though his personality and political views took shape during these early years, the events of that period are significant primarily to an understanding of the personality of Lee Harvey Oswald and are discussed in that connection in chapter VII. Beginning with his preparation for defection to the Soviet Union in 1959, however, Oswald engaged in several activities which required close scrutiny by the Commission. In an appraisal of Oswald's actions since 1959 for the purpose of determining whether he was part of a conspiracy, several aspects of his background and character must be borne in mind. He was young, inexperienced, and had only a limited education. As will be more fully discussed in chapter VII, he was unable to establish relationships with others and had a resentment for authority and any discipline flowing from it. While he demonstrated the ability to act secretly and alone, without regard to the consequences to himself, as in his defection to the Soviet Union, he does not appear to have been the kind of person whom one would normally expect to be selected as a conspirator.

Residence in the Soviet Union

Lee Harvey Oswald was openly committed to Marxist ideology, he defected to the Soviet Union in 1959, and resided there until June of 1962, eventually returning to the United States with a Russian wife. In order to evaluate rumors and speculations⁹⁶ that Oswald may have been an agent of the Soviet Union, the Commission investigated the facts surrounding Oswald's stay in Russia. The Commission was thus fulfilling its obligation to probe all facts of possible rele-

vance to the assassination, and does not suggest by this investigation that the rulers of the Soviet Union believed that their political interests would be advanced by the assassination of President Kennedy. On this question, the Secretary of State testified before the Commission on June 10, 1964 as follows:

I have seen no evidence that would indicate to me that the Soviet Union considered that it had an interest in the removal of President Kennedy or that it was in any way involved in the removal of President Kennedy.

* * * * *

I have not seen or heard of any scrap of evidence indicating that the Soviet Union had any desire to eliminate President Kennedy nor in any way participated in any such event.

Now, standing back and trying to look at that question objectively despite the ideological differences between our two great systems, I can't see how it could be to the interest of the Soviet Union to make any such effort.

* * * * *

I do think that the Soviet Union, again objectively considered, has an interest in the correctness of state relations. This would be particularly true among the great powers, with which the major interests of the Soviet Union are directly engaged.

* * * * *

I think that although there are grave differences between the Communist world and the free world, between the Soviet Union and other major powers, that even from their point of view there needs to be some shape and form to international relations, that it is not in their interest to have this world structure dissolve into complete anarchy, that great states and particularly nuclear powers have to be in a position to deal with each other, to transact business with each other, to try to meet problems with each other, and that requires the maintenance of correct relations and access to the leadership on all sides.

I think also that although there had been grave differences between Chairman Khrushchev and President Kennedy, I think there were evidences of a certain mutual respect that had developed over some of the experiences, both good and bad, through which these two men had lived.

I think both of them were aware of the fact that any Chairman of the Soviet Union, and any President of the United States, necessarily bear somewhat special responsibility for the general peace of the world. Indeed without exaggeration, one could almost say the existence of the northern hemisphere in this nuclear age.

* * * * *

So that it would be an act of rashness and madness for Soviet leaders to undertake such an action as an active policy. Because everything would have been put in jeopardy or at stake in connection with such an act.

It has not been our impression that madness has characterized the actions of the Soviet leadership in recent years.⁹⁷

The Commission accepts Secretary Rusk's estimate as reasonable and objective, but recognizes that a precise assessment of Soviet intentions or interests is most difficult. The Commission has thus examined all the known facts regarding Oswald's defection, residence in the Soviet Union, and return to the United States. At each step the Commission sought to determine whether there was any evidence which supported a conclusion that Soviet authorities may have directly or indirectly influenced Oswald's actions in assassinating the President.

Oswald's entry into the Soviet Union.—Although the evidence is inconclusive as to the factors which motivated Oswald to go to the Soviet Union, there is no indication that he was prompted to do so by agents of that country. He may have begun to study the Russian language when he was stationed in Japan, which was intermittently from August 1957 to November 1958.⁹⁸ After he arrived in Moscow in October 1959 he told several persons that he had been planning his defection for 2 years, which suggests that the decision was made while he was in the Far East.⁹⁹ George De Mohrenschildt, who met Oswald after his return from the Soviet Union, testified that Oswald once told him much the same thing: "I met some Communists in Japan and they got me excited and interested, and that was one of my inducements in going to Soviet Russia, to see what goes on there."¹⁰⁰ This evidence, however, is somewhat at variance with Oswald's statements made to two American newspaper reporters in Moscow shortly after his defection in 1959,¹⁰¹ and to other people in the United States after his return in 1962.¹⁰² Though his remarks were not inconsistent as to the time he decided to defect, to these people he insisted that before going to the Soviet Union he had "never met a Communist" and that the intent to defect derived entirely from his own reading and thinking. He said much the same to his brother in a letter he wrote to him from Russia explaining why he had defected.¹⁰³ Which of Oswald's statements was the more accurate remains unknown.

There is no evidence that Oswald received outside assistance in financing his trip to the Soviet Union. After he arrived in Moscow, Oswald told a newspaper correspondent, Aline Mosby, that he had saved \$1,500 out of his Marine Corps salary to finance his defection,¹⁰⁴ although the news story based upon Oswald's interview with Aline Mosby unaccountably listed the sum of \$1,600 instead of \$1,500.¹⁰⁵ After this article had appeared, Marguerite Oswald also related the \$1,600 figure to an FBI agent.¹⁰⁶ Either amount could have been accumulated out of Oswald's earnings in the Marine Corps; during

his 2 years and 10 months of service he received \$3,452.20, after all taxes, allotments and other deductions.¹⁰⁷ Moreover Oswald could certainly have made the entire trip on less than \$1,000. The ticket on the ship he took from New Orleans to Le Havre, France, cost \$220.75;¹⁰⁸ it cost him about \$20 to reach London from Le Havre; his plane fare from London to Helsinki, where he received his visa, cost him \$111.90; he probably purchased Russian "tourist vouchers" normally good for room and board for 10 days for \$300; his train fare from Helsinki to Moscow was about \$44; in Moscow he paid only \$1.50 to \$3 a night for his room and very little for his meals after his tourist vouchers ran out;¹⁰⁹ and apparently he did not pay his hotel bill at all after November 30, 1959.¹¹⁰ Oswald's known living habits indicate that he could be extraordinarily frugal when he had reason to be, and it seems clear that he did have a strong desire to go to the Soviet Union.

While in Atsugi, Japan, Oswald studied the Russian language, perhaps with some help from an officer in his unit who was interested in Russian and used to "talk about it" with Oswald occasionally.¹¹¹ He studied by himself a great deal in late 1958 and early 1959 after he was transferred from Japan to California.¹¹² He took an Army aptitude test in Russian in February 1959 and rated "Poor."¹¹³ When he reached the Soviet Union in October of the same year he could barely speak the language.¹¹⁴ During the period in Moscow while he was awaiting decision on his application for citizenship, his diary records that he practiced Russian 8 hours a day.¹¹⁵ After he was sent to Minsk in early January 1960 he took lessons from an interpreter assigned to him for that purpose by the Soviet Government.¹¹⁶ Marina Oswald said that by the time she met him in March 1961 he spoke the language well enough so that at first she thought he was from one of the Baltic areas of her country, because of his accent. She stated that his only defects were that his grammar was sometimes incorrect and that his writing was never good.¹¹⁷

Thus, the limited evidence provides no indication that Oswald was recruited by Soviet agents in the Far East with a view toward defection and eventual return to the United States. Moreover, on its face such a possibility is most unlikely. If Soviet agents had communicated with Oswald while he was in the Marine Corps, one of the least probable instructions they would have given him would have been to defect. If Oswald had remained a Marine radar specialist, he might at some point have reached a position of value as a secret agent. However, his defection and the disloyal statements he made publicly in connection with it eliminated the possibility that he would ever gain access to confidential information or programs of the United States. The very fact that he defected, therefore, is itself persuasive evidence that he was not recruited as an agent prior to his defection.

The Commission has investigated the circumstances under which Oswald obtained a visa to enter the Soviet Union for possible evidence that he received preferential treatment in being permitted to enter the country. Oswald left New Orleans, La., for Europe on September 20, 1959,¹¹⁸ having been released from active duty in the Marine Corps on

September 11, 1959.¹¹⁹ He went directly to Helsinki, Finland, by way of Le Havre, France, and London, England, arriving at Helsinki on Saturday, October 10, 1959.¹²⁰ Oswald probably arrived in Helsinki too late in the evening to have applied for a visa at the Soviet Union consulate that night.¹²¹ In light of the rapidity with which he made connections throughout his entire trip,¹²² he probably applied for a visa early on Monday, October 12. On October 14, he was issued Soviet Tourist Visa No. 403339, good for one 6-day visit in the U.S.S.R.¹²³ He left Helsinki on a train destined for Moscow on October 15.¹²⁴

The Department of State has advised the Commission that it has some information that in 1959 it usually took an American tourist in Helsinki 1 to 2 weeks to obtain a visa,¹²⁵ and that it has other information that the normal waiting period during the past 5 years has been a week or less.¹²⁶ According to the Department's information, the waiting period has always varied frequently and widely, with one confirmed instance in 1963 of a visa routinely issued in less than 24 hours.¹²⁷ The Central Intelligence Agency has indicated that visas during the 1964 tourist season were being granted in about 5 to 7 days.¹²⁸

This information from the Department of State and the Central Intelligence Agency thus suggests that Oswald's wait for a visa may have been shorter than usual but not beyond the range of possible variation. The prompt issuance of Oswald's visa may have been merely the result of normal procedures, due in part to the fact that the summer rush had ended. It might also mean that Oswald was unusually urgent in his demands that his visa be issued promptly. Oswald himself told officials at the American Embassy in Moscow on October 31, when he appeared to renounce his citizenship, that he had said nothing to the Soviets about defecting until he arrived in Moscow.¹²⁹ In any event, the Commission has found nothing in the circumstances of Oswald's entry into the Soviet Union which indicates that he was at the time an agent of the U.S.S.R.

Defection and admission to residence.—Two months and 22 days elapsed from Oswald's arrival in Moscow until he left that city to take up residence in Minsk. The Commission has considered the possibility that Oswald was accepted for residence in the Soviet Union and sent to Minsk unusually soon after he arrived, either because he had been expected or because during his first weeks in Moscow he developed an undercover relationship with the Soviet Government. In doing so, the Commission has attempted to reconstruct the events of those months, though it is, of course, impossible to account for Oswald's activities on every day of that period.

Oswald's "Historic Diary,"¹³⁰ which commences on October 16, 1959, the date Oswald arrived in Moscow, and other writings he later prepared,¹³¹ have provided the Commission with one source of information about Oswald's activities throughout his stay in the Soviet Union. Even assuming the diary was intended to be a truthful record, it is not

an accurate guide to the details of Oswald's activities. Oswald seems not to have been concerned about the accuracy of dates and names,¹³² and apparently made many of his entries subsequent to the date the events occurred. Marina Oswald testified that she believed that her husband did not begin to keep the diary until he reached Minsk, 3 months after his arrival in Russia,¹³³ and scraps of paper found in Oswald's possession, containing much the same information as appears in his diary,¹³⁴ suggest that he transcribed the entries into the diary at a later time. The substance of Oswald's writings has been carefully examined for consistency with all other related information available to the Commission. In addition, the writings have been checked for handwriting,¹³⁵ and for consistency of style, grammar, and spelling with earlier and later writings which are known to be his.¹³⁶ No indication has been found that entries were written or coached by other persons.¹³⁷

However, the most reliable information concerning the period Oswald spent in Moscow in the latter part of 1962 comes from the records of the American Embassy in Moscow,¹³⁸ the testimony of Embassy officials,¹³⁹ and the notes of two American newspaper reporters, Aline Mosby¹⁴⁰ and Priscilla Johnson,¹⁴¹ who interviewed Oswald during this period. Oswald's correspondence with his brother and mother has also been relied upon for some relatively minor information. The findings upon which the Commission based its conclusion concerning Soviet involvements in the assassination were supported by evidence other than material provided by the Soviet Union¹⁴² or Oswald's writings. The Central Intelligence Agency has also contributed data on the normal practices and procedures of the Soviet authorities in handling American defectors.

The "Historic Diary" indicates that on October 16, 1959, the day Oswald arrived in Moscow, he told his Intourist guide, Rima Shirokova, that he wished to renounce his American citizenship and become a Soviet citizen. The same day, the guide reportedly helped Oswald prepare a letter to the Soviet authorities requesting citizenship.¹⁴³ The diary indicates, however, that on October 21 he was informed that his visa had expired and that he would be required to leave Moscow within 2 hours.¹⁴⁴ During the preceding days, according to the diary, he had been interviewed once and perhaps twice by Soviet officials.¹⁴⁵ During this period the KGB,* the agency with

*The Committee for State Security, best known by its Russian initials, "KGB," is a lineal descendant of the revolutionary CheKA and has passed through numerous changes of name since 1917 with little change of function. Presently the KGB handles all Soviet counterintelligence operations and is the instrument for various types of subversive activities. It is responsible for the internal security of the Soviet state and the safety of its leaders. In addition it shares responsibility for foreign espionage activities with the intelligence component of the Ministry of Defense, the "GRU." The KGB would have the primary responsibility for keeping track of a defector such as Oswald.

The Ministry of Internal Affairs or "MVD" was for many years the designation of the organization responsible for civil law enforcement and administration of prisons and forced labor camps in the Soviet Union. During a part of its history it also directed vast economic combines. In January 1960, the central or all-union MVD was abolished and its powers transferred to the MVD's of the several Soviet republics. A further change took place in the summer of 1962, when the republic MVD's were renamed Ministries for the Preservation of Public Order and Safety. In the past few years the republic MVD's

primary responsibility for examining defectors arriving in Russia, undoubtedly investigated Oswald as fully as possible. In 1959, virtually all Intourist guides were KGB informants, and there is no reason to believe that this was not true of Oswald's guide.¹⁴⁶

According to Oswald's diary he attempted suicide when he learned his application for citizenship had been denied.¹⁴⁷ If true, this would seem to provide strong evidence that, at least prior to October 21, there was no undercover relationship between Oswald and the Soviet Government. Though not necessarily conclusive, there is considerable direct evidence which indicates that Oswald did slash his wrist. Oswald's autopsy showed that he had a scar on his left wrist and that it was of the kind which could have been caused by a suicide attempt.¹⁴⁸ The medical records from the Botkinskaya Hospital in Moscow, furnished by the Soviet Government, reveal that from October 21 to October 28 he was treated there for a self-inflicted wound on the left wrist.¹⁴⁹ The information contained in these records is consistent with the facts disclosed by the autopsy examination relating to Oswald's wrist and to other facts known about Oswald. Although no witness recalled Oswald mentioning a suicide attempt,¹⁵⁰ Marina Oswald testified that when she questioned her husband about the scar on his wrist, he became "very angry," and avoided giving her a reply.¹⁵¹ Oswald's character, discussed in the following chapter, does not seem inconsistent with a suicide or feigned suicide attempt, nor with his having failed to disclose the suicide attempt. Many witnesses who testified before the Commission observed that he was not an "open" or trusting person, had a tendency toward arrogance, and was not the kind of man who would readily admit weaknesses.¹⁵²

Oswald appeared at the American Embassy in Moscow on October 31, 1959, 3 days after his release from the Botkinskaya Hospital.¹⁵³ He did not give the officials at the Embassy any indication that he had recently received medical treatment.¹⁵⁴ Oswald's appearance was the first notification to the American Government that he was in Russia, since he had failed to inform the Embassy upon his arrival,¹⁵⁵ as most American tourists did at the time.¹⁵⁶ In appendix XV, Oswald's dealings with the Embassy in 1959 until his return to the United States in 1962 are described in full, and all action taken by the American officials on his case is evaluated. His conduct at the Embassy has also been considered by the Commission for any indication it may provide as to whether or not Oswald was then acting under directions of the Soviet Government.

At the Embassy, Oswald declared that he wished to renounce his U.S. citizenship,¹⁵⁷ but the consul to whom he spoke, Richard E.

have been gradually divesting themselves of their economic functions. When Lee Harvey Oswald was in the Soviet Union though, the MVD still carried on substantial economic activities. For example, inmates of the MVD-administered "corrective labor colonies" engaged in brickmaking, heavy construction work, and lumbering.

In the Commission's report, the term KGB will be used, as above, to describe the principal Soviet counterintelligence and espionage service. Oswald often inaccurately referred to the "secret police" as the MVD; and in any quotations from him, the Commission will reproduce his actual words. Whenever the Commission refers to the MVD, it will be referring to it as defined in this footnote.

NOTE HANDED BY OSWALD TO THE AMERICAN
EMBASSY IN MOSCOW ON OCT. 31, 1959



Гостиница „МЕТРОПОЛЬ“

г. Москва

I Lee Harvey Oswald do hereby request
that my present citizenship in the
United States of America, be revoked.

I have entered the Soviet Union for
the express purpose of applying for citizenship
in the Soviet Union, through the means
of naturalization.

My request for citizenship is now
pending before the Supreme Soviet of the U.S.S.R.

I take these steps for political reasons.
My request for the revoking of my American
citizenship is made only after the longest
and most serious considerations.

I affirm that my allegiance is to
the Union of Soviet Socialist Republics.

Lee Harvey Oswald

Snyder, refused to accept his renunciation at that time, telling him that he would have to return to complete the necessary papers.¹⁵⁸ However, Oswald did give the consul his passport¹⁵⁹ and a handwritten statement requesting that his American citizenship be "revoked" and "affirm[ing] [his] * * * allegiance" to the Soviet Union.¹⁶⁰ (See Commission Exhibit No. 913, p. 261.) The FBI has confirmed that this statement is in Oswald's handwriting,¹⁶¹ and Snyder has testified that the letter's phrases are consistent with the way Oswald talked and conducted himself.¹⁶² During the approximately 40-minute interview, Oswald also informed Snyder that he had been a radar operator in the Marine Corps, intimating that he might know something of special interest, and that he had informed a Soviet official that he would give the Soviets any information concerning the Marine Corps and radar operation which he possessed.¹⁶³ Although Oswald never filed a formal renunciation, in a letter to the Embassy dated November 3, 1959, he again requested that his American citizenship be revoked and protested the refusal to accept his renunciation on October 31.¹⁶⁴ (See Commission Exhibit No. 912, p. 263.)

While at the Embassy,¹⁶⁵ and in a subsequent interview with an American journalist,¹⁶⁶ Oswald displayed familiarity with Communist ideological arguments, which led those with whom he spoke to speculate that he may have received some instruction from Soviet authorities. Oswald's familiarity with the law regarding renunciation of citizenship, observed by both Embassy officials,¹⁶⁷ could also be construed as a sign of coaching by Soviet authorities. However, Oswald is known to have been an avid reader¹⁶⁸ and there is evidence that he had read Communist literature without guidance while in the Marine Corps and before that time.¹⁶⁹ After his arrival in Moscow, Oswald most probably had discussions with his Intourist guide and others,¹⁷⁰ but none of the Americans with whom he talked in Moscow felt that his conversations necessarily revealed any type of formal training.¹⁷¹ The "Historic Diary" indicates that Oswald did not tell his guide that he intended to visit the Embassy because he feared she would disapprove.¹⁷² (See Commission Exhibit No. 24, p. 264.) Though Oswald gave Snyder the impression "of an intelligent person who spoke in a manner and on a level, which seemed to befit his apparent level of intelligence,"¹⁷³ correspondent Priscilla Johnson, who spent about 5 hours talking with him,¹⁷⁴ received a much less favorable impression:

He liked to create the pretense, the impression that he was attracted to abstract discussion and was capable of engaging in it, and was drawn to it. But it was like pricking a balloon. I had the feeling that if you really did engage him on this ground, you very quickly would discover that he didn't have the capacity for a logical sustained argument about an abstract point on economics or on noneconomic, political matters or any matter, philosophical.¹⁷⁵

LETTER MAILED BY OSWALD TO THE AMERICAN
EMBASSY IN MOSCOW

Nov. 3 1959	
<p>I, Lee Harvey Oswald, do hereby request that my present United States citizenship be revoked.</p> <p>I appeared in person, at the consulate office of the United States Embassy, Moscow, on Oct 31st, for the purpose of signing the formal papers to this effect. This legal right I was refused at that time.</p> <p>I wish to protest against this action, and against the conduct of the official of the United States consular service who acted on behalf of the United States government.</p> <p>My application, requesting that I be considered for citizenship in the Soviet Union is now pending before the Supreme Soviet of the U.S.S.R..</p> <p>In the event of acceptance, I will request my government to lodge a formal protest regarding this incident.</p>	<p>CONSULAR SECTION RECEIVED TAKEN</p>
<p>EMBASSY OF THE UNITED STATES OF AMERICA NOV. 06. 1959 MOSCOW</p>	<p>Lee Harvey Oswald</p>

COMMISSION EXHIBIT No. 912

OSWALD'S OWN ACCOUNT OF HIS MEETING AT THE AMERICAN EMBASSY IN MOSCOW OCT. 31, 1959

Excerpts from his "Historic Diary"

Oct. 30. HOTEL RYB. I HAVE BEEN IN HOTEL THREE DAYS, IT SEEMS
LIKE THREE YEARS. I MUST HAVE SOME SORT OF A SHADOWY
OCT. 31. I MAKE MY DECISION. GETTING PASSPORT AT 12:00 I MEET
AND TALK WITH ANNA FOR A FEW MINUTES SHE SAYS: STAY IN YOUR
ROOM AND EAT WELL. I DON'T TELL HER ABOUT WHAT I INTEND TO
DO. SINCE I KNOW SHE WOULD NOT APPROVE. AFTER SHE LEAVES
I WAIT A FEW MINUTES AND THEN I ENTER AT THAT "AMERICAN
EMBASSY" I SAY: 12:30, I ARRIVE AMERICAN EMBASSY, I WALK
IN AND SAY TO THE RECEPTIONIST "I WOULD LIKE TO SEE
THE CONSUL" SHE POINTS AT A LARGE HALL AND SAYS "IF YOU
ARE A TOURIST PLEASE REGISTER". I TAKE OUT MY AMERICAN
PASSPORT AND SAY: IT IS THE BEST, I HAVE COME TO DISCOVER
MY AMERICAN CITIZENSHIP. I SAY: "MATTER-OF-FACT, SHE SAYS
I ENTER THE OFFICE OF RICHARD LINDSEY, AMERICAN HEAD
CONSUL IN MOSCOW AT THAT TIME HE INVITES ME TO
SIT DOWN. HE INQUIRES WHETHER HE IS TRYING AND
THANKS WHAT HE CAN DO FOR ME. I TELL HIM I HAVE
DECIDED TO TAKE RUSSIAN CITIZENSHIP AND WOULD LIKE
TO LEADY CITIZENSHIP MY U.S. CITIZENSHIP. HIS ASSISTANT NOW
HOLDING MY PASSPORT ASKS IF FROM HIS WORK. LINDSEY
TALKS LONG AND ASKS INFORMATION, ASK QUESTIONS
1959 U.S. DIARY PAGE 1

SAT OCT 31. CON. WOULD ME NOT TO TELL ANY STAFF BEFORE
TO RUSSIA BEFORE ME, SAY I AM A GUY, AND SAY TO
RECEPTIONIST ASKS THE SAME TIME IN THE HALL. CON OTHER
WORDS REQUESTS TO ALLOW ME AT THAT TIME TO ADVISE LINDSEY.
LINDSEY I SAY TO HIM: "MY MIND IS MADE UP" FROM THIS DAY FORWARD
I CONSIDER MYSELF AS CITIZEN OF THE U.S.A. I SPEND 40
MINUTES AT THE EMBASSY BEFORE LINDSEY SAYS: "NOW WOULD
YOU WISH TO RETURN ON YOUR RUSSIAN BECAUSE YOU CAN GO"
I WISH TO RETURN AS U.S. CITIZEN, NOT RUSSIAN HE SAYS IN EFFECT, I
LEAVE EMBASSY. STAY AT HIS SHOWDOWN, RETURNING TO
MY HOTEL I ASK NOW MY ENVOIES ARE NOT SPENT IN
VAIN. I AM SURE RUSSIAN WILL EXCEPT ME AFTER THIS
SIGN OF MY FAITH IN THEM. 200 AMUCK, A REPORTER
BY THE NAME OF GOLDSTONE WANTS AN INTERVIEW I AM
FINGERPOINDED & WHEN YOU FIND OUT THE EMBASSY CALLED
LINDSEY HE SAYS I SEND HIM AWAY I STAND REALIZE THIS
IS ONE WAY TO BRING PRESSURE ON ME, BY NOTING MY
RELATIONS IN U.S. THROUGH THE NEWSPAPERS. ALTHOUGH THEY
WOULD SAY "IF FOR THE PUBLIC RECORD" A HALF HOUR LATER
ANOTHER REPORTER THIS MORSEY COMES. I ASK A FEW
QUICK QUESTIONS AFTER REFUSING AN INTERVIEW. I AM
SURPRISED AT THE END OF THE DAY. I GET PHONE CALL FROM
"TOM" AT NIGHT A PHONE CALL FROM THE STATE I REFUSE
ALL CALLS WITHOUT FINDING OUT WHO'S AT FROM. I FEEL
NOT DEPLETED BECAUSE OF THE ATTENTION 10:00 I RETIRE.

COMMISSION EXHIBIT No. 24

A comparison of the formal note Oswald handed Snyder¹⁷⁶ and his letter of November 3¹⁷⁷ with the provisions of section 349(a) of the Immigration and Nationality Act¹⁷⁸ suggests that Oswald had read the statute but understood it imperfectly; he apparently was trying to use three out of the four ways set out in the statute to surrender his citizenship, but he succeeded in none.

Moreover, persuasive evidence that Oswald's conduct was not carefully coached by Soviet agents is provided by some of his actions at the Embassy. The single statement which probably caused Oswald the most future trouble was his declaration that he had already volunteered to a Soviet official that he would, if asked, tell the Soviet Government all that he knew about his job in radar as a Marine. Certainly a statement of this type would prejudice any possibility of his being an effective pro-Communist agent.

Further, though unquestionably evidencing anti-American sentiments, Oswald's behavior at the Embassy, which brought him exceedingly close to expatriation, was unlikely to have increased his value in any capacity to the Soviet Union. Richard E. Snyder, the official who interviewed Oswald on October 31, testified that he "had every reason to believe" that Oswald would have carried through a formal—and therefore effective—renunciation of his American citizenship immediately if he had let him.¹⁷⁹ However, as a defector, Oswald could have had considerable propaganda value without expatriating himself; and if he had expatriated himself his eventual return to the United States would have been much more difficult and perhaps impossible. If Snyder's assessment of Oswald's intentions is accurate, it thus tends to refute the suggestion that Oswald was being coached by the Soviets. In addition, reporters noticed Oswald's apparent ambivalence in regard to renouncing his citizenship—stormily demanding that he be permitted to renounce while failing to follow through by completing the necessary papers¹⁸⁰—behavior which might have detracted from his propaganda value.

According to Oswald's "Historic Diary"¹⁸¹ and the documents furnished to the Commission by the Soviet Government,¹⁸² Oswald was not told that he had been accepted as a resident of the Soviet Union until about January 4, 1960. Although on November 13 and 16 Oswald informed Aline Mosby¹⁸³ and Priscilla Johnson¹⁸⁴ that he had been granted permission to remain in the country indefinitely, the diary indicates that at that time he had been told only that he could remain "until some solution is found with what to do with me."¹⁸⁵ The diary is more consistent with the letter Oswald wrote to his brother Robert on December 17, saying that he was then, more than a month after he saw Johnson and Mosby, about to leave his hotel,¹⁸⁶ and with some later correspondence with his mother. Oswald mailed a short note to his mother which she received in Texas on January 5; that same day she mailed a money order to him in Moscow, but it apparently got there too late, because she received it back, unopened, on February 25.¹⁸⁷ Oswald's conflicting statement to the correspondents also seems reconcilable with his very apparent desire to appear important to others.

Moreover, so long as Oswald continued to stay in a hotel in Moscow, the inference is that the Soviet authorities had not yet decided to accept him.¹⁸⁸ This inference is supported by information supplied by the CIA on the handling of other defectors in the Soviet Union.¹⁸⁹

Thus, the evidence is strong that Oswald waited at least until November 16, when he saw Miss Johnson, and it is probable that he was required to wait until January 4, a little over 2½ months from October 16, before his application to remain in Russia was granted. In mid-November Miss Johnson asked Oswald whether the Russians were encouraging his defection, to which Oswald responded: "The Russians are treating it like a legal formality. They don't encourage you and they don't discourage you."¹⁹⁰ And, when the Soviet Government finally acted, Oswald did not receive Soviet citizenship, as he had requested, but merely permission to reside in Russia on a year-to-year basis.¹⁹¹

Asked to comment upon the length of time, 2 months and 22 days, that probably passed before Oswald was granted the right to remain in the Soviet Union, the CIA has advised that "when compared to five other defector cases, this procedure seems unexceptional."¹⁹² Similarly, the Department of State reports that its information "indicated that a 2-month waiting period is not unusual."¹⁹³ The full response of the CIA is as follows:

Oswald said that he asked for Soviet citizenship on 16 October 1959. According to his diary, he received word a month later that he could stay in the USSR pending disposition of his request, but it was another month and a half before he was given his stateless passport.

When compared to five other defector cases, this procedure seems unexceptional. Two defectors from US Army intelligence units in West Germany appear to have been given citizenship immediately, but both had prior KGB connections and fled as a result of Army security checks. Of the other three cases, one was accepted after not more than five weeks and given a stateless passport apparently at about the same time. The second was immediately given permission to stay for a while, and his subsequent request for citizenship was granted three months later. The third was allowed to stay after he made his citizenship request, but almost two months passed before he was told that he had been accepted. Although the Soviet Ministry of Foreign Affairs soon after told the US Embassy that he was a Soviet citizen, he did not receive his document until five or six months after initial application. We know of only one case in which an American asked for Soviet citizenship but did not take up residence in the USSR. In that instance, the American changed his mind and voluntarily returned to the United States less than three weeks after he had requested Soviet citizenship.¹⁹⁴

The Department of State has commented as follows:

The files of the Department of State reflect the fact that Oswald first applied for permission to remain in Russia permanently, or at least for a long period, when he arrived in Moscow, and that he obtained permission to remain within one or two months.

A. Is the fact that he obtained permission to stay within this period of time usual?

Answer—Our information indicates that a two months waiting period is not unusual. In the case of [name withheld] the Supreme Soviet decided within two months to give Soviet citizenship and he was thereafter, of course, permitted to stay.

B. Can you tell us what the normal procedures are under similar circumstances?

Answer—It is impossible for us to state any “normal” procedures. The Soviet Government never publicizes the proceedings in these cases or the reasons for its action. Furthermore, it is, of course, extremely unusual for an American citizen to defect.¹⁹⁵

The information relating to Oswald's suicide attempt indicates that his application to remain in the Soviet Union was probably rejected about 6 days after his arrival in Moscow. Since the KGB is the Soviet agency responsible for the initial handling of all defectors,¹⁹⁶ it seems likely that the original decision not to accept Oswald was made by the KGB. That Oswald was permitted to remain in Moscow after his release from the hospital suggests that another ministry of the Soviet Government may have intervened on his behalf. This hypothesis is consistent with entries in the “Historic Diary” commenting that the officials Oswald met after his hospital treatment were different from those with whom he had dealt before.¹⁹⁷ The most plausible reason for any such intervention may well have been apprehension over the publicity that would follow the rejection of a devout convert to the Communist cause.

Oswald's Life in Minsk.—According to the “Historic Diary”¹⁹⁸ and documents received from the Soviet Government,¹⁹⁹ Oswald resided in the city of Minsk from January 1960 until June 1962. Oswald's life in Minsk is the portion of his life concerning which the least is known. The primary sources of information are Oswald's own writings and the testimony of Marina Oswald. Other evidence, however, establishes beyond doubt that Oswald was in fact located in Minsk on at least two occasions. The Commission has obtained two photographs which were taken by American tourists in Minsk in August 1961 in which Oswald appears.²⁰⁰ The tourists did not know Oswald, nor did they speak with him; they remembered only that several men gathered near their car.²⁰¹ (See Kramer Exhibit 1, p. 268.) In addition, Oswald was noticed in Minsk by a student who was traveling with



OSWALD, MAN STANDING ON RIGHT IN FIGURED SHIRT.
PHOTOGRAPH TAKEN IN MINSK, U.S.S.R. BY AN AMERICAN
TOURIST IN AUGUST, 1961.
(KRAMER DEPOSITION 1)

the University of Michigan band on a tour of Russia in the spring of 1961.²⁰² Oswald corresponded with the American Embassy in Moscow from Minsk,²⁰³ and wrote letters from Minsk to his family in the United States.²⁰⁴ Oswald and his wife have many photographs taken of themselves which show Minsk backgrounds and persons who are identifiable as residents of Minsk.²⁰⁵ After he returned to the United States, Oswald conversed about the city with Russian-born American citizens who were familiar with it.²⁰⁶ Marina Oswald is also familiar with the city.²⁰⁷ The Commission has also been able independently to verify the existence in Minsk of many of the acquaintances of Oswald and his wife whom they said they knew there.²⁰⁸ (See Commission Exhibits Nos. 1392, 1395, 2606, 2609, 2612 and 2623, pp. 270-271.)

Once he was accepted as a resident alien in the Soviet Union, Oswald was given considerable benefits which ordinary Soviet citizens in his position in society did not have. The "Historic Diary" recites that after Oswald was informed that he could remain in the Soviet Union and was being sent to Minsk he was given 5,000 rubles* (\$500) by the "Red Cross, * * * for expenses." He used 2,200 rubles to pay his hotel bill, and another 150 rubles to purchase a train ticket. With the balance of slightly over 2,500 rubles, Oswald felt, according to the diary, like a rich man.²⁰⁹ Oswald did not receive free living quarters, as the diary indicates the "Mayor" of Minsk promised him,²¹⁰ but about 6 weeks after his arrival he did receive an apartment, very pleasant by Soviet standards, for which he was required to pay only 60 rubles (\$6.00) a month. Oswald considered the apartment "almost rent free."²¹¹ Oswald was given a job in the "Byelorussian Radio and Television Factory," where his pay on a per piece basis ranged from 700 to 900 rubles (\$70-\$90) a month.²¹² According to his wife, this rate of pay was average for people in his occupation but good by Soviet standards generally.²¹³ She explained that piecework rates throughout the Soviet Union have generally grown out of line with compensation for other jobs.²¹⁴ The CIA has confirmed that this condition exists in many areas and occupations in the Soviet Union.²¹⁵ In addition to his salary, Oswald regularly received 700 rubles (\$70) per month from the Soviet "Red Cross."²¹⁶ The well-paying job, the monthly subsidy, and the "almost rent-free" apartment combined to give Oswald more money than he needed. The only complaint recorded in the "Historic Diary" is that there was "no place to spend the money."²¹⁷

The Commission has found no basis for associating Oswald's preferred income with Soviet undercover activity. Marina Oswald testified that foreign nationals are commonly given special treatment in the Soviet Union,²¹⁸ and the Central Intelligence Agency has confirmed that it is standard practice in the Soviet Union for Americans and other foreign defectors from countries with high standards of living to be "subsidized."²¹⁹ Apparently it is Soviet practice

*About a year after Oswald received this money, the ruble was revalued to about 10 times its earlier value.

PHOTOGRAPHS OF THE OSWALDS IN MINSK, U.S.S.R.



OSWALD AND MARINA ON A
BRIDGE IN MINSK
(COMMISSION EXHIBIT 1392)

UNCLE VASILY AKSIONOV AND
AUNT LUBOVA AKSIONOVA,
WITH THE OSWALDS
(COMMISSION EXHIBIT 2623)



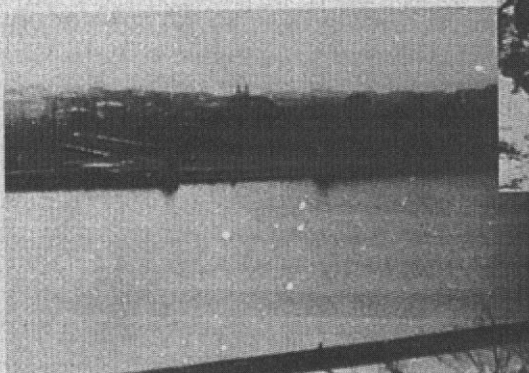
MARINA WAITING FOR BUS
(COMMISSION EXHIBIT 1395)

PHOTOGRAPHS OF OSWALDS IN U. S. S. R.



◀ ROSA KUZNETSOVA, ELLA GERMAN,
LEE HARVEY OSWALD, AND
PAVEL GOLOYACHEV
(COMMISSION EXHIBIT 2609)

OSWALD AND ALFRED (LAST NAME UNKNOWN),
A HUNGARIAN FRIEND OF ANITA ZIGER ▶
(COMMISSION EXHIBIT 2612)



◀ VIEW OVERLOOKING THE SVISLOCH
RIVER FROM THE BALCONY OF
THE OSWALDS' APARTMENT
IN MINSK
(COMMISSION EXHIBIT 2606)

to attempt to make life sufficiently pleasant for a foreign defector so that he will not become disillusioned and return to his native country. The Commission has also assumed that it is customary for Soviet intelligence agencies to keep defectors under surveillance during their residence in the Soviet Union, through periodic interviews of neighbors and associates of the defector.²²⁰ Oswald once mentioned that the Soviet police questioned his neighbors occasionally.²²¹

Moreover, it is from Oswald's personal writings alone that the Commission has learned that he received supplementary funds from the Soviet "Red Cross." In the notes he made during the return trip to the United States Oswald recognized that the "Red Cross" subsidy had nothing to do with the well-known International Red Cross. He frankly stated that the money was paid to him for having "denounced" the United States and that it had come from the "MVD."²²² Oswald's papers reveal that the "Red Cross" subsidy was terminated as soon as he wrote the American Embassy in Moscow in February 1961 asking that he be permitted to return.²²³ (See Commission Exhibit No. 25, p. 273.) Marina Oswald's testimony confirmed this; she said that when she knew Oswald he no longer was receiving the monthly grant but still retained some of the savings accumulated in the months when he had been receiving it.²²⁴ Since she met Oswald in March and married him in April of 1961, her testimony was consistent with his records.

The nature of Oswald's employment while in Minsk has been examined by the Commission. The factory in which he worked was a large plant manufacturing electronic parts and radio and television sets. Marina Oswald has testified that he was an "apprentice machinist" and "ground small metallic parts for radio receivers, on a lathe."²²⁵ So far as can be determined, Oswald never straightforwardly described to anyone else in the United States exactly what his job was in the Soviet Union.²²⁶ Some of his acquaintances in Dallas and Fort Worth had the impression that he was disappointed in having been given a menial job and not assigned to an institution of higher learning in the Soviet Union.²²⁷ Marina Oswald confirmed this and also testified that her husband was not interested in his work and not regarded at the factory as a very good worker.²²⁸ The documents furnished to the Commission by the Soviet government were consistent with her testimony on this point, since they included a report from Oswald's superior at the factory which is critical of his performance on the job.²²⁹ Oswald's employment and his job performance are thus consistent with his known occupational habits in this country and otherwise afford no ground for suspicion.

Oswald's membership in a hunting club while he was in the Soviet Union has been a matter of special interest to the Commission. One Russian emigre testified that this was a suspicious circumstance because no one in the Soviet Union is permitted to own a gun for pleasure.²³⁰ The Commission's investigation, however, has established that this is not so. The Central Intelligence Agency has advised the Commission that hunting societies such as the one to

EXCERPTS FROM A SPEECH OSWALD NEVER
DELIVERED, WHICH HE PROBABLY WROTE
ABOARD THE SHIP WHILE RETURNING
FROM THE U. S. S. R. WITH HIS FAMILY

(COMMISSION EXHIBIT 25)



NOV 18

Holland America Line

When I first went to Russia in
the winter of 1959 my funds were very
limited, so after a certain time, after
the Russians had secured themselves
that I was really the naive American
who believed in communism they arranged
for me to receive a certain amount of
money every month. It came tentatively
through the Red Cross as financial help to
a political emigrant but it was arranged
by the M.V.B. I told myself it was
simply because I was broke and everybody
knew it. I accepted the money because I
was hungry and there was a great deal of
snow on the ground in Moscow at
that time but what it really was
was payment for my denunciation of the
U.S. in Moscow in 1958 and a clear
promise that for as long as I lived
in the U.S.S.R. life would be very good.
I liked things all this, of course for
about two years.



NOV 28

Holland America Line

As soon as I became completely disgusted
with the ~~Red Cross~~ and state investigations
with the ~~Red Cross~~ Embassy in Moscow for
my return to the U.S. my "Red Cross"
allowance was cut off. I understood
this was not difficult since all correspondence
in and out of the Embassy was censored
so was so common knowledge in the
Embassy itself.
I had never mentioned the fact
of these monthly payments to anyone.
I do so in order to state that
I shall never sell myself intentionally,
or unintentionally again to anyone again.

as for the fact of it I was supposed
to receive for this I refused it.
I made pretense to expect it only because
otherwise I would have been considered
a weak point and not allowed to appear
to appear my views. After all who would refuse
money!!!

which Oswald belonged are very popular in the Soviet Union.²³¹ They are frequently sponsored by factories for their employees, as was Oswald's.²³² Moreover, Soviet citizens (or foreigners residing in the Soviet Union) are permitted to own shotguns, but not rifles, without joining a society; all that is necessary is that the gun be registered at the local militia office immediately after it has been purchased.²³³ Experts from the Central Intelligence Agency have examined Oswald's club membership certificate and gun permit and expressed the opinion that its terms and numbers are consistent with other information the CIA has about the Soviet Union.²³⁴

Marina Oswald testified that her husband went hunting only on one occasion during the time of their marriage.²³⁵ However, Oswald apparently joined the Byelorussian Society of Hunters and Fishermen in the summer of 1960²³⁶ and did not marry until April 30, 1961,²³⁷ so he could have been more active while he was still a bachelor. Oswald made no secret of his membership in the hunting club. He mentioned it on occasion to friends after he returned to the United States;²³⁸ discussed it at some length in a speech at a Jesuit Seminary in Mobile, Ala., in the summer of 1962;²³⁹ included it in his correspondence with his brother Robert;²⁴⁰ and kept his membership certificate²⁴¹ and gun permit²⁴² until the day he was killed. In view of these facts, it is unlikely that Oswald's membership in a hunting club was contrived to conceal some sort of secret training. Moreover, the CIA has informed the Commission that it is in possession of considerable information on the location of secret Soviet training institutions and that it knows of no such institution in or near Minsk during the time Oswald was there.²⁴³

Oswald's marriage to Marina Prusakova on April 30, 1961,²⁴⁴ is itself a fact meriting consideration. A foreigner living in Russia cannot marry without the permission of the Soviet Government.²⁴⁵ It seems unlikely that the Soviet authorities would have permitted Oswald to marry and to take his wife with him to the United States if they were contemplating using him alone as an agent. The fact that he had a Russian wife would be likely, in their view, to increase any surveillance under which he would be kept by American security agencies, would make him even more conspicuous to his neighbors as "an ex-Russian," and would decrease his mobility. A wife's presence in the United States would also constitute a continuing risk of disclosure. On the other hand, Marina Oswald's lack of English training and her complete ignorance of the United States and its customs²⁴⁶ would scarcely recommend her to the Soviet authorities as one member of an "agent team" to be sent to the United States on a difficult and dangerous foreign enterprise.

Oswald's departure from the Soviet Union.—On February 13, 1961, the American Embassy in Moscow received a letter from Oswald postmarked Minsk, February 5, asking that he be readmitted to the United States.²⁴⁷ This was the first time that the Embassy had heard from or about Oswald since November 16, 1959.²⁴⁸ The end of the 15-month silence came only a few days after the Department of State

in Washington had forwarded a request to the Moscow Embassy on February 1, 1961, informing the Embassy that Oswald's mother was worried about him, and asking that he get in touch with her if possible.²⁴⁹ The simultaneity of the two events was apparently coincidental. The request from Marguerite Oswald went from Washington to Moscow by sealed diplomatic pouch and there was no evidence that the seal had been tampered with.²⁵⁰ The officer of the Department of State who carried the responsibility for such matters has testified that the message was not forwarded to the Russians after it arrived in Moscow.²⁵¹

Oswald's letter does not seem to have been designed to ingratiate him with the Embassy officials. It starts by incorrectly implying that he had written an earlier letter that was not answered, states that he will return to the United States only if he can first "come to some agreement" on there being no legal charges brought against him, and ends with a reminder to the officials at the Embassy that they have a responsibility to do everything they can to help him, since he is an American citizen.²⁵²

The Embassy's response to this letter was to invite Oswald to come personally to Moscow to discuss the matter.²⁵³ Oswald at first protested because of the difficulty of obtaining Soviet permission.²⁵⁴ He wrote two more protesting letters during the following 4 months,²⁵⁵ but received no indication that the Embassy would allow him to handle the matter by mail.²⁵⁶ While the Department of State was clarifying its position on this matter,²⁵⁷ Oswald unexpectedly appeared in Moscow on Saturday, July 8, 1961.²⁵⁸ On Sunday, Marina Oswald flew to Moscow,²⁵⁹ and was interviewed by officials in the American Embassy on Tuesday.²⁶⁰

The Commission asked the Department of State and the Central Intelligence Agency to comment on whether the Oswalds' travel to Moscow without permission signified special treatment by the Soviet Union. From their responses, it appears that since Marina Oswald possessed a Soviet citizen's internal passport, she did not require prior approval to make the trip.²⁶¹ Although Soviet law did require her husband, as the holder of a "stateless passport," to obtain advance permission for the trip, his failure to do so would not normally have been considered a serious violation. In this respect, the CIA has advised the Commission as follows:

OSWALD'S travel from Minsk to Moscow and return in July 1961 would normally have required prior authorization. Bearers of a Soviet "passport for foreigners" (*vid na zhitelstov v. SSSR dlya innostrantsa*) are required to obtain travel authorization from the Visa and Registration Department (OVIR) (or Passport Registration Department (PRO) in smaller towns) if they desire to leave the city (or oblast) where they are domiciled. This same requirement is believed to apply to persons, such as OSWALD, holding Soviet "stateless passports" (*vid na zhitelstvo v. SSSR dlya lits bez grazhdanstva*).

The practicality of even "unauthorized" travel was demonstrated by events related by a United States citizen who defected in 1960, and subsequently was sent to Kiev to study. After repatriating this defector told U.S. authorities he had made a total of seven unauthorized trips from Kiev during his stay in the USSR. He was apprehended on two of his flights and was returned to Kiev each time, the second time under escort. On both occasions he was merely reprimanded by the deputy chief of the institute at which he was studying. Since Marina had a Soviet citizen's internal passport there would have been no restrictions against her making the trip to Moscow.²⁸²

The answers of the Department of State, together with the Commission's specific questions, are as follows:

B. Could resident foreigners normally travel in this manner without first obtaining such permission?

Answer—There are only a few U.S. nationals now living in the Soviet Union. They include an American Roman Catholic priest, an American Protestant minister, a number of correspondents, some students and technical advisers to Soviet businesses. We know that the priest, the minister, the correspondents and the students must obtain permission from Soviet authorities before taking any trips. The technical advisers notify officials of their project before they travel and these officials personally inform the militia.

C. If travel of this type was not freely permitted, do you believe that Oswald normally would have been apprehended during the attempt or punished after the fact for traveling without permission?

Answer—Based on the information we have, we believe that if Oswald went to Moscow without permission, and this was known to the Soviet authorities, he would have been fined or reprimanded. Oswald was not, of course, an average foreign resident. He was a defector from a foreign country and the bearer of a Soviet internal "stateless" passport * * * during the time when he was contemplating the visit to Moscow to come to the Embassy * * *

The Soviet authorities probably knew about Oswald's trip even if he did not obtain advance permission, since in most instances the Soviet militia guards at the Embassy ask for the documents of unidentified persons entering the Embassy grounds * * *

An American citizen who, with her American citizen husband, went to the Soviet Union to live permanently and is now trying to obtain permission to leave, informed the Embassy that she had been fined for not getting permission to go from Odessa to Moscow on a recent trip to visit the Embassy.

D. Even if such travel did not have to be authorized, do you have any information or observations regarding the practicality of such travel by Soviet citizens or persons in Oswald's status?

Answer—It is impossible to generalize in this area. We understand from interrogations of former residents in the Soviet Union who were considered “stateless” by Soviet authorities that they were not permitted to leave the town where they resided without permission of the police. In requesting such permission they were required to fill out a questionnaire giving the reason for travel, length of stay, addresses of individuals to be visited, etc.

Notwithstanding these requirements, we know that at least one “stateless” person often traveled without permission of the authorities and stated that police stationed at railroad stations usually spotchecked the identification papers of every tenth traveler, but that it was an easy matter to avoid such checks. Finally, she stated that persons who were caught evading the registration requirements were returned to their home towns by the police and sentenced to short jail terms and fined. These sentences were more severe for repeated violations.²⁶³

When Oswald arrived at the Embassy in Moscow, he met Richard E. Snyder, the same person with whom he had dealt in October of 1959.²⁶⁴ Primarily on the basis of Oswald's interview with Snyder on Monday, July 10, 1961, the American Embassy concluded that Oswald had not expatriated himself.²⁶⁵ (See app. XV, pp. 752-760.) On the basis of this tentative decision, Oswald was given back his American passport, which he had surrendered in 1959.²⁶⁶ The document was due to expire in September 1961,²⁶⁷ however, and Oswald was informed that its renewal would depend upon the ultimate decision by the Department of State on his expatriation.²⁶⁸ On July 11, Marina Oswald was interviewed at the Embassy and the steps necessary for her to obtain an American visa were begun.²⁶⁹ In May 1962, after 15 months of dealings with the Embassy, Oswald's passport was ultimately renewed and permission for his wife to enter the United States was granted.²⁷⁰

The files on Oswald and his wife compiled by the Department of State and the Immigration and Naturalization Service contain no indication of any expert guidance by Soviet authorities in Oswald's dealings with the Department or the Service. For example, the letters from Minsk to the Embassy in Moscow,²⁷¹ which are in his handwriting,²⁷² display the arrogant attitude which was characteristic of him both before and after he lived in Russia, and, when compared with other letters that were without doubt composed and written by him,²⁷³ show about the same low level of sophistication, fluency, and spelling. The Department officer who most frequently dealt with Oswald when he began negotiations to return to the United States, Richard E. Snyder, testified that he can recall nothing that indicated Oswald was being guided or assisted by a third party when he appeared at the Embassy in July 1961.²⁷⁴ On the contrary, the arrogant and presumptuous attitude which Oswald displayed in his correspondence with the Embassy from early 1961 until June 1962,²⁷⁵ when he finally departed from Russia, undoubtedly hindered

his attempts to return to the United States. Snyder has testified that although he made a sincere effort to treat Oswald's application objectively, Oswald's attitude made this very difficult.²⁷⁶

In order to leave Russia, it was also necessary for the Oswalds to obtain permission from the Soviet Government. The timing and circumstances under which the Oswalds obtained this permission have also been considered by the Commission. Marina Oswald, although her memory is not clear on the point, said that she and Oswald first made their intentions to go to the United States known to Soviet officials in Minsk in May, even before coming to Moscow in July for the conference at the American Embassy.²⁷⁷ The Oswalds' correspondence with the Embassy and the documents furnished the Commission by the Soviet Government show that the Oswalds made a series of formal applications to the Soviets from July 15 to August 21.²⁷⁸ Presumably the most difficult question for the Soviet authorities was whether to allow Marina Oswald to accompany her husband. She was called to the local passport office in Minsk on December 25, 1961, and told that authority had been received to issue exit visas to her and Oswald.²⁷⁹ Obtaining the permission of the Soviet Government to leave may have been aided by a conference which Marina Oswald had, at her own request, with a local MVD official, Colonel Aksenov, sometime in late 1961. She testified that she applied for the conference at her husband's urging, after he had tried unsuccessfully to arrange such a conference for himself.²⁸⁰ She believed that it may have been granted her because her uncle with whom she had lived in Minsk before her marriage was also an MVD official.²⁸¹

The correspondence with the American Embassy at this time reflected that the Oswalds did not pick up their exit visas immediately.²⁸² On January 11, 1962, Marina Oswald was issued her Soviet exit visa. It was marked valid until December 1, 1962.²⁸³ The Oswalds did not leave Russia until June 1962, but the additional delay was caused by problems with the U.S. Government and by the birth of a child in February.²⁸⁴ Permission of the Soviet authorities to leave, once given, was never revoked. Oswald told the FBI in July 1962, shortly after he returned to the United States, that he had been interviewed by the MVD twice, once when he first came to the Soviet Union and once just before he departed.²⁸⁵ His wife testified that the second interview did not occur in Moscow but that she and her husband dealt with the MVD visa officials frequently in Minsk.²⁸⁶

Investigation of the circumstances, including the timing, under which the Oswalds obtained permission from the Soviet Government to leave Russia for the United States show that they differed in no discernible manner from the normal. The Central Intelligence Agency has informed the Commission that normally a Soviet national would not be permitted to emigrate if he might endanger Soviet national security once he went abroad.²⁸⁷ Those persons in possession of confidential information, for example, would constitute an im-

portant category of such "security risks." Apparently Oswald's predeparture interview by the MVD was part of an attempt to ascertain whether he or his wife had access to any confidential information. Marina Oswald's reported interview with the MVD in late 1961, which was arranged at her request, may have served the same purpose. The Commission's awareness of both interviews derives entirely from Oswald's and his wife's statements and letters to the American Embassy, which afford additional evidence that the conferences carried no subversive significance.

It took the Soviet authorities at least 5½ months, from about July 15, 1961, until late December, to grant permission for the Oswalds to leave the country. When asked to comment upon the alleged rapidity of the Oswalds' departure, the Department of State advised the Commission:

* * * In the immediate post-war period there were about fifteen marriages in which the wife had been waiting for many years for a Soviet exit permit. After the death of Stalin the Soviet Government showed a disposition to settle these cases. In the summer of 1953 permission was given for all of this group of Soviet citizen wives to accompany their American citizen husbands to the United States.

Since this group was given permission to leave the Soviet Union, there have been from time to time marriages in the Soviet Union of American citizens and Soviet citizens. With one exception, it is our understanding that all of the Soviet citizens involved have been given permission to emigrate to the United States after waiting periods which were, in some cases from three to six months and in others much longer.²⁸⁸

Both the Department of State and the Central Intelligence Agency compiled data for the Commission on Soviet wives of American citizens who received exit visas to leave the Soviet Union, where the relevant information was available. In both cases the data were consistent with the above conclusion of the State Department. The Department of State had sufficient information to measure the timespan in 14 cases. The Department points out that it has information on the dates of application for and receipt of Soviet exit visas only on those cases that have been brought to its attention. A common reason for bringing a case to the attention of the Department is that the granting of the exit visa by the Soviet Union has been delayed, so that the American spouse seeks the assistance of his own government. It therefore appears that the sampling data carry a distinct bias toward lengthy waiting periods. Of the 14 cases tested, 6 involve women who applied for visas after 1953, when the liberalized post-Stalin policy was in effect. The approximate waiting periods for these wives were, in decreasing order, 13 months, 6 months, 3 months, 1 month, and 10 days.²⁸⁹ Of the 11 cases examined by the Central Intelligence Agency

in which the time period is known or can be inferred, the Soviet wives had to wait from 5 months to a year to obtain exit visas.²⁹⁰

In his correspondence with the American Embassy and his brother while he was in Russia,²⁹¹ in his diary,²⁹² and in his conversations with people in the United States after he returned,²⁹³ Oswald claimed that his wife had been subjected to pressure by the Soviet Government in an effort to induce her not to emigrate to the United States. In the Embassy correspondence, Oswald claimed that the pressure had been so intense that she had to be hospitalized for 5 days for "nervous exhaustion."²⁹⁴ Marina Oswald testified that her husband exaggerated and that no such hospitalization or "nervous exhaustion" ever occurred.²⁹⁵ However, she did testify that she was questioned on the matter occasionally and given the impression that her government was not pleased with her decision.²⁹⁶ Her aunt and uncle in Minsk did not speak to her "for a long time"; she also stated that she was dropped from membership in the Communist Youth Organization (Komsomol) when the news of her visit to the American Embassy in Moscow reached that organization.²⁹⁷ A student who took Russian lessons from her in Texas testified that she once referred to the days when the pressure was applied as "a very horrible time."²⁹⁸ Despite all this Marina Oswald testified that she was surprised that their visas were granted as soon as they were—and that hers was granted at all.²⁹⁹ This evidence thus indicates that the Soviet authorities, rather than facilitating the departure of the Oswalds, first tried to dissuade Marina Oswald from going to the United States and then, when she failed to respond to the pressure, permitted her to leave without undue delay. There are indications that the Soviet treatment of another recent defector who left the Soviet Union to return to the United States resembled that accorded to the Oswalds.³⁰⁰

On the basis of all the foregoing evidence, the Commission concluded that there was no reason to believe that the Oswalds received unusually favorable treatment in being permitted to leave the Soviet Union.

Associations in the Dallas-Fort Worth Community

The Russian-speaking community.—Shortly after his return from Russia in June 1962, Oswald and his family settled in Fort Worth, Tex., where they met a group of Russian-born or Russian-speaking persons in the Dallas-Fort Worth area.³⁰¹ The members of this community were attracted to each other by common background, language, and culture. Many of them were well-educated, accomplished, and industrious people, several being connected with the oil exploration, production, and processing industry that flourishes in the Dallas-Fort Worth area.³⁰² As described more fully in chapter VII and in appendix XIII, many of these persons assisted the Oswalds in various ways. Some provided the Oswalds with gifts of such things as food, clothing, and baby furniture.³⁰³ Some arranged appointments and transportation for medical and dental treatment, and assumed the cost in some instances.³⁰⁴ When Oswald under-

took to look for employment in Dallas in early October of 1962 and again when marital difficulties arose between the Oswalds in November of the same year, Marina Oswald and their child were housed at times in the homes of various members of the group.³⁰⁵ The Commission has examined the background of many of these individuals and has thoroughly investigated Oswald's relationship with them.

There is no basis to suppose that Oswald came to Fort Worth upon his return from Russia for the purpose of establishing contacts with the Russian-speaking community located in that area. Oswald had spent several of his grammar-school years in Fort Worth.³⁰⁶ In 1962, his brother Robert lived in Fort Worth and his mother resided in nearby Vernon, Tex. In January of that year, Oswald indicated to American officials in Russia that he intended to stay with his mother upon his return to the United States; however, sometime after mid-February, he received an invitation to stay with Robert and his family until he became settled, and he did spend the first several weeks after his return at Robert's home.³⁰⁷ In July, Oswald's mother moved to Fort Worth and Oswald and his wife and child moved into an apartment with her.³⁰⁸ While in that apartment, Oswald located a job in Fort Worth and then rented and moved with his family into an apartment on Mercedes Street.³⁰⁹

Upon his arrival in 1962, Oswald did not know any members of the relatively small and loosely knit Russian-speaking community.³¹⁰ Shortly after his arrival Oswald obtained the name of two Russian-speaking persons in Fort Worth from the office of the Texas Employment Commission in that city.³¹¹ Attempts to arrange a prompt visit with one of them failed.³¹² The second person, Peter Paul Gregory, was a consulting petroleum engineer and part-time Russian-language instructor at the Fort Worth Public Library. Oswald contacted him in order to obtain a letter certifying to his proficiency in Russian and Marina Oswald later tutored his son in the Russian language.³¹³ Gregory introduced the Oswalds to George Bouhe and Anna Meller, both of whom lived in Dallas and became interested in the welfare of Marina Oswald and her child.³¹⁴ Through them, other members of the Russian community became acquainted with the Oswalds.³¹⁵

The Oswalds met some 30 persons in the Russian-speaking community, of whom 25 testified before the Commission or its staff; others were interviewed on behalf of the Commission.³¹⁶ This range of testimony has disclosed that the relationship between Lee Harvey Oswald and the Russian-speaking community was short lived and generally quite strained.³¹⁷ During October and November of 1962 Marina Oswald lived at the homes of some of the members of the Russian-speaking community.³¹⁸ She stayed first with Elena Hall while Oswald was looking for work in Dallas.³¹⁹ In early November, Marina Oswald and the baby joined Oswald in Dallas, but soon thereafter, she spent approximately 2 weeks with different Russian-speaking friends during another separation.³²⁰ Oswald openly resented the help Marina's "Russian friends" gave to him and his wife and the efforts of some of them to induce Marina to leave him.³²¹ George

Bouhe attempted to dissuade Marina from returning to her husband in November 1962, and when she rejoined him, Bouhe became displeased with her as well.³²² Relations between the Oswalds and the members of the Russian community had practically ceased by the end of 1962. Katherine Ford, one of the members of the group, summed up the situation as it existed at the end of January 1963: "So it was rather, sort of, Marina and her husband were dropped at that time, nobody actually wanted to help. * * *"³²³

In April of 1963, Oswald left Fort Worth for New Orleans, where he was later joined by his wife and daughter, and remained until his trip to Mexico City in late September and his subsequent return to the Dallas-Fort Worth area in early October of 1963.³²⁴ With only minor exceptions,³²⁵ there is no evidence that any member of the Russian-speaking community had further contact with Oswald or his family after April.³²⁶ In New Orleans, Oswald made no attempt to make new Russian-speaking acquaintances for his wife and there is no evidence that he developed any friendships in that city.³²⁷ Similarly, after the return from New Orleans, there seems to have been no communication between the Oswalds and this group until the evening of November 22, 1963, when the Dallas Police enlisted Ilya Mamantov to serve as an interpreter for them in their questioning of Marina Oswald.³²⁸

George De Mohrenschildt and his wife, both of whom speak Russian as well as several other languages, however, did continue to see the Oswalds on occasion up to about the time Oswald went to New Orleans on April 24, 1963. De Mohrenschildt was apparently the only Russian-speaking person living in Dallas for whom Oswald had appreciable respect, and this seems to have been true even though De Mohrenschildt helped Marina Oswald leave her husband for a period in November of 1962.³²⁹

In connection with the relations between Oswald and De Mohrenschildt, the Commission has considered testimony concerning an event which occurred shortly after Oswald shot at General Walker. The De Mohrenschildts came to Oswald's apartment on Neely Street for the first time on the evening of April 13, 1963, apparently to bring an Easter gift for the Oswald child.³³⁰ Mrs. De Mohrenschildt testified that while Marina Oswald was showing her the apartment, she saw a rifle with a scope in a closet. Mrs. De Mohrenschildt then told her husband, in the presence of the Oswalds, that there was a rifle in the closet.³³¹ Mrs. De Mohrenschildt testified that "George, of course, with his sense of humor—Walker was shot at a few days ago, within that time. He said, 'Did you take a pot shot at Walker by any chance?' "³³² At that point, Mr. De Mohrenschildt testified, Oswald "sort of shriveled, you see, when I asked this question. * * * made a peculiar face * * * [and] changed the expression on his face" and remarked that he did targetshooting.³³³ Marina Oswald testified that the De Mohrenschildts came to visit a few days after the Walker incident and that when De Mohrenschildt made his reference to Oswald's possibly shooting at Walker, Oswald's "face changed, * * * he almost

became speechless.”³³⁴ According to the De Mohrenschildts, Mr. De Mohrenschildt’s remark was intended as a joke, and he had no knowledge of Oswald’s involvement in the attack on Walker.³³⁵ Nonetheless, the remark appears to have created an uncomfortable silence, and the De Mohrenschildts left “very soon afterwards.” They never saw either of the Oswalds again.³³⁶ They left in a few days on a trip to New York City and did not return until after Oswald had gone to New Orleans.³³⁷ A postcard from Oswald to De Mohrenschildt was apparently the only contact they had thereafter.³³⁸ The De Mohrenschildts left in early June for Haiti on a business venture, and they were still residing there at the time they testified on April 23, 1964.³³⁹

Extensive investigation has been conducted into the background of both De Mohrenschildts.³⁴⁰ The investigation has revealed that George De Mohrenschildt is a highly individualistic person of varied interests. He was born in the Russian Ukraine in 1911 and fled Russia with his parents in 1921 during the civil disorder following the revolution. He was in a Polish cavalry military academy for 1½ years. Later he studied in Antwerp and attended the University of Liege from which he received a doctor’s degree in international commerce in 1928. Soon thereafter, he emigrated to the United States; he became a U.S. citizen in 1949.³⁴¹ De Mohrenschildt eventually became interested in oil exploration and production; he entered the University of Texas in 1944 and received a master’s degree in petroleum geology and petroleum engineering in 1945.³⁴² He has since become active as a petroleum engineer throughout the world.³⁴³ In 1960, after the death of his son, he and his wife made an 8-month hike from the United States-Mexican border to Panama over primitive jungle trails. By happenstance they were in Guatemala City at the time of the Bay of Pigs invasion.³⁴⁴ A lengthy film and complete written log was prepared by De Mohrenschildt and a report of the trip was made to the U.S. Government.³⁴⁵ Upon arriving in Panama they journeyed to Haiti where De Mohrenschildt eventually became involved in a Government-oriented business venture in which he has been engaged continuously since June 1963 until the time of this report.³⁴⁶

The members of the Dallas-Fort Worth Russian community and others have variously described De Mohrenschildt as eccentric, outspoken, and a strong believer in individual liberties and in the U.S. form of government, but also of the belief that some form of undemocratic government might be best for other peoples.³⁴⁷ De Mohrenschildt frankly admits his provocative personality.³⁴⁸

Jeanne De Mohrenschildt was born in Harbin, China, of White Russian parents. She left during the war with Japan, coming to New York in 1938 where she became a successful ladies dress and sportswear apparel designer. She married her present husband in 1959.³⁴⁹

The Commission’s investigation has developed no signs of subversive or disloyal conduct on the part of either of the De Mohrenschildts. Neither the FBI, CIA, nor any witness contacted by the

Commission has provided any information linking the De Mohrenschildts to subversive or extremist organizations.³⁵⁰ Nor has there been any evidence linking them in any way with the assassination of President Kennedy.

The Commission has also considered closely the relations between the Oswalds and Michael and Ruth Paine of Irving, Tex. The Paines were not part of the Russian community which has been discussed above. Ruth Paine speaks Russian, however, and for this reason was invited to a party in February of 1963 at which she became acquainted with the Oswalds.³⁵¹ The host had met the Oswalds through the De Mohrenschildts.³⁵² Marina Oswald and Ruth Paine subsequently became quite friendly, and Mrs. Paine provided considerable assistance to the Oswalds.³⁵³ Marina Oswald and her child resided with Ruth Paine for a little over 2 weeks while Oswald sought a job in New Orleans in late April and early May 1963.³⁵⁴ In May, she transported Marina Oswald to New Orleans, paying all of the traveling and other expenses.³⁵⁵ While the Oswalds were in New Orleans, the two women corresponded.³⁵⁶ Mrs. Paine came to New Orleans in late September and took Marina Oswald and her child to her home in Irving.³⁵⁷

Since Oswald left for Mexico City promptly after Mrs. Paine and his family departed New Orleans,³⁵⁸ the Commission has considered whether Ruth Paine's trip to New Orleans was undertaken to assist Oswald in this venture, but the evidence is clear that it was not. In her letters to Ruth Paine during the summer of 1963, Marina Oswald confided that she was having continuing difficulties with her husband, and Mrs. Paine urged Marina Oswald to live with her in Irving; the letters of the two women prior to Mrs. Paine's arrival in New Orleans on September 20, 1963, however, contain no mention that Oswald was planning a trip to Mexico City or elsewhere.³⁵⁹ In New Orleans, Mrs. Paine was told by Oswald that he planned to seek employment in Houston, or perhaps Philadelphia. Though Marina Oswald knew this to be false, she testified that she joined in this deception.³⁶⁰ At no time during the entire weekend was Mexico City mentioned.³⁶¹ Corroboration for this testimony is found in a letter Mrs. Paine wrote her mother shortly after she and Marina Oswald had returned to Irving on September 24, in which she stated that Marina Oswald was again living with her temporarily and that Oswald was job-hunting.³⁶² When Oswald arrived at the Paine home on October 4, he continued his deception by telling Mrs. Paine, in his wife's presence, that he had been unsuccessful in finding employment.³⁶³ At Oswald's request, Marina Oswald remained silent.³⁶⁴

Marina Oswald lived with Ruth Paine through the birth of her second daughter on October 20, 1963, and until the assassination of President Kennedy.³⁶⁵ During this period, Oswald obtained a room in Dallas and found employment in Dallas, but spent weekends with his family at the Paine home.³⁶⁶ On November 1 and 5, Ruth Paine was interviewed by agents of the FBI who were investigating Oswald's activities since his return from the Soviet Union, as set forth

in greater detail in chapter VIII. She did not then know Oswald's address in Dallas.³⁶⁷ She was not asked for, nor did she volunteer, Oswald's telephone number in Dallas, which she did know.³⁶⁸ She advised the Bureau agent to whom she spoke of Oswald's periodic weekend visits, and she informed him that Oswald was employed at the Texas School Book Depository Building.³⁶⁹

On November 10, Ruth Paine discovered a draft of Oswald's letter written the day before to the Soviet Embassy in Washington, in which he indicated that he had journeyed to Mexico City and conferred with a "comrade Kostine in the Embassy of the Soviet Union, Mexico City, Mexico."³⁷⁰ (This letter is discussed later in this chapter.) Mr. and Mrs. Paine testified that although they initially assumed the letter was a figment of Oswald's imagination, the letter gave Mrs. Paine considerable misgivings.³⁷¹ She determined that if the FBI agents returned she would deliver to them the copy of a draft of the letter which, unknown to Oswald, she had made.³⁷² However, the agents did not return before the assassination.³⁷³ On November 19, Mrs. Paine learned that Oswald was living in his Dallas rooming-house under an assumed name.³⁷⁴ She did not report this to the FBI because, as she testified, she "had no occasion to see them, and * * * did not think it important enough to call them after that until the 23d of November."³⁷⁵

The Commission has thoroughly investigated the background of both Paines. Mrs. Paine was born Ruth Hyde in New York City on September 3, 1932. Her parents moved to Columbus, Ohio, in the late 1930's.³⁷⁶ They were divorced in 1961.³⁷⁷ Ruth Paine graduated from Antioch College in 1955.³⁷⁸ While in high school she first became interested in Quaker activities; she and her brother became Quakers in 1951.³⁷⁹ In 1952, following completion of her sophomore year at Antioch College, she was a delegate to two Friends conferences in England.³⁸⁰

At the time the Paines met in 1955, Mrs. Paine was active in the work of the Young Friends Committee of North America, which, with the cooperation of the Department of State, was making an effort to lessen the tensions between Soviet Russia and the United States by means of the stimulation of contacts and exchange of cultures between citizens of the two nations through "pen-pal" correspondence and exchanges of young Russians and Americans.³⁸¹ It was during this period that Mrs. Paine became interested in the Russian language.³⁸² Mrs. Paine participated in a Russian-American student exchange program sponsored by the Young Friends Committee of North America, and has participated in the "pen-pal" phase of the activities of the Young Friends Committee.³⁸³ She has corresponded until recently with a schoolteacher in Russia.³⁸⁴ Although her active interest in the Friends' program for the lessening of East-West tensions ceased upon her marriage in December 1957, she has continued to hold to the tenets of the Quaker faith.³⁸⁵

Michael Paine is the son of George Lyman Paine and Ruth Forbes Paine, now Ruth Forbes Young, wife of Arthur Young of Phila-

delphia, Pa.³⁸⁶ His parents were divorced when he was 4 years of age. His father, George Lyman Paine, is an architect and resides in California.³⁸⁷ Michael Paine testified that during his late grammar and early high school days his father participated actively in the Trotskyite faction of the Communist movement in the United States and that he attended some of those meetings.³⁸⁸ He stated that his father, with whom he has had little contact throughout most of his life, has not influenced his political thinking. He said that he has visited his father four or five times in California since 1959, but their discussions did not include the subject of communism.³⁸⁹ Since moving to Irving, Tex., in 1959, he has been a research engineer for Bell Helicopter Co. in Fort Worth.³⁹⁰ Mr. Paine has security clearance for his work.³⁹¹ He has been a long-time member of the American Civil Liberties Union.³⁹² Though not in sympathy with rightist political aims, he has attended a few meetings of far-right organizations in Dallas for the purpose, he testified, of learning something about those organizations and because he "was interested in seeing more communication between the right and the left."³⁹³

The Commission has conducted a thorough investigation of the Paines' finances and is satisfied that their income has been from legitimate and traceable sources, and that their expenditures were consistent with their income and for normal purposes. Although in the course of their relationship with the Oswalds, the Paines assumed expenses for such matters as food and transportation, with a value of approximately \$500, they made no direct payments to, and received no moneys or valuables from, the Oswalds.³⁹⁴

Although prior to November 22, Mrs. Paine had information relating to Oswald's use of an alias in Dallas, his telephone number, and his correspondence with the Soviet Embassy, which she did not pass on to the FBI,³⁹⁵ her failure to have come forward with this information must be viewed within the context of the information available to her at that time. There is no evidence to contradict her testimony that she did not then know about Oswald's attack on General Walker, the presence of the rifle on the floor of her garage, Oswald's ownership of a pistol, or the photographs of Oswald displaying the firearms.³⁹⁶ She thus assumed that Oswald, though a difficult and disturbing personality, was not potentially violent, and that the FBI was cognizant of his past history and current activities.³⁹⁷

Moreover, it is from Mrs. Paine herself that the Commission has learned that she possessed the information which she did have. Mrs. Paine was forthright with the agent of the FBI with whom she spoke in early November 1963, providing him with sufficient information to have located Oswald at his job if he had deemed it necessary to do so,³⁹⁸ and her failure to have taken immediate steps to notify the Bureau of the additional information does not under the circumstances appear unusual. Throughout the Commission's investigation, Ruth Paine has been completely cooperative, voluntarily producing all correspondence, memoranda, and other written communications in her possession that had passed between her and Marina Oswald both

before and after November 22, 1963.³⁹⁹ The Commission has had the benefit of Mrs. Paine's 1963 date book and calendar and her address book and telephone notation book, in both of which appear many entries relating to her activities with the Oswalds.⁴⁰⁰ Other material of a purely personal nature was also voluntarily made available.⁴⁰¹ The Commission has found nothing in the Paines' background, activities, or finances which suggests disloyalty to the United States,⁴⁰² and it has concluded that Ruth and Michael Paine were not involved in any way with the assassination of President Kennedy.

A fuller narrative of the social contacts between the Oswalds and the various persons of the Dallas-Fort Worth community is incorporated in chapter VII and appendix XIII, and the testimony of all members of the group who testified before the Commission is included in the printed record which accompanies the report. The evidence establishes that the Oswalds' contacts with these people were originated and maintained under normal and understandable circumstances. The files maintained by the FBI contain no information indicating that any of the persons in the Dallas-Fort Worth community with whom Oswald associated were affiliated with any Communist, Fascist, or other subversive organization.⁴⁰³ During the course of this investigation, the Commission has found nothing which suggests the involvement of any member of the Russian-speaking community in Oswald's preparations to assassinate President Kennedy.

Political Activities Upon Return to the United States

Upon his return from the Soviet Union, Oswald had dealings with the Communist Party, U.S.A., the Socialist Workers Party, and the Fair Play for Cuba Committee, and he also had minor contacts with at least two other organizations with political interests. For the purpose of determining whether Oswald received any advice, encouragement, or assistance from these organizations in planning or executing the assassination of President Kennedy, the Commission has conducted a full investigation of the nature and extent of Oswald's relations with them. The Commission has also conducted an investigation to determine whether certain persons and organizations expressing hostility to President Kennedy prior to the assassination had any connection with Lee Harvey Oswald or with the shooting of the President.

Communist Party, U.S.A.; Socialist Workers Party.—In August of 1962, Oswald subscribed to the *Worker*, a publication of the Communist Party, U.S.A.⁴⁰⁴ He also wrote the Communist Party to obtain pamphlets and other literature which, the evidence indicates, were sent to him as a matter of course.⁴⁰⁵

Oswald also attempted to initiate other dealings with the Communist Party, U.S.A., but the organization was not especially responsive. From New Orleans, he informed the party of his activities in connection with the Fair Play for Cuba Committee, discussed below, submit-

ting membership cards in his fictitious chapter to several party officials.⁴⁰⁶ In a letter from Arnold S. Johnson, director of the information and lecture bureau of the party, Oswald was informed that although the Communist Party had no "organizational ties" with the committee, the party issued much literature which was "important for anybody who is concerned about developments in Cuba."⁴⁰⁷ In September 1963 Oswald inquired how he might contact the party when he relocated in the Baltimore-Washington area, as he said he planned to do in October, and Johnson suggested in a letter of September 19 that he "get in touch with us here [New York] and we will find some way of getting in touch with you in that city [Baltimore]."⁴⁰⁸ However, Oswald had also written asking whether, "handicapped as it were, by * * * [his] past record," he could "still * * * compete with antiprogressive forces, above ground or whether in your opinion * * * [he] should always remain in the background, i.e., underground," and in the September 19 letter received the reply that "often it is advisable for some people to remain in the background, not underground."⁴⁰⁹

In a letter postmarked November 1, Oswald informed the party that he had moved to Dallas, and reported his attendance at a meeting at which General Walker had spoken, and at a meeting of the American Civil Liberties Union; he asked Johnson for the party's "general view" of the latter organization and "to what degree, if any, [he] should attempt to heighten its progressive tendencies." According to Johnson, this letter was not received by the Communist Party until after the assassination.⁴¹⁰ At different times, Oswald also wrote the Worker and the Hall-Davis Defense Committee, enclosing samples of his photographic work and offering to assist in preparing posters; he was told that "his kind offer [was] most welcomed and from time to time we shall call on you," but he was never asked for assistance.⁴¹¹ The correspondence between Oswald and the Communist Party, and with all other organizations, is printed in the record accompanying this report.

When Oswald applied for a visa to enter Cuba during his trip to Mexico City, discussed below,⁴¹² Senora Silvia Duran, the Cuban consular employee who dealt with Oswald, wrote on the application that Oswald said he was a member of the Communist Party and that he had "displayed documents in proof of his membership."⁴¹³ When Oswald went to Mexico, he is believed to have carried his letters from the Soviet Embassy in Washington and from the Communist Party in the United States, his 1959 passport, which contained stamps showing that he had lived in Russia for 2½ years, his Russian work permit, his Russian marriage certificate, membership cards and newspaper clippings purporting to show his role in the Fair Play for Cuba Committee, and a prepared statement of his qualifications as a "Marxist."⁴¹⁴ Because of the mass of papers Oswald did present showing his affinity for communism, some in the Russian language, which was foreign to Senora Duran, and because further investigation, discussed below, indicated that Oswald was not

a member of the party, Senora Duran's notation was probably inaccurate.

Upon his arrest after the assassination, Oswald attempted to contact John J. Abt, a New York attorney, to request Abt to represent him. Abt was not in New York at the time, and he was never reached in connection with representing Oswald. Abt has testified that he at no time had any dealings with Oswald and that prior to the assassination he had never heard of Lee Harvey Oswald.⁴¹⁵

After his return from the Soviet Union, Oswald also carried on a limited correspondence with the Socialist Workers Party. In October of 1962 he attempted to join the party, but his application was not accepted since there was then no chapter in the Dallas area.⁴¹⁶ Oswald also wrote the Socialist Workers Party offering his assistance in preparing posters. From this organization too he received the response that he might be called upon if needed. He was asked for further information about his photographic skills, which he does not appear to have ever provided.⁴¹⁷ Oswald did obtain literature from the Socialist Workers Party, however, and in December 1962 he entered a subscription to the affiliated publication, the *Militant*.⁴¹⁸ Apparently in March of 1963 Oswald wrote the party of his activities and submitted a clipping with his letter. In response, he was told that his name was being sent to the Young Socialist Alliance for further correspondence, but the files of the alliance apparently contain no reference to Oswald. Neither the letter nor the clipping which Oswald sent has been located.⁴¹⁹

Investigation by the Commission has produced no plausible evidence that Lee Harvey Oswald had any other significant contacts with the Communist Party, U.S.A., the Socialist Workers Party, or with any other extreme leftist political organization. The FBI and other Federal security agencies have made a study of their records and files and contacted numerous confidential informants of the agencies and have produced no such evidence.⁴²⁰ The Commission has questioned persons who, as a group, knew Oswald during virtually every phase of his adult life, and from none of these came any indication that Oswald maintained a surreptitious relationship with any organization. Arnold S. Johnson, of the American Communist Party; James T. Tormey, executive secretary of the Hall-Davis Defense Committee; and Farrell Dobbs, secretary of the Socialist Workers Party, voluntarily appeared before the Commission and testified under oath that Oswald was not a member of these organizations and that a thorough search of their files had disclosed no records relating to Oswald other than those which they produced for the Commission.⁴²¹ The material that has been disclosed is in all cases consistent with other data in the possession of the Commission.

Socialist Labor Party.—Oswald also wrote to the Socialist Labor Party in New York in November 1962 requesting literature. Horace Twiford, a national committeeman at large for the party in the State of Texas, was informed by the New York headquarters in July 1963

of Oswald's request, and on September 11, 1963, he did mail literature to Oswald at his old post office box in Dallas.⁴²² On his way to Mexico City in September 1963, Oswald attempted to contact Twiford at his home in Houston; Oswald spoke briefly with Twiford's wife, identifying himself as a member of the Fair Play for Cuba Committee, but since Twiford was out of town at the time, Oswald was unable to speak with him.⁴²³ Arnold Peterson, national secretary and treasurer of the Socialist Labor Party, has stated that a search of the records of the national headquarters reveals no record pertaining to Oswald; he explained that letters requesting literature are routinely destroyed.⁴²⁴ The Socialist Party-Social Democratic Federation has also advised that a review of its records fails to reflect any information or correspondence pertaining to Oswald.⁴²⁵

Fair Play for Cuba Committee.—During the period Oswald was in New Orleans, from the end of April to late September 1963, he was engaged in activity purportedly on behalf of the now defunct Fair Play for Cuba Committee (FPCC), an organization centered in New York which was highly critical of U.S. policy toward the Cuban Government under Fidel Castro. In May 1963, after having obtained literature from the FPCC,⁴²⁶ Oswald applied for and was granted membership in the organization.⁴²⁷ When applying for membership, Oswald wrote national headquarters that he had

* * * been thinking about renting a small office at my own expense for the purpose of forming a F.P.C.C. branch here in New Orleans.

Could you give me a charter? ⁴²⁸

With his membership card, Oswald apparently received a copy of the constitution and bylaws for FPCC chapters, and a letter, dated May 29, which read in part as follows (with spelling as in original):

It would be hard to concieve of a chapter with as few members as seem to exist in the New Orleans area. I have just gone through our files and find that Louisiana seams somewhat restricted for Fair Play activities. However, with what is there perhaps you could build a larger group if a few people would undertake the disciplined responsibility of concrete organizational work.

We certainly are not at all adverse to a very small Chapter but certainly would expect that there would be at least twice the amount needed to conduct a legal executive board for the Chapter. Should this be reasonable we could readily issue a charter for a New Orleans Chapter of FPCC. In fact, we would be very, very pleased to see this take place and would like to do everything possible to assist in bringing it about.

* * * * *

You must realize that you will come under tremendous pressures with any attempt to do FPCC work in that area and that you will not be able to operate in the manner which is conventional here in the north-east. Even most of our big city Chapters have been forced to Abandon the idea of operating an office in public. * * * Most Chapters have discovered that it is easier to operate semi-privately out of a home and maintain a P.O. Box for all mailings and public notices. (A P.O. Box is a must for any Chapter in the organization to guarantee the continued contact with the national even if an individual should move or drop out.) We do have a serious and often violent opposition and this procedure helps prevent many unnecessary incidents which frighten away prospective supporters. I definitely would not recommend an office, at least not one that will be easily identifiable to the lunatic fringe in your community. Certainly, I would not recommend that you engage in one at the very beginning but wait and see how you can operate in the community through several public experiences.⁴²⁹

Thereafter Oswald informed national headquarters that he had opened post office box No. 30061, and that against its advice he had decided "to take an office from the very beginning"; he also submitted copies of a membership application form and a circular headed "Hands Off Cuba!" which he had had printed, and informed the headquarters that he intended to have membership cards for his chapter printed, which he subsequently did.⁴³⁰ He wrote three further letters to the New York office to inform it of his continued activities.⁴³¹ In one he reported that he had been evicted from the office he claimed to have opened, so that he "worked out of a post office box and by using street demonstrations and some circular work * * * sustained a great deal of interest but no new members."⁴³²

Oswald did distribute the handbills he had printed on at least three occasions.⁴³³ Once, while doing so, he was arrested and fined for being involved in a disturbance with anti-Castro Cuban refugees,⁴³⁴ one of whom he had previously met by presenting himself as hostile to Premier Castro in an apparent effort to gain information about anti-Castro organizations operating in New Orleans.⁴³⁵ When arrested, he informed the police that his chapter had 35 members.⁴³⁶ His activities received some attention in the New Orleans press, and he twice appeared on a local radio program representing himself as a spokesman for the Fair Play for Cuba Committee.⁴³⁷ After his return to Dallas, he listed the FPCC as an organization authorized to receive mail at his post office box.⁴³⁸

Despite these activities, the FPCC chapter which Oswald purportedly formed in New Orleans was entirely fictitious. Vincent T. Lee, formerly national director of the Fair Play for Cuba Committee, has testified that the New York office did not authorize the creation of a New Orleans chapter, nor did it provide Oswald with funds to support his activities there.⁴³⁹ The national office did not write

Oswald again after its letter of May 29. As discussed more fully in chapter VII, Oswald's later letters to the national office purporting to inform it of his progress in New Orleans contained numerous exaggerations about the scope of his activities and the public reaction to them.⁴⁴⁰ There is no evidence that Oswald ever opened an office as he claimed to have done. Although a pamphlet taken from him at the time of his arrest in New Orleans contains the rubber stamp imprint "FPCC, 544 CAMP ST., NEW ORLEANS, LA.," investigation has indicated that neither the Fair Play for Cuba Committee nor Lee Harvey Oswald ever maintained an office at that address.⁴⁴¹ The handbills and other materials bearing the name of the Fair Play for Cuba Committee were printed commercially by Oswald without the approval of the national headquarters.⁴⁴² Oswald's membership card in the "New Orleans chapter" of the committee carried the signature of "A. J. Hidell," purportedly the president of the chapter, but there is no evidence that an "A. J. Hidell" existed and, as pointed out in chapter IV, there is conclusive evidence that the name was an alias which Oswald used on various occasions. Marina Oswald herself wrote the name "Hidell" on the membership card at her husband's insistence.⁴⁴³

No other member of the so-called New Orleans chapter of the committee has ever been found. The only occasion on which anyone other than Oswald was observed taking part in these activities was on August 9, 1963, when Oswald and two young men passed out leaflets urging "Hands Off Cuba!" on the streets of New Orleans. One of the two men, who was 16 years old at the time, has testified that Oswald approached him at the Louisiana State Employment Commission and offered him \$2 for about an hour's work. He accepted the offer but later, when he noticed that television cameras were being focused on him, he obtained his money and left. He testified that he had never seen Oswald before and never saw him again. The second individual has never been located; but according to the testimony of the youth who was found, he too seemed to be someone not previously connected with Oswald.⁴⁴⁴ Finally, the FBI has advised the Commission that its information on undercover Cuban activities in the New Orleans area reveals no knowledge of Oswald before the assassination.⁴⁴⁵

Right-wing groups hostile to President Kennedy.—The Commission also considered the possibility that there may have been a link between Oswald and certain groups which had bitterly denounced President Kennedy and his policies prior to the time of the President's trip to Dallas. As discussed in chapter II, two provocative incidents took place concurrently with President Kennedy's visit and a third but a month prior thereto. The incidents were (1) the demonstration against the Honorable Adlai E. Stevenson, U.S. Ambassador to the United Nations, in late October 1963, when he came to Dallas on United Nations Day; (2) the publication in the Dallas Morning News on November 22 of the full page, black-bordered paid advertisement entitled, "Welcome Mr. Kennedy"; and (3) the distribution of a throwaway handbill entitled "Wanted for Treason" throughout Dallas on November 20 and 21. Oswald was aware of

the Stevenson incident; there is no evidence that he became aware of either the "Welcome Mr. Kennedy" advertisement or the "Wanted for Treason" handbill, though neither possibility can be precluded.

The only evidence of interest on Oswald's part in rightist groups in Dallas was his alleged attendance at a rally at the Dallas Auditorium the evening preceding Ambassador Stevenson's address on United Nations Day, October 24, 1963. On the evening of October 25, 1963, at the invitation of Michael Paine, Oswald attended a monthly meeting of the Dallas chapter of the American Civil Liberties Union in which he was later to seek membership.⁴⁴⁶ During the course of the discussion at this meeting, a speaker mentioned Maj. Gen. Edwin A. Walker (Resigned, U.S. Army). Oswald arose in the midst of the meeting to remark that a "night or two nights before" he had attended a meeting at which General Walker had spoken in terms that led Oswald to assert that General Walker was both anti-Catholic and anti-Semitic.⁴⁴⁷ General Walker testified that he had been the speaker at a rally the night before Ambassador Stevenson's appearance, but that he did not know and had never heard of Oswald prior to the announcement of his name on radio and television on the afternoon of November 22.⁴⁴⁸ Oswald confirmed his attendance at the U.S. Day rally in an undated letter he wrote to Arnold Johnson, director of the information and lecture bureau of the Communist Party, mailed November 1, 1963, in which he reported :

On October 23rd, I had attended a ultra-right meeting headed by General Edwin a. Walker, who lives in Dallas.

This meeting preceded by one day the attack on a. e. Stevenson at the United Nations Day meeting at which he spoke.

As you can see, political friction between 'left' and 'right' is very great here.⁴⁴⁹

In the light of Oswald's attack upon General Walker on the evening of April 10, 1963, discussed in chapter IV,⁴⁵⁰ as well as Oswald's known political views,⁴⁵¹ his asserted attendance at the political rally at which General Walker spoke may have been induced by many possible motives. However, there is no evidence that Oswald attended any other rightist meetings or was associated with any politically conservative organizations.

While the black-bordered "Welcome Mr. Kennedy" advertisement in the November 22 Dallas Morning News, which addressed a series of critical questions to the President, probably did not come to Oswald's attention, it was of interest to the Commission because of its appearance on the day of the assassination and because of an allegation made before the Commission concerning the person whose name appeared as the chairman of the committee sponsoring the advertisement. The black-bordered advertisement was purported to be sponsored by "The American Fact-Finding Committee," which was described as "An unaffiliated and nonpartisan group of citizens who wish truth." Bernard Weissman was listed as "Chairman" and a

WELCOME MR. KENNEDY TO DALLAS...

- ... A CITY so displeased by a recent Liberal smear attempt that its citizens have just elected two more Conservative Americans to public office.
- ... A CITY that is an economic "boom town," not because of Federal handouts, but through conservative economic and business practices.
- ... A CITY that will continue to grow and prosper despite efforts by you and your administration to penalize it for its non-conformity to "New Frontierism."
- ... A CITY that rejected your philosophy and policies in 1960 and will do so again in 1964—even more emphatically than before.

MR. KENNEDY, despite contentions on the part of your administration, the State Department, the Mayor of Dallas, the Dallas City Council, and members of your party, we free-thinking and America-thinking citizens of Dallas still have, through a Constitution largely ignored by you, the right to address our grievances, to question you, to disagree with you, and to criticize you.

In asserting this constitutional right, we wish to ask you publicly the following questions—indeed, questions of paramount importance and interest to all free peoples everywhere—which we trust you will answer ... in public, without sophistry. These questions are:

WHY is Latin America turning either anti-American or Communist, or both, despite increased U.S. foreign aid, State Department policy, and your own Ivy-Tower pronouncements?

WHY do you say we have built a "wall of freedom" around Cuba when there is no freedom in Cuba today? Because of your policy, thousands of Cubans have been imprisoned, are starving and being persecuted—with thousands already murdered and thousands more awaiting execution and, in addition, the entire population of almost 7,000,000 Cubans are living in slavery.

WHY have you approved the sale of wheat and corn to our enemies when you know the Communist soldiers "travel on their stomachs" just as ours do? Communist soldiers are daily wounding and/or killing American soldiers in South Viet Nam.

WHY did you host, salute and entertain Tito — Moscow's Trojan Horse — just a short time after your sworn enemy, Khrushchev, embraced the Yugoslav dictator as a great hero and leader of Communism?

WHY have you urged greater aid, comfort, recognition, and understanding for Yugoslavia, Poland, Hungary, and other Communist countries, while turning your back on the pleas of Hungarian, East German, Cuban and other anti-Communist freedom fighters?

WHY did Cambodia kick the U.S. out of its country after we poured nearly 400 Million Dollars of aid into its ultra-leftist government?

WHY has Gus Hall, head of the U.S. Communist Party praised almost every one of your policies and announced that the party will endorse and support your re-election in 1964?

WHY have you banned the showing at U.S. military bases of the film "Operation Abolition"—the movie by the House Committee on Un-American Activities exposing Communism in America?

WHY have you ordered or permitted your brother Bobby, the Attorney General, to go soft on Communists, fellow-travelers, and ultra-leftists in America, while permitting him to persecute loyal Americans who criticize you, your administration, and your leadership?

WHY are you in favor of the U.S. continuing to give economic aid to Argentina, in spite of that fact that Argentina has just seized almost 400 Million Dollars of American private property?

WHY has the Foreign Policy of the United States degenerated to the point that the C.I.A. is arranging coups and having staunch Anti-Communist Allies of the U.S. bloodily exterminated.

WHY have you scrapped the Monroe Doctrine in favor of the "Spirit of Moscow"?

MR. KENNEDY, as citizens of these United States of America, we DEMAND answers to these questions, and we want them NOW.

THE AMERICAN FACT-FINDING COMMITTEE

"An unaffiliated and non-partisan group of citizens who wish truth"

BERNARD WEISSMAN,

Chairman

COMMISSION EXHIBIT No. 1031

P.O. Box 1792 — Dallas 21, Texas

(Official acknowledgment sent by the Bernard Weissman)

COMMISSION EXHIBIT No. 1031

post office box in Dallas was the only address. (See Commission Exhibit No. 1031, p. 294.)

The Commission has conducted a full investigation into the genesis of this advertisement and the background of those responsible for it. Three of the four men chiefly responsible, Bernard W. Weissman, William B. Burley III, and Larrie H. Schmidt, had served together in the U.S. Army in Munich, Germany, in 1962. During that time they had with others devised plans to develop two conservative organizations, one political and the other business. The political entity was to be named Conservatism—USA, or CUSA, and the business entity was to be named American Business, or AMBUS.⁴⁵² While in Munich, according to Weissman, they attempted to develop in their "own minds * * * ways to build up various businesses that would support us and at the same time support our political activities."⁴⁵³ According to a subsequent letter from Schmidt to Weissman, "Cusa was founded for patriotic reasons rather than for personal gain—even though, as a side effect, Ambus was to have brought great return, as any business endeavor should."⁴⁵⁴ To establish their organizations, Weissman testified that they:

* * * had planned while in Munich that in order to accomplish our goals, to try to do it from scratch would be almost impossible, because it would be years before we could even get the funds to develop a powerful organization. So we had planned to infiltrate various rightwing organizations and by our own efforts become involved in the hierarchy of these various organizations and eventually get ourselves elected or appointed to various higher offices in these organizations, and by doing this bring in some of our own people, and eventually take over the leadership of these organizations, and at that time having our people in these various organizations, we would then, you might say, call a conference and have them unite, and while no one knew of the existence of CUSA aside from us, we would then bring them all together, unite them, and arrange to have it called CUSA.⁴⁵⁵

Schmidt was the first to leave the service; settling in Dallas in October 1962, he became a life insurance salesman and quickly engaged in numerous political activities in pursuit of the objectives devised in Munich.⁴⁵⁶ He became affiliated with several organizations and prepared various political writings.⁴⁵⁷

Upon their release from the military, Weissman and Burley did not immediately move to Dallas, though repeatedly urged to do so by Schmidt.⁴⁵⁸ On October 1, 1963, Schmidt wrote Weissman: "Adlai Stevenson is scheduled here on the 24th on UN Day. Kennedy is scheduled in Dallas on Nov. 24th. There are to be protests. All the big things are happening *now*—if we don't get in right now we may as well forget it."⁴⁵⁹ The day of the Stevenson demonstration, Schmidt telephoned Weissman, again urging him to move to Dallas. Recalling that conversation with Schmidt, Weissman testified:

And he said, "If we are going to take advantage of the situation * * * you better hurry down here and take advantage of the publicity, and at least become known among these various right-wingers, because this is the chance we have been looking for to infiltrate some of these organizations and become known," in other words, go along with the philosophy we had developed in Munich.⁴⁶⁰

Five days later he wrote to Weissman and Burley to report that as the "only organizer of the demonstration to have publicly identified himself," he had "become, overnight, a 'fearless spokesman' and 'leader' of the rightwing in Dallas. What I worked so hard for in one year—and nearly failed—finally came through one incident in one night!" He ended, "Politically, CUSA is set. It is now up to you to get Ambus going."⁴⁶¹

Weissman and Burley accepted Schmidt's prompting and traveled to Dallas, arriving on November 4, 1963.⁴⁶² Both obtained employment as carpet salesmen. At Schmidt's solicitation they took steps to join the John Birch Society, and through Schmidt they met the fourth person involved in placing the November 22 advertisement, Joseph P. Grinnan, Dallas independent oil operator and a John Birch Society coordinator in the Dallas area.⁴⁶³

Within a week to 10 days after Weissman and Burley had arrived in Dallas, the four men began to consider plans regarding President Kennedy's planned visit to Dallas.⁴⁶⁴ Weissman explained the reason for which it was decided that the ad should be placed:

* * * after the Stevenson incident, it was felt that a demonstration would be entirely out of order, because we didn't want anything to happen in the way of physical violence to President Kennedy when he came to Dallas. But we thought that the conservatives in Dallas—I was told—were a pretty downtrodden lot after that, because they were being oppressed by the local liberals, because of the Stevenson incident. We felt we had to do something to build up the morale of the conservative element, in Dallas. So we hit upon the idea of the ad.⁴⁶⁵

Weissman, Schmidt, and Grinnan worked on the text for the advertisement.⁴⁶⁶ A pamphlet containing 50 questions critical of American policy was employed for this purpose, and was the source of the militant questions contained in the ad attacking President Kennedy's administration.⁴⁶⁷ Grinnan undertook to raise the \$1,465 needed to pay for the ad.⁴⁶⁸ He employed a typed draft of the advertisement to support his funds solicitation.⁴⁶⁹ Grinnan raised the needed money from three wealthy Dallas businessmen: Edgar R. Crissey, Nelson Bunker Hunt, and H. R. Bright, some of whom in turn collected contributions from others.⁴⁷⁰ At least one of the contributors would not make a contribution unless a question he suggested was inserted.⁴⁷¹ Weissman, believing that Schmidt, Grinnan, and the contributors were

active members of the John Birch Society, and that Grinnan eventually took charge of the project, expressed the opinion that the advertisement was the creation of the John Birch Society,⁴⁷² though Schmidt and Grinnan have maintained that they were acting "solely as individuals."⁴⁷³

A fictitious sponsoring organization was invented out of whole cloth.⁴⁷⁴ The name chosen for the supposed organization was The American Fact-Finding Committee.⁴⁷⁵ This was "Solely a name," Weissman testified; "* * * As a matter of fact, when I went to place the ad, I could not remember the name * * * I had to refer to a piece of paper for the name."⁴⁷⁶ Weissman's own name was used on the ad in part to counter charges of anti-Semitism which had been leveled against conservative groups in Dallas.⁴⁷⁷ Weissman conceived the idea of using a black border,⁴⁷⁸ and testified he intended it to serve the function of stimulating reader attention.⁴⁷⁹ Before accepting the advertisement, the Dallas Morning News apparently submitted it to its attorneys for their opinion as to whether its publication might subject them to liability.⁴⁸⁰

Weissman testified that the advertisement drew 50 or 60 mailed responses.⁴⁸¹ He took them from the post office box early on Sunday morning, November 24.⁴⁸² He said that those postmarked before the attack on President Kennedy were "favorable" in tone;⁴⁸³ those of later postmark were violently unfavorable, nasty, and threatening;⁴⁸⁴ and, according to a report from Schmidt, those postmarked some weeks later were again of favorable tone.⁴⁸⁵

The four promoters of the ad deny that they had any knowledge of or familiarity with Lee Harvey Oswald prior to November 22, or Jack Ruby prior to November 24.⁴⁸⁶ Each has provided a statement of his role in connection with the placement of the November 22 advertisement and other matters, and investigation has revealed no deception. The Commission has found no evidence that any of these persons was connected with Oswald or Ruby, or was linked to a conspiracy to assassinate President Kennedy.

The advertisement, however, did give rise to one allegation concerning Bernard Weissman which required additional investigation. On March 4, 1964, Mark Lane, a New York attorney, testified before the Commission that an undisclosed informant had told him that Weissman had met with Jack Ruby and Patrolman J. D. Tippit at Ruby's Carousel Club on November 14, 1963. Lane declined to state the name of his informant but said that he would attempt to obtain his informant's permission to reveal his name.⁴⁸⁷ On July 2, 1964, after repeated requests by the Commission that he disclose the name of his informant, Lane testified a second time concerning this matter, but declined to reveal the information, stating as his reason that he had promised the individual that his name would not be revealed without his permission.⁴⁸⁸ Lane also made this allegation during a radio appearance, whereupon Weissman twice demanded that Lane reveal the name of the informant.⁴⁸⁹ As of the date of this report Lane has failed to reveal the name of his informant and has

offered no evidence to support his allegation. The Commission has investigated the allegation of a Weissman-Ruby-Tippit meeting and has found no evidence that such a meeting took place anywhere at any time. The investigation into this matter is discussed in a later section of this chapter dealing with possible conspiracies involving Jack Ruby.

A comparable incident was the appearance of the "Wanted for Treason" handbill on the streets of Dallas 1 to 2 days before President Kennedy's arrival. These handbills bore a reproduction of a front and profile photograph of the President and set forth a series of inflammatory charges against him.⁴⁹⁰ Efforts to locate the author and the lithography printer of the handbill at first met with evasive responses⁴⁹¹ and refusals to furnish information.⁴⁹² Robert A. Surrey was eventually identified as the author of the handbill.⁴⁹³ Surrey, a 38-year-old printing salesman employed by Johnson Printing Co. of Dallas, Tex., has been closely associated with General Walker for several years in his political and business activities.⁴⁹⁴ He is president of American Eagle Publishing Co. of Dallas, in which he is a partner with General Walker.⁴⁹⁵ Its office and address is the post office box of Johnson Printing Co. Its assets consist of cash and various printed materials composed chiefly of General Walker's political and promotional literature,⁴⁹⁶ all of which is stored at General Walker's headquarters.⁴⁹⁷

Surrey prepared the text for the handbill and apparently used Johnson Printing Co. facilities to set the type and print a proof.⁴⁹⁸ Surrey induced Klause, a salesman employed by Lettercraft Printing Co. of Dallas,⁴⁹⁹ whom Surrey had met when both were employed at Johnson Printing Co.,⁵⁰⁰ to print the handbill "on the side."⁵⁰¹ According to Klause, Surrey contacted him initially approximately 2 or 2½ weeks prior to November 22.⁵⁰² About a week prior to November 22, Surrey delivered to Klause two slick paper magazine prints of photographs of a front view and profile of President Kennedy,⁵⁰³ together with the textual page proof.⁵⁰⁴ Klause was unable to make the photographic negative of the prints needed to prepare the photographic printing plate,⁵⁰⁵ so that he had this feature of the job done at a local shop.⁵⁰⁶ Klause then arranged the halftone front and profile representations of President Kennedy at the top of the textual material he had received from Surrey so as to simulate a "man wanted" police placard. He then made a photographic printing plate of the picture.⁵⁰⁷ During the night, he and his wife surreptitiously printed approximately 5,000 copies on Lettercraft Printing Co. offset printing equipment without the knowledge of his employers.⁵⁰⁸ The next day he arranged with Surrey a meeting place, and delivered the handbills.⁵⁰⁹ Klause's charge for the printing of the handbills was, including expenses, \$60.⁵¹⁰

At the outset of the investigation Klause stated to Federal agents that he did not know the name of his customer, whom he incorrectly described;⁵¹¹ he did say, however, that the customer did not resemble either Oswald or Ruby.⁵¹² Shortly before he appeared before the

Commission, Klause disclosed Surrey's identity.⁵¹³ He explained that no record of the transaction had been made because "he saw a chance to make a few dollars on the side."⁵¹⁴

Klause's testimony receives some corroboration from Bernard Weissman's testimony that he saw a copy of one of the "Wanted for Treason" handbills on the floor of General Walker's station wagon shortly after November 22.⁵¹⁵ Other details of the manner in which the handbills were printed have also been verified.⁵¹⁶ Moreover, Weissman testified that neither he nor any of his associates had anything to do with the handbill or were acquainted with Surrey, Klause, Lettercraft Printing Co., or Johnson Printing Co.⁵¹⁷ Klause and Surrey, as well as General Walker, testified that they were unacquainted with Lee Harvey Oswald and had not heard of him prior to the afternoon of November 22.⁵¹⁸ The Commission has found no evidence of any connection between those responsible for the handbill and Lee Harvey Oswald or the assassination.

Contacts With the Cuban and Soviet Embassies in Mexico City and the Soviet Embassy in Washington, D.C.

Eight weeks before the assassination, Oswald traveled to Mexico City where he visited both the Cuban and Soviet Embassies.* Oswald's wife knew of this trip before he went,⁵¹⁹ but she denied such knowledge until she testified before the Commission.⁵²⁰ The Commission undertook an intensive investigation to determine Oswald's purpose and activities on this journey, with specific reference to reports that Oswald was an agent of the Cuban or Soviet Governments. As a result of its investigation, the Commission believes that it has been able to reconstruct and explain most of Oswald's actions during this time. A detailed chronological account of this trip appears in appendix XIII.

Trip to Mexico.—Oswald was in Mexico from September 26, 1963, until October 3, 1963.⁵²¹ (See Commission Exhibits Nos. 2478, 2481, p. 300.) Marina Oswald testified that Oswald had told her that the purpose of the trip was to evade the American prohibition on travel to Cuba and to reach that country.⁵²² He cautioned her that the trip and its purpose were to be kept strictly secret.⁵²³ She testified that he had earlier laid plans to reach Cuba by hijacking an airliner flying out of New Orleans, but she refused to cooperate and urged him to give it up, which he finally did.⁵²⁴ Witnesses who spoke with Oswald while he was on a bus going to Mexico City also testified that Oswald told them he intended to reach Cuba by way of Mexico, and that he hoped to meet Fidel Castro after he arrived.⁵²⁵ When Oswald spoke to the Cuban and Soviet consular officials in Mexico City, he represented that he intended to travel to the Soviet Union and requested

*The Soviet Embassy in Mexico City includes consular as well as diplomatic personnel in a single building. The Cuban Embassy and Cuban Consulate in Mexico City, though in separate buildings, are in the same compound. Both the Soviet and the Cuban establishments will be referred to throughout the report simply as Embassies.

OSWALD'S MEXICAN TOURIST CARD AND APPLICATION

BRITISH CONSULATE
NEW ORLEANS, LA.

APPLICATION FOR VISIT VISA TO VISIT MEXICO NO. 481
 CONSULAR FEE: \$1.00 U. S. G. NO. 24085

NAME: LEE, HARVEY OSWALD
 (Print full name, in English. Attached name should show middle name and together with surname's surname)

AGE: 24 SEX: M NATIONALITY: AMERICAN
 (State whether English, American, French or otherwise)

PROPOSED IN COMPANY: FOR TOURISM

PROPOSED ADDRESS: NEW ORLEANS
 (State and address of place from which proposed)

PLACE OF BIRTH: NEW ORLEANS, LA. (State)
 (Date of birth) (Month) (Day)

RESIDENT IN: NEW ORLEANS RESIDENTS OF: NEW ORLEANS
 (Indicate whether resident or visitor. Resident means someone who has made abiding residence at such place.)

DATE ARRIVAL: 24 SEP 1963 DATE DEPARTURE: 28 SEP 1963
 (Specify day, month, year) (Specify day, month, year)

FROM: NEW ORLEANS

INTENTION IN VISIT: TO VISIT

OBJECT OF TRIP: TO VISIT PURPOSE OF TRIP: TO VISIT

REASON OF VISIT: TO VISIT (State (1) PLACE (1) DATE (1) AND (1) REASON (1))

APPROPRIATE OFFICIAL OF HOME COUNTRY HAS FOR THIS U.S. (Indicate appropriate authority)

APPROPRIATE OFFICIALS TO VISIT MEXICO: NEW ORLEANS

DECLARATION: I hereby declare that the above statements are true and accurate, that I shall not engage in business or commercial work during my stay in Mexico, and also that I am not a member of any of the organizations mentioned in the schedule of laws to Mexico.

Signature: Lee, Harvey Oswald
 Date: 24 SEP 1963

NOTES:
 Applicant must be aged 18 years or over from date of application and be under 60 years of age on date of entry.
 IN PERSONAL VISIT ONLY.
 IN PERSONAL VISIT ONLY.

APPLICATION FOR
TOURIST CARD
(COMMISSION EXHIBIT 2481)

ESTADOS UNIDOS MEXICANOS
SECRETARIA DE GOBERNACION

ORIGINAL No 24085
 VALIDA POR 15 DIAS
 BUENA PARA UN SOLO VIAJE POR 2 SEMANAS DE CAS

Apellidos y nombre: LEE, HARVEY OSWALD
 FOTOGRAFIA

Sexo: M Edad: 23 AÑOS Estado Civil: C
 Documentos con el que acredita su nacionalidad: ACTA NACIMIENTO
 Mencione que lo acompaña:

MEXICO, D. F.
 NUEVA ORLEANS, LA., E.U.A.
 27 SEPTIEMBRE DE 1963

ENTRADA
 SET 25 1963
 SALIDA
 OCT 10 1963

ALBERGO ARAGONIA CHINA
 Nuevo Laredo, Tamaulipas

TOURIST CARD
(COMMISSION EXHIBIT 2478)

an "in-transit" Cuban visa to permit him to enter Cuba on September 30 on the way to the Soviet Union. Marina Oswald has testified that these statements were deceptions designed to get him to Cuba.⁵²⁶ Thus, although it is possible that Oswald intended to continue on to Russia from Cuba, the evidence makes it more likely that he intended to remain in Cuba.⁵²⁷

Oswald departed from New Orleans probably about noon on September 25 and arrived in Mexico City at about 10 a.m. on September 27.⁵²⁸ In Mexico City he embarked on a series of visits to the Soviet and Cuban Embassies, which occupied most of his time during the first 2 days of his visit. At the Cuban Embassy, he requested an "in-transit" visa to permit him to visit Cuba on his way to the Soviet Union.⁵²⁹ Oswald was informed that he could not obtain a visa for entry into Cuba unless he first obtained a visa to enter the U.S.S.R.,⁵³⁰ and the Soviet Embassy told him that he could not expect an answer on his application for a visa for the Soviet Union for about 4 months.⁵³¹ Oswald carried with him newspaper clippings, letters and various documents, some of them forged or containing false information, purporting to show that he was a "friend" of Cuba.⁵³² With these papers and his record of previous residence in the Soviet Union and marriage to a Soviet national, he tried to curry favor with both Embassies.⁵³³ Indeed, his wife testified that in her opinion Oswald's primary purpose in having engaged in Fair Play for Cuba Committee activities was to create a public record that he was a "friend" of Cuba.⁵³⁴ He made himself especially unpopular at the Cuban Embassy by persisting in his demands that as a sympathizer in Cuban objectives he ought to be given a visa. This resulted in a sharp argument with the consul, Eusebio Azque.⁵³⁵

By Saturday, September 28, 1963, Oswald had failed to obtain visas at both Embassies.⁵³⁶ From Sunday, September 29, through Wednesday morning, October 2, when he left Mexico City on a bus bound for the United States, Oswald spent considerable time making his travel arrangements, sightseeing and checking again with the Soviet Embassy to learn whether anything had happened on his visa application.⁵³⁷ Marina Oswald testified that when she first saw him after his return to the United States he was disappointed and discouraged at his failure to reach Cuba.⁵³⁸

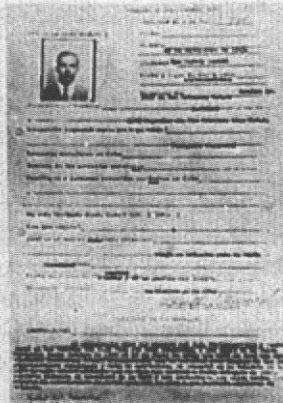
The general outlines of Oswald's activities in Mexico, particularly the nature and extent of his contacts at the Cuban Embassy, were learned very early in the investigation. An important source of information relating to his business at the Cuban Embassy was Senora Silvia Tirado de Duran, a Mexican national employed in the visa section of the Cuban Embassy, who was questioned intensively by Mexican authorities soon after the assassination.⁵³⁹ An excerpt from the report of the Mexican Government summarized the crucial portion of Senora Duran's recollection of Oswald. In translation it reads as follows:

* * * she remembered * * * [that Lee Harvey Oswald] was the name of an American who had come to the Cuban Consulate to

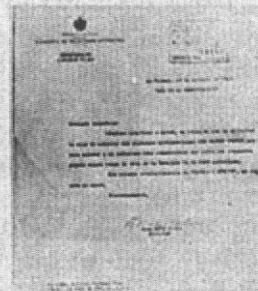
obtain a visa to travel to Cuba in transit to Russia, the latter part of September or the early part of October of this year, and in support of his application had shown his passport, in which it was noted that he had lived in that country for a period of three years; his labor card from the same country written in the Russian language; and letters in that same language. He had presented evidence that he was married to a Russian woman, and also that he was apparently the leader of an organization in the city of New Orleans called "Fair * * * [Play] for Cuba," claiming that he should be accepted as a "friend" of the Cuban Revolution. Accordingly, the declarant, complying with her duties, took down all of the information and completed the appropriate application form; and the declarant, admittedly exceeding her responsibilities, informally telephoned the Russian consulate, with the intention of doing what she could to facilitate issuance of the Russian visa to Lee Harvey Oswald. However, they told her that there would be a delay of about four months in processing the case, which annoyed the applicant since, according to his statement, he was in a great hurry to obtain visas that would enable him to travel to Russia, insisting on his right to do so in view of his background and his loyalty and his activities in behalf of the Cuban movement. The declarant was unable to recall accurately whether or not the applicant told her he was a member of the Communist Party, but he did say that his wife * * * was then in New York City, and would follow him, * * * [Senora Duran stated] that when Oswald understood that it was not possible to give him a Cuban visa without his first having obtained the Russian visa, * * * he became very excited or angry, and accordingly, the affiant called Consul Ascue [sic], * * * [who] came out and began a heated discussion in English with Oswald, that concluded by Ascue telling him that "if it were up to him, he would not give him the visa," and "a person of his type was harming the Cuban Revolution rather than helping it," it being understood that in their conversation they were talking about the Russian Socialist Revolution and not the Cuban. Oswald maintained that he had two reasons for requesting that his visa be issued promptly, and they were: one, that his tourist permit in Mexico was about to expire; and the other, that he had to get to Russia as quickly as possible. Despite her annoyance, the declarant gave Oswald a paper * * * in which she put down her name, "Silvia Durán," and the number of the telephone at the consulate, which is "11-28-47" and the visa application was processed anyway. It was sent to the Ministry of [Foreign] Relations of Cuba, from which a routine reply was received some fifteen to thirty days later, approving the visa, but on the condition that the Russian visa be obtained first, although she does not recall whether or not Oswald later telephoned her at the Consulate number that she gave him.⁵⁴⁰

OSWALD'S APPLICATION FOR A VISA FOR TRAVEL TO CUBA AND THE REPLY OF THE CUBAN GOVERNMENT

(COMMISSION EXHIBIT 2564)



OSWALD'S APPLICATION



CUBAN REPLY

Consulate of Cuba, Mexico, S.F.

(see photo on each form)

Visa application No. : 170
Date : September 27, 1962
Name : Lee Harvey Oswald
Citizenship : American
Date and place of birth :
October 19, 1939,
New Orleans,
U.S.A.

Passport No. : 2-002320

Permanent address : 1001 Magazine Street, New Orleans, La., U.S.A.
Previous visits to Cuba : --
Reasons for previous visits : --
Members of family or acquaintances residing in Cuba : --
Have you visited any persons in Cuba? (Yes : ☐ No : ☒)

Goal in the purpose of the present trip? In transit on the way to the
United States of America? ☐ I want to inspect if possible
September 29, 1962
(Signature) Lee H. Oswald
(Signature of applicant)

FOR USE OF THE MISSION

COMMENTS: The applicant states that he is a member of the American
Communist Party and Secretary to New Orleans of the Party for Cuba
Committee, and that he lived in the Soviet Union from December 1959 to June 19,
1962, and that he married a Soviet citizen there. He displayed documents to
prove of his membership in the two aforementioned organizations and a marriage
certificate. He reported at the Embassy of the U.S.A. in New Orleans
requested that the visa be sent to the Soviet Embassy in Cuba. He called
the Consulate of the U.S.A., and was told that they had to wait
information from Moscow in order to give the visa and that it would take about
four weeks.
(Consulate Mexico pending) Serial and number
from 12 00-20-17

TRANSLATION

Republic of Cuba
Ministry of Foreign Affairs
MINISTERIO
(1962 MEXICO)

(Stamp)
Ministry of Foreign Affairs
(Stamp) Mexico (1962)
October 17 (Date 1962)
Outgoing correspondence No. 10007

Havana, October 17, 1962
VISA OF IMMIGRATION

Subsequent records:

With regard to the application for a transit visa submitted by
LEE HARVEY OSWALD, an American citizen, I respectfully inform you that
in order for him to comply with the request, he must inform us by radio,
with graphic reply, when he has the authorized visa of the Embassy of the
U.S.A.

With revolutionary greetings of FIDELITY to you, I remain,
Yours faithfully,
By order: (Signature) Henry Harrison
Juan Vilella
Minister
(Stamp of the Ministry of Foreign Affairs)

To Consulate of Mexico, Mexico, S.F.
Consul of Cuba, Mexico, S.F.

TRANSLATION

BOTH DOCUMENTS FURNISHED BY THE GOVERNMENT OF CUBA.

With the dates of Oswald's entry into and departure from Mexico, which had been obtained from the records of the Mexican Immigration Service very shortly after the assassination, the Government of Mexico initiated a thorough investigation to uncover as much information as possible on Oswald's trip.⁵⁴¹ Representatives of U.S. agencies worked in close liaison with the Mexican law enforcement authorities. The result of this investigative effort was to corroborate the statements of Senora Duran and to verify the essentials of Oswald's activities in Mexico as outlined above.

Senora Duran is a well-educated native of Mexico, who was 26 years old at the time of her interrogation. She is married to Senor Horacio Duran Navarro, a 40-year-old industrial designer, and has a young child. Although Senora Duran denies being a member of the Communist Party or otherwise connected with it, both Durans have been active in far left political affairs in Mexico, believe in Marxist ideology, and sympathize with the government of Fidel Castro,⁵⁴² and Senor Duran has written articles for *El Dia*, a pro-Communist newspaper in Mexico City.⁵⁴³ The Commission has reliable evidence from a confidential source that Senora Duran as well as other personnel at the Cuban Embassy were genuinely upset upon receiving news of President Kennedy's death. Senora Duran's statements were made to Mexican officials soon after the assassination,⁵⁴⁴ and no significant inaccuracies in them have been detected. Documents fitting the description given by Senora Duran of the documents Oswald had shown her, plus a notation which she said she had given him, were found among his possessions after his arrest.⁵⁴⁵

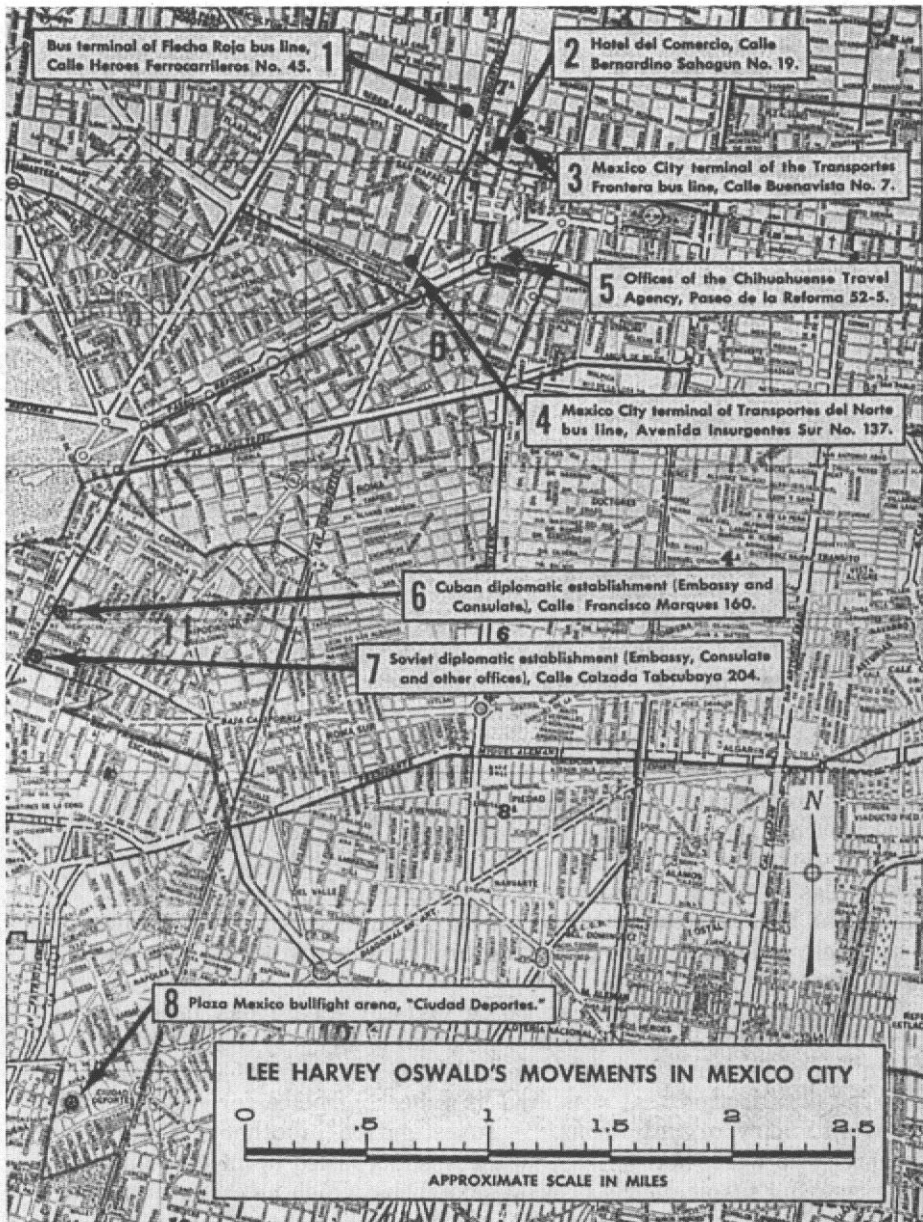
The Cuban Government was asked to document and confirm the essentials of Senora Duran's testimony. Its response, which has been included in its entirety in this Report, included a summary statement of Oswald's activities at the Cuban Embassy,⁵⁴⁶ a photograph of the application for a visa he completed there,⁵⁴⁷ and a photograph of the communication from Havana rejecting the application unless he could first present a Soviet visa.⁵⁴⁸ (See Commission Exhibit No. 2564, p. 306.) The information on these documents concerning Oswald's date of birth, American passport number and activities and statements at the Embassy is consistent with other information available to the Commission.⁵⁴⁹ CIA experts have given their opinion that the handwriting on the visa application which purports to be Oswald's is in fact his and that, although the handwritten notations on the bottom of the document are too brief and faint to permit a conclusive determination, they are probably Senora Duran's.⁵⁵⁰ The clothes which Oswald was wearing in the photograph which appears on the application appear to be the same as some of those found among his effects after the assassination, and the photograph itself appears to be from the same negative as a photograph found among his effects.⁵⁵¹ Nothing on any of the documents raises a suspicion that they might not be authentic.

By far the most important confirmation of Senora Duran's testimony, however, has been supplied by confidential sources of extremely high reliability available to the United States in Mexico. The information from these sources establishes that her testimony was truthful and accurate in all material respects. The identities of these sources cannot be disclosed without destroying their future usefulness to the United States.

The investigation of the Commission has produced considerable testimonial and documentary evidence establishing the precise time of Oswald's journey, his means of transportation, the hotel at which he stayed in Mexico City, and a restaurant at which he often ate. All known persons whom Oswald may have met while in Mexico, including passengers on the buses he rode,⁵⁵² and the employees and guests of the hotel where he stayed,⁵⁵³ were interviewed. No credible witness has been located who saw Oswald with any unidentified person while in Mexico City; to the contrary, he was observed traveling alone to and from Mexico City,⁵⁵⁴ at his hotel,⁵⁵⁵ and at the nearby restaurant where he frequently ate.⁵⁵⁶ A hotel guest stated that on one occasion he sat down at a table with Oswald at the restaurant because no empty table was available, but that neither spoke to the other because of the language barrier.⁵⁵⁷ Two Australian girls who saw Oswald on the bus to Mexico City relate that he occupied a seat next to a man who has been identified as Albert Osborne, an elderly itinerant preacher.⁵⁵⁸ Osborne denies that Oswald was beside him on the bus.⁵⁵⁹ To the other passengers on the bus it appeared that Osborne and Oswald had not previously met,⁵⁶⁰ and extensive investigation of Osborne has revealed no further contact between him and Oswald. Osborne's responses to Federal investigators on matters unrelated to Oswald have proved inconsistent and unreliable, and, therefore, based on the contrary evidence and Osborne's lack of reliability, the Commission has attached no credence to his denial that Oswald was beside him on the bus. Investigation of his background and activities, however, disclose no basis for suspecting him of any involvement in the assassination.⁵⁶¹

Investigation of the hotel at which Oswald stayed has failed to uncover any evidence that the hotel is unusual in any way that could relate to Oswald's visit. It is not especially popular among Cubans, and there is no indication that it is used as a meeting place for extremist or revolutionary organizations.⁵⁶² Investigation of other guests of the hotel who were there when Oswald was has failed to uncover anything creating suspicion.⁵⁶³ Oswald's notebook which he carried with him to Mexico City contained the telephone number of the Cuban Airlines Office in Mexico City;⁵⁶⁴ however, a Cuban visa is required by Mexican authorities before an individual may enplane for Cuba,⁵⁶⁵ and a confidential check of the Cuban Airlines Office uncovered no evidence that Oswald visited their offices while in the city.⁵⁶⁶

Allegations of conspiracy.—Literally dozens of allegations of a conspiratorial contact between Oswald and agents of the Cuban Government have been investigated by the Commission. Among the claims made were allegations that Oswald had made a previous trip to



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Mexico City in early September to receive money and orders for the assassination,⁵⁶⁷ that he had been flown to a secret airfield somewhere in or near the Yucatan Peninsula,⁵⁶⁸ that he might have made contacts in Mexico City with a Communist from the United States shortly before the assassination,⁵⁶⁹ and that Oswald assassinated the President at the direction of a particular Cuban agent who met with him in the United States and paid him \$7,000.⁵⁷⁰ A letter was received from someone in Cuba alleging the writer had attended a meeting where the assassination had been discussed as part of a plan which would soon include the death of other non-Communist leaders in the Americas.⁵⁷¹ The charge was made in a Cuban expatriate publication that in a speech he delivered 5 days after the assassination, while he was under the influence of liquor, Fidel Castro made a slip of the tongue and said, "The first time Oswald was in Cuba," thereby giving away the fact that Oswald had made one or more surreptitious trips to that country.⁵⁷²

Some stories linked the assassination to anti-Castro groups who allegedly were engaged in obtaining illicit firearms in the United States, one such claim being that these groups killed the President as part of a bargain with some illicit organizations who would then supply them with firearms as payment.⁵⁷³ Other rumors placed Oswald in Miami, Fla., at various times, allegedly in pro-Cuban activities there.⁵⁷⁴ The assassination was claimed to have been carried out by Chinese Communists operating jointly with the Cubans.⁵⁷⁵ Oswald was also alleged to have met with the Cuban Ambassador in a Mexico City restaurant and to have driven off in the Ambassador's car for a private talk.⁵⁷⁶ Castro himself, it was alleged, 2 days after the assassination called for the files relating to Oswald's dealings with two members of the Cuban diplomatic mission in the Soviet Union; the inference drawn was that the "dealings" had occurred and had established a secret subversive relationship which continued through Oswald's life.⁵⁷⁷ Without exception, the rumors and allegations of a conspiratorial contact were shown to be without any factual basis, in some cases the product of mistaken identification.

Illustrative of the attention given to the most serious allegations is the case of "D," a young Latin American secret agent who approached U.S. authorities in Mexico shortly after the assassination and declared that he saw Lee Harvey Oswald receiving \$6,500 to kill the President. Among other details, "D" said that at about noon on September 18, waiting to conduct some business at the Cuban consulate, he saw a group of three persons conversing in a patio a few feet away. One was a tall, thin Negro with reddish hair, obviously dyed, who spoke rapidly in both Spanish and English, and another was a man he said was Lee Harvey Oswald. A tall Cuban joined the group momentarily and passed some currency to the Negro. The Negro then allegedly said to Oswald in English, "I want to kill the man." Oswald replied, "You're not man enough, I can do it." The Negro then said in Spanish, "I can't go with you, I have a lot to do." Oswald replied, "The people are waiting for me back there." The

Negro then gave Oswald \$6,500 in large-denomination American bills, saying, "This isn't much." After hearing this conversation, "D" said that he telephoned the American Embassy in Mexico City several times prior to the assassination in an attempt to report his belief that someone important in the United States was to be killed, but was finally told by someone at the Embassy to stop wasting his time.

"D" and his allegations were immediately subjected to intensive investigation. His former employment as an agent for a Latin American country was confirmed, although his superiors had no knowledge of his presence in Mexico or the assignment described by "D." Four days after "D" first appeared the U.S. Government was informed by the Mexican authorities that "D" had admitted in writing that his whole narrative about Oswald was false. He said that he had never seen Oswald anyplace, and that he had not seen anybody paid money in the Cuban Embassy. He also admitted that he never tried to telephone the American Embassy in September and that his first call to the Embassy was after the assassination. "D" said that his motive in fabricating the story was to help get himself admitted into the United States so that he could there participate in action against Fidel Castro. He said that he hated Castro and hoped that the story he made up would be believed and would cause the United States to "take action" against him.

Still later, when questioned by American authorities, "D" claimed that he had been pressured into retracting his statement by the Mexican police and that the retraction, rather than his first statement, was false. A portion of the American questioning was carried on with the use of a polygraph machine, with the consent of "D." When told that the machine indicated that he was probably lying, "D" said words to the effect that he "must be mistaken." Investigation in the meantime had disclosed that the Embassy extension number "D" said he had called would not have given him the person he said he spoke to, and that no one at the Embassy—clerks, secretaries, or officers—had any recollection of his calls. In addition, Oswald spoke little, if any, Spanish. That he could have carried on the alleged conversation with the red-headed Negro in the Cuban Embassy, part of which was supposed to have been in Spanish, was therefore doubtful. "D" now said that he was uncertain as to the date when he saw "someone who looked like Oswald" at the Cuban Embassy, and upon reconsideration, he now thought it was on a Tuesday, September 17, rather than September 18. On September 17, however, Oswald visited the Louisiana State Unemployment Commission in New Orleans and also cashed a check from the Texas Employment Commission at the Winn-Dixie Store No. 1425 in New Orleans. On the basis of the retractions made by "D" when he heard the results of the polygraph examination, and on the basis of discrepancies which appeared in his story, it was concluded that "D" was lying.⁵⁷⁸

The investigation of the Commission has thus produced no evidence that Oswald's trip to Mexico was in any way connected with the assassination of President Kennedy, nor has it uncovered evidence that the

Cuban Government had any involvement in the assassination. To the contrary, the Commission has been advised by the CIA and FBI that secret and reliable sources corroborate the statements of Senora Duran in all material respects, and that the Cuban Government had no relationship with Lee Harvey Oswald other than that described by Senora Duran. Secretary of State Rusk also testified that after the assassination "there was very considerable concern in Cuba as to whether they would be held responsible and what the effect of that might be on their own position and their own safety."⁵⁷⁹

Contacts with the Soviet Embassy in the United States.—Soon after the Oswalds reached the United States in June 1962 they wrote to the Soviet Embassy in Washington, D.C. Oswald requested information about subscriptions to Russian newspapers and magazines and ultimately did subscribe to several Russian journals. Soviet law required Marina Oswald, as a Soviet citizen living abroad, to remain in contact with her nation's Embassy and to file various papers occasionally.⁵⁸⁰ In 1963, after Oswald had experienced repeated employment difficulties, there were further letters when the Oswalds sought permission to return to the Soviet Union. The first such request was a letter written by Marina Oswald on February 17, 1963. She wrote that she wished to return to Russia but that her husband would stay in the United States because "he is an American by nationality."⁵⁸¹ She was informed on March 8, 1963, that it would take from 5 to 6 months to process the application.⁵⁸² The Soviet Union made available to the Commission what purports to be the entire correspondence between the Oswalds and the Russian Embassy in the United States.⁵⁸³ This material has been checked for codes and none has been detected.⁵⁸⁴ With the possible exception of a letter which Oswald wrote to the Soviet Embassy after his return from Mexico City, discussed below, there is no material which gives any reason for suspicion. The implications of all of this correspondence for an understanding of Lee Harvey Oswald's personality and motivation is discussed in the following chapter.

Oswald's last letter to the Soviet Embassy in Washington, D.C., dated November 9, 1963, began by stating that it was written "to inform you of recent events since my meetings with Comrade Kostin in the Embassy of the Soviet Union, Mexico City, Mexico."⁵⁸⁵ The envelope bears a postmark which appears to be November 12, 1963.⁵⁸⁶ Ruth Paine has testified that Oswald spent the weekend at her home working on the letter and that she observed one preliminary draft.⁵⁸⁷ A piece of paper which was identified as one of these drafts was found among Oswald's effects after the assassination. (See Commission Exhibits Nos. 15, 103, p. 311.) According to Marina Oswald, her husband retyped the envelope 10 times.⁵⁸⁸

Information produced for the Commission by the CIA is to the effect that the person referred to in the letter as "comrade Kostin" was probably Valeriy Vladimirovich Kostikov, a member of the consular staff of the Soviet Union in Mexico City. He is also one of the KGB officers stationed at the Embassy.⁵⁸⁹ It is standard Soviet pro-

cedure for KGB officers stationed in embassies and in consulates to carry on the normal duties of such a position in addition to the undercover activities.⁵⁹⁰ The Commission has identified the Cuban consul referred to in Oswald's letter as Senor Eusebio Azque (also "Ascue"), the man with whom Oswald argued at the Cuban Embassy, who was in fact replaced. The CIA advised the Commission:

We surmise that the references in Oswald's 9 November letter to a man who had since been replaced must refer to Cuban Consul Eusebio Azque, who left Mexico for Cuba on permanent transfer on 18 November 1963, four days before the assassination. Azque had been in Mexico for 18 years and it was known as early as September 1963 that Azque was to be replaced. His replacement did arrive in September. Azque was scheduled to leave in October but did not leave until 18 November.

We do not know who might have told Oswald that Azque or any other Cuban had been or was to be replaced, but we speculate that Silvia Duran or some Soviet official might have mentioned it if Oswald complained about Azque's altercation with him.⁵⁹¹

When asked to explain the letter, Marina Oswald was unable to add anything to an understanding of its contents.⁵⁹² Some light on its possible meaning can be shed by comparing it with the early draft. When the differences between the draft and the final document are studied, and especially when crossed-out words are taken into account, it becomes apparent that Oswald was intentionally beclouding the true state of affairs in order to make his trip to Mexico sound as mysterious and important as possible.

For example, the first sentence in the second paragraph of the letter reads, "I was unable to remain in Mexico indefinitely because of my mexican visa restrictions which was for 15 days only." The same sentence in the draft begins, before the words are crossed out, "I was unable to remain in Mexico City because I considered useless * * *". As already mentioned, the Commission has good evidence that Oswald's trip to Mexico was indeed "useless" and that he returned to Texas with that conviction. The first draft, therefore, spoke the truth; but Oswald rewrote the sentence to imply that he had to leave because his visa was about to expire. This is false; Oswald's tourist card still had a full week to run when he departed from Mexico on October 3.⁵⁹³

The next sentence in the letter reads, "I could not take a chance on requesting a new visa unless I used my real name, so I returned to the United States." The fact is that he did use his real name for his tourist card, and in all dealings with the Cuban Embassy, the Russian Embassy and elsewhere. Oswald did use the name of "Lee" on the trip, but as indicated below, he did so only sporadically and probably as the result of a clerical error. In the opinion of the Commission, based upon its knowledge of Oswald, the letter constitutes no more than a clumsy effort to ingratiate himself with the Soviet Embassy.

JAMES EARL RAY, F.B.I. #44-38861-10441, 10442, 10443, 10444, 10445, 10446, 10447, 10448, 10449, 10450, 10451, 10452, 10453, 10454, 10455, 10456, 10457, 10458, 10459, 10460, 10461, 10462, 10463, 10464, 10465, 10466, 10467, 10468, 10469, 10470, 10471, 10472, 10473, 10474, 10475, 10476, 10477, 10478, 10479, 10480, 10481, 10482, 10483, 10484, 10485, 10486, 10487, 10488, 10489, 10490, 10491, 10492, 10493, 10494, 10495, 10496, 10497, 10498, 10499, 10500, 10501, 10502, 10503, 10504, 10505, 10506, 10507, 10508, 10509, 10510, 10511, 10512, 10513, 10514, 10515, 10516, 10517, 10518, 10519, 10520, 10521, 10522, 10523, 10524, 10525, 10526, 10527, 10528, 10529, 10530, 10531, 10532, 10533, 10534, 10535, 10536, 10537, 10538, 10539, 10540, 10541, 10542, 10543, 10544, 10545, 10546, 10547, 10548, 10549, 10550, 10551, 10552, 10553, 10554, 10555, 10556, 10557, 10558, 10559, 10560, 10561, 10562, 10563, 10564, 10565, 10566, 10567, 10568, 10569, 10570, 10571, 10572, 10573, 10574, 10575, 10576, 10577, 10578, 10579, 10580, 10581, 10582, 10583, 10584, 10585, 10586, 10587, 10588, 10589, 10590, 10591, 10592, 10593, 10594, 10595, 10596, 10597, 10598, 10599, 10600, 10601, 10602, 10603, 10604, 10605, 10606, 10607, 10608, 10609, 10610, 10611, 10612, 10613, 10614, 10615, 10616, 10617, 10618, 10619, 10620, 10621, 10622, 10623, 10624, 10625, 10626, 10627, 10628, 10629, 10630, 10631, 10632, 10633, 10634, 10635, 10636, 10637, 10638, 10639, 10640, 10641, 10642, 10643, 10644, 10645, 10646, 10647, 10648, 10649, 10650, 10651, 10652, 10653, 10654, 10655, 10656, 10657, 10658, 10659, 10660, 10661, 10662, 10663, 10664, 10665, 10666, 10667, 10668, 10669, 10670, 10671, 10672, 10673, 10674, 10675, 10676, 10677, 10678, 10679, 10680, 10681, 10682, 10683, 10684, 10685, 10686, 10687, 10688, 10689, 10690, 10691, 10692, 10693, 10694, 10695, 10696, 10697, 10698, 10699, 10700, 10701, 10702, 10703, 10704, 10705, 10706, 10707, 10708, 10709, 10710, 10711, 10712, 10713, 10714, 10715, 10716, 10717, 10718, 10719, 10720, 10721, 10722, 10723, 10724, 10725, 10726, 10727, 10728, 10729, 10730, 10731, 10732, 10733, 10734, 10735, 10736, 10737, 10738, 10739, 10740, 10741, 10742, 10743, 10744, 10745, 10746, 10747, 10748, 10749, 10750, 10751, 10752, 10753, 10754, 10755, 10756, 10757, 10758, 10759, 10760, 10761, 10762, 10763, 10764, 10765, 10766, 10767, 10768, 10769, 10770, 10771, 10772, 10773, 10774, 10775, 10776, 10777, 10778, 10779, 10780, 10781, 10782, 10783, 10784, 10785, 10786, 10787, 10788, 10789, 10790, 10791, 10792, 10793, 10794, 10795, 10796, 10797, 10798, 10799, 10800, 10801, 10802, 10803, 10804, 10805, 10806, 10807, 10808, 10809, 10810, 10811, 10812, 10813, 10814, 10815, 10816, 10817, 10818, 10819, 10820, 10821, 10822, 10823, 10824, 10825, 10826, 10827, 10828, 10829, 10830, 10831, 10832, 10833, 10834, 10835, 10836, 10837, 10838, 10839, 10840, 10841, 10842, 10843, 10844, 10845, 10846, 10847, 10848, 10849, 10850, 10851, 10852, 10853, 10854, 10855, 10856, 10857, 10858, 10859, 10860, 10861, 10862, 10863, 10864, 10865, 10866, 10867, 10868, 10869, 10870, 10871, 10872, 10873, 10874, 10875, 10876, 10877, 10878, 10879, 10880, 10881, 10882, 10883, 10884, 10885, 10886, 10887, 10888, 10889, 10890, 10891, 10892, 10893, 10894, 10895, 10896, 10897, 10898, 10899, 10900, 10901, 10902, 10903, 10904, 10905, 10906, 10907, 10908, 10909, 10910, 10911, 10912, 10913, 10914, 10915, 10916, 10917, 10918, 10919, 10920, 10921, 10922, 10923, 10924, 10925, 10926, 10927, 10928, 10929, 10930, 10931, 10932, 10933, 10934, 10935, 10936, 10937, 10938, 10939, 10940, 10941, 10942, 10943, 10944, 10945, 10946, 10947, 10948, 10949, 10950, 10951, 10952, 10953, 10954, 10955, 10956, 10957, 10958, 10959, 10960, 10961, 10962, 10963, 10964, 10965, 10966, 10967, 10968, 10969, 10970, 10971, 10972, 10973, 10974, 10975, 10976, 10977, 10978, 10979, 10980, 10981, 10982, 10983, 10984, 10985, 10986, 10987, 10988, 10989, 10990, 10991, 10992, 10993, 10994, 10995, 10996, 10997, 10998, 10999, 11000, 11001, 11002, 11003, 11004, 11005, 11006, 11007, 11008, 11009, 11010, 11011, 11012, 11013, 11014, 11015, 11016, 11017, 11018, 11019, 11020, 11021, 1102

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Investigation of Other Activities

Oswald's use of post office boxes and false names.—After his return from the Soviet Union, Lee Harvey Oswald is known to have received his mail at post office boxes and to have used different aliases on numerous occasions. Since either practice is susceptible of use for clandestine purposes, the Commission has directed attention to both for signs that Oswald at some point made undercover contact with other persons who might have been connected with the assassination.

Oswald is known to have opened three post office boxes during 1962 and 1963. On October 9, 1962, the same day that he arrived in Dallas from Fort Worth, and before establishing a residence there, he opened box No. 2915 at the Dallas General Post Office. This box was closed on May 14, 1963, shortly after Oswald had moved to New Orleans.⁵⁹⁴ That portion of the post office box application listing the names of those persons other than the applicant entitled to receive mail at the box was discarded in accordance with postal regulations after the box was closed; hence, it is not known what names other than Oswald's were listed on that form.⁵⁹⁵ However, as discussed in chapter IV, Oswald is known to have received the assassination rifle under the name of A. Hidell and his Smith & Wesson revolver under the name of A. J. Hidell at that box.⁵⁹⁶ On June 3, 1963, Oswald opened box No. 30061 at the Lafayette Square Substation in New Orleans. Marina Oswald and A. J. Hidell were listed as additional persons entitled to receive mail at this box.⁵⁹⁷ Immediately before leaving for Mexico City in late September, Oswald submitted a request to forward his mail to the Paines' address in Irving, and the box was closed on September 26.⁵⁹⁸ On November 1, 1963, he opened box No. 6225 at the Dallas Post Office Terminal Annex. The Fair Play for Cuba Committee and the American Civil Liberties Union were listed as also being entitled to receive mail at this box.⁵⁹⁹

Oswald's use of post office boxes is consistent with other information known about him. His frequent changes of address and receipt of Communist and other political literature would appear to have provided Oswald reason to have rented postal boxes. These were the explanations for his use of the boxes which he provided Postal Inspector H. D. Holmes on November 24.⁶⁰⁰ Moreover, on October 14, 1963, he had moved into a room on Beckley Avenue under the name of O. H. Lee⁶⁰¹ and it would have been extremely difficult for Oswald to have received his mail at that address without having disclosed his true name. The boxes cost Oswald only \$1.50 or less per month.⁶⁰²

Although the possibilities of investigation in this area are limited, there is no evidence that any of the three boxes was ever used for the surreptitious receipt of messages or was used by persons other than Oswald or his family. No unexplainable notes were found among Oswald's possessions after his arrest. Oswald's box on the day of the assassination, No. 6225, was kept under constant personal surveillance by postal inspectors from about 5 p.m. November 22 until midnight November 24. A modified surveillance was maintained there-

after. No one called for mail out of this box; indeed the only mail in the box was a Russian magazine addressed to Oswald. The single outstanding key was recovered from Oswald immediately after he was taken in custody.⁶⁰³

In appraising the import of Oswald's rental of post office boxes, it is significant that he was not secretive about their use. All three boxes were rented by Oswald using his true name.⁶⁰⁴ His application for box No. 2915 showed his home address as that of Alexandra De Mohrenschildt (Taylor), whose husband had agreed to allow Oswald to use his address.⁶⁰⁵ His application for the New Orleans box listed his address as 657 French Street; his aunt, Lillian Murret, lived at 757 French Street.⁶⁰⁶ On the application for box No. 6225, Oswald gave an incorrect street number, though he did show Beckley Avenue, where he was then living.⁶⁰⁷ He furnished the box numbers to his brother, to an employer, to Texas and New Orleans unemployment commissions, and to others.⁶⁰⁸ Based on all the facts disclosed by its investigation, the Commission has attached no conspiratorial significance to Oswald's rental of post office boxes.

Oswald's use of aliases is also well established. In chapter IV, the evidence relating to his repeated use of the name "A. J. Hidell," and close variants thereof, is set forth.⁶⁰⁹ Because Oswald's use of this pseudonym became known quickly after the assassination, investigations were conducted with regard to persons using the name Hidell or names similar to it. Subversive files, public carrier records, telegraph company records, banking and other commercial records, and other matters investigated and persons interviewed have been examined with regard to Oswald's true name and his known alias.⁶¹⁰ No evidence has been produced that Oswald ever used the name Hidell as a means of making undercover contact with any person. Indeed, though Oswald did prepare a counterfeit selective service card and other identification using this name, he commonly used "Hidell" to represent persons other than himself, such as the president of his nonexistent Fair Play for Cuba Committee chapter, the doctor whose name appeared on his counterfeit international certificate of vaccination, and as references on his job applications.⁶¹¹

Alwyn Cole, questioned document expert for the Treasury Department, testified that the false identification found on Oswald upon his arrest could have been produced by employing elementary techniques used in a photographic printing plant.⁶¹² (See app. X, pp. 571-578.) Though to perform the necessary procedures would have been difficult without the use of expensive photographic equipment, such equipment and the needed film and photographic paper were available to Oswald when he was employed from October 1962 through early April 1963 at Jaggars-Chiles-Stovall, a commercial advertising photography firm in Dallas.⁶¹³ While so employed, Oswald is known to have become familiar with the mechanics of photographic enlargements, contraction, and image distortion that would have been necessary to produce his false identification, and to have used the facilities of his employer for some personal work.⁶¹⁴ Cole testified that the cards

in Oswald's wallet did not exhibit a great deal of skill, pointing out various errors that had been committed.⁶¹⁵ Oswald's supervisor at Jaggars-Chiles-Stovall has stated that Oswald seemed unable to perform photographic work with precision, which was one of the main reasons for which he was ultimately discharged.⁶¹⁶ The retouched negatives used to make Oswald's counterfeit certificate of service identification were found among Oswald's personal effects after his arrest, as was a rubber stamping kit apparently employed to produce his spurious international certificate of vaccination.⁶¹⁷ There is strong evidence, therefore, that Oswald himself made the various pieces of counterfeit identification which he carried, and there is no reason to believe that he received assistance from any person in establishing his alias.

Oswald also used incorrect names other than Hidell, but these too appear unconnected with any form of conspiracy. Oswald's last name appears as "Lee" in three places in connection with his trip to Mexico City, discussed above. His tourist card was typed by the Mexican consulate in New Orleans, "Lee, Harvey Oswald."⁶¹⁸ However, the comma seems to have been a clerical error, since Oswald signed both the application and the card itself, "Lee H. Oswald." Moreover, Oswald seems originally to have also printed his name, evenly spaced, as "Lee H Oswald," but, noting that the form instructed him to "Print full name. No initials," printed the remainder of his middle name after the "H." The clerk who typed the card thus saw a space after "Lee," followed by "Harvey Oswald" crowded together, and probably assumed that "Lee" was the applicant's last name. (See Commission Exhibit 2481, p. 300.) The clerk who prepared Oswald's bus reservation for his return trip wrote "H. O. Lee." He stated that he did not remember the occasion, although he was sure from the handwriting and from other facts that he had dealt with Oswald. He surmised that he probably made out the reservation directly from the tourist card, since Oswald spoke no Spanish, and, seeing the comma, wrote the name "H. O. Lee."⁶¹⁹ Oswald himself signed the register at the hotel in Mexico City as "Lee, Harvey Oswald,"⁶²⁰ but since the error is identical to that on the tourist card and since he revealed the remainder of his name, "Harvey Oswald," it is possible that Oswald inserted the comma to conform to the tourist card, or that the earlier mistake suggested a new pseudonym to Oswald which he decided to continue.

In any event, Oswald used his correct name in making reservations for the trip to Mexico City, in introducing himself to passengers on the bus, and in his dealings with the Cuban and Soviet Embassies.⁶²¹ When registering at the Beckley Avenue house in mid-October, Oswald perpetuated the pseudonym by giving his name as "O. H. Lee,"⁶²² though he had given his correct name to the owner of the previous roominghouse where he had rented a room after his return from Mexico City.⁶²³ Investigations of the Commission have been conducted with regard to persons using the name "Lee," and no evidence

has been found that Oswald used this alias for the purpose of making any type of secret contacts.

Oswald is also known to have used the surname "Osborne" in ordering Fair Play for Cuba Committee handbills in May 1963.⁶²⁴ He also used the false name D. F. Drittal as a certifying witness on the mail-order coupon with which he purchased his Smith & Wesson revolver.⁶²⁵ He used the name Lt. J. Evans as a reference on an employment application in New Orleans.⁶²⁶

Oswald's repeated use of false names is probably not to be disassociated from his antisocial and criminal inclinations. No doubt he purchased his weapons under the name of Hidell in attempt to prevent their ownership from being traced. Oswald's creation of false names and fictitious personalities is treated in the discussion of possible motives set forth in chapter VII. Whatever its significance in that respect may be, the Commission has found no indication that Oswald's use of aliases was linked with any conspiracy with others.

Ownership of a second rifle.—The Commission has investigated a report that, during the first 2 weeks of November 1963, Oswald had a telescopic sight mounted and sighted on a rifle at a sporting goods store in Irving, Tex. The main evidence that Oswald had such work performed for him is an undated repair tag bearing the name "Oswald" from the Irving Sports Shop in Irving, Tex. On November 25, 1963, Dial D. Ryder, an employee of the Irving Sports Shop, presented this tag to agents of the FBI, claiming that the tag was in his handwriting. The undated tag indicated that three holes had been drilled in an unspecified type of rifle and a telescopic sight had been mounted on the rifle and boresighted.⁶²⁷

As discussed in chapter IV, the telescopic sight on the C2766 Mannlicher-Carcano rifle was already mounted when shipped to Oswald, and both Ryder and his employer, Charles W. Greener, feel certain that they never did any work on this rifle.⁶²⁸ If the repair tag actually represented a transaction involving Lee Harvey Oswald, therefore, it would mean that Oswald owned another rifle. Although this would not alter the evidence which establishes Oswald's ownership of the rifle used to assassinate President Kennedy, the possession of a second rifle warranted investigation because it would indicate that a possibly important part of Oswald's life had not been uncovered.

Since all of Oswald's known transactions in connection with firearms after his return to the United States were undertaken under an assumed name,⁶²⁹ it seems unlikely that if he did have repairs made at the sports shop he would have used his real name. Investigation has revealed that the authenticity of the repair tag bearing Oswald's name is indeed subject to grave doubts. Ryder testified that he found the repair tag while cleaning his workbench on November 23, 1963.⁶³⁰ However, Ryder spoke with Greener repeatedly during the period between November 22-28 and, sometime prior to November 25, he discussed with him the possibility that Oswald had been in the store. Neither he nor Greener could remember that he had been. But despite these conversations with Greener, it is significant that Ryder never

called the repair tag to his employer's attention. Greener did not learn about the tag until November 28, when he was called by TV reporters after the story had appeared in the Dallas Times-Herald.⁶³¹ The peculiarity of Ryder's silence is compounded by the fact that, when speaking to the FBI on November 25, Ryder fixed the period during which the tag had been issued as November 1-14, 1963, yet, from his later testimony, it appears that he did so on the basis that it must have occurred when Greener was on vacation since Greener did not remember the transaction.⁶³² Moreover, the FBI had been directed to the Irving Sports Shop by anonymous telephone calls received by its Dallas office and by a local television station. The anonymous male who telephoned the Bureau attributed his information to an unidentified sack boy at a specified supermarket in Irving, but investigation has failed to verify this source.⁶³³

Neither Ryder nor Greener claimed that Lee Harvey Oswald had ever been a customer in the Irving Sports Shop. Neither has any recollection of either Oswald or his Mannlicher-Carcano rifle, nor does either recall the transaction allegedly represented by the repair tag or the person for whom the repair was supposedly made.⁶³⁴ Although Ryder stated to the FBI that he was "quite sure" that he had seen Oswald and that Oswald may have been in the store at one time, when shown a photograph of Oswald during his deposition, Ryder testified he knew the picture to be of Oswald, "as the pictures in the paper, but as far as seeing the guy personally, I don't think I ever have."⁶³⁵

Subsequent events also reflect on Ryder's credibility. In his deposition, Ryder emphatically denied that he talked to any reporters about this matter prior to the time a story about it appeared in the November 28, 1963, edition of the Dallas Times-Herald.⁶³⁶ Earlier, however, he told an agent of the U.S. Secret Service that the newspaper had misquoted him.⁶³⁷ Moreover, a reporter for the Dallas Times-Herald has testified that on November 28, 1963, he called Ryder at his home and obtained from him all of the details of the alleged transaction, and his story is supported by the testimony of a second reporter who overheard one end of the telephone conversation.⁶³⁸ No other person by the name of Oswald in the Dallas-Fort Worth area has been found who had a rifle repaired at the Irving Sports Shop.⁶³⁹

Possible corroboration for Ryder's story is provided by two women, Mrs. Edith Whitworth, who operates the Furniture Mart, a furniture store located about 1½ blocks from the Irving Sports Shop, and Mrs. Gertrude Hunter, a friend of Mrs. Whitworth. They testified that in early November of 1963, a man who they later came to believe was Oswald drove up to the Furniture Mart in a two-tone blue and white 1957 Ford automobile, entered the store and asked about a part for a gun, presumably because of a sign that appeared in the building advertising a gunsmith shop that had formerly occupied part of the premises. When he found that he could not obtain the part, the man allegedly returned to his car and then came back into the store with a woman and two young children to look at furniture, remaining in the store for about 30 to 40 minutes.⁶⁴⁰

Upon confronting Marina Oswald, both women identified her as the woman whom they had seen in the store on the occasion in question, although Mrs. Hunter could not identify a picture of Lee Harvey Oswald and Mrs. Whitworth identified some pictures of Oswald but not others. Mrs. Hunter purported to identify Marina Oswald by her eyes, and did not observe the fact that Marina Oswald had a front tooth missing at the time she supposedly saw her.⁶⁴¹ After a thorough inspection of the Furniture Mart, Marina Oswald testified that she had never been on the premises before.⁶⁴²

The circumstances surrounding the testimony of the two women are helpful in evaluating the weight to be given to their testimony, and the extent to which they lend support to Ryder's evidence. The women previously told newspaper reporters that the part for which the man was looking was a "plunger," which the Commission has been advised is a colloquial term used to describe a firing pin.⁶⁴³ This work was completely different from the work covered by Ryder's repair tag, and the firing pin of the assassination weapon does not appear to have been recently replaced.⁶⁴⁴ At the time of their depositions, neither woman was able to recall the type of work which the man wanted done.⁶⁴⁵

Mrs. Whitworth related to the FBI that the man told her that the younger child with him was born on October 20, 1963, which was in fact Rachel Oswald's birthday.⁶⁴⁶ In her testimony before the Commission, however, Mrs. Whitworth could not state that the man had told her the child's birthdate was October 20, 1963, and in fact expressed uncertainty about the birthday of her own grandchild, which she had previously used as a guide to remembering the birthdate of the younger child in the shop.⁶⁴⁷ Mrs. Hunter thought that the man she and Mrs. Whitworth believed was Oswald drove the car to and from the store;⁶⁴⁸ however, Lee Harvey Oswald apparently was not able to drive an automobile by himself and does not appear to have had access to a car.⁶⁴⁹

The two women claimed that Oswald was in the Furniture Mart on a weekday, and in midafternoon. However, Oswald had reported to work at the Texas School Book Depository on the dates referred to by the women and there is no evidence that he left his job during business hours.⁶⁵⁰ In addition, Ruth Paine has stated that she always accompanied Marina Oswald whenever Marina left the house with her children and that they never went to the Furniture Mart, either with or without Lee Harvey Oswald, at any time during October or November of 1963.⁶⁵¹ There is nothing to indicate that in November the Oswalds were interested in buying furniture.⁶⁵²

Finally, investigation has produced reason to question the credibility of Mrs. Hunter as a witness. Mrs. Hunter stated that one of the reasons she remembers the description of the car in which Oswald supposedly drove to the furniture store was that she was awaiting the arrival of a friend from Houston, who drove a similar automobile.⁶⁵³ However, the friend in Houston has advised that in November 1963, she never visited or planned to visit Dallas, and that she

told no one that she intended to make such a trip. Moreover the friend added, according to the FBI interview report, that Mrs. Hunter has "a strange obsession for attempting to inject herself into any big event which comes to her attention" and that she "is likely to claim some personal knowledge of any major crime which receives much publicity."⁶⁵⁴ She concluded that "the entire family is aware of these 'tall tales' Mrs. Hunter tells and they normally pay no attention to her."⁶⁵⁵

Another allegation relating to the possible ownership of a second rifle by Oswald comes from Robert Adrian Taylor, a mechanic at a service station in Irving. Some 3 weeks after the assassination, Taylor reported to the FBI that he thought that, in March or April of 1963, a man he believed to be Oswald had been a passenger in an automobile that stopped at his station for repairs; since neither the driver nor the passenger had sufficient funds for the repair work, the person believed to be Oswald sold a U.S. Army rifle to Mr. Taylor, using the proceeds to pay for the repairs.⁶⁵⁶ However, a second employee at the service station, who recalled the incident, believed that, despite a slight resemblance, the passenger was not Oswald.⁶⁵⁷ Upon reflection, Taylor himself stated that he is very doubtful that the man was Oswald.⁶⁵⁸

Rifle practice.—Several witnesses believed that in the weeks preceding the assassination, they observed a man resembling Oswald practicing with a rifle in the fields and wooded areas surrounding Dallas, and at rifle ranges in that area. Some witnesses claimed Oswald was alone, while others said he was accompanied by one or more other persons. In most instances, investigation has disclosed that there is no substantial basis for believing that the person reported by the various witnesses was Oswald.⁶⁵⁹

One group of witnesses, however, believed that they observed Lee Harvey Oswald at the Sports Drome Rifle Range in Dallas at various times from September through November of 1963. In light of the number of witnesses, the similarity of the descriptions of the man they saw, and the type of weapon they thought the individual was shooting, there is reason to believe that these witnesses did see the same person at the firing range, although the testimony of none of these witnesses is fully consistent with the reported observations of the other witnesses.

The witnesses who claimed to have seen Oswald at the firing range had more than a passing notice of the person they observed. Malcolm H. Price, Jr., adjusted the scope on the individual's rifle on one occasion;⁶⁶⁰ Garland G. Slack had an altercation with the individual on another occasion because he was shooting at Slack's target;⁶⁶¹ and Sterling C. Wood, who on a third date was present at the range with his father, Dr. Homer Wood, spoke with his father and very briefly with the man himself about the individual's rifle.⁶⁶² All three of these persons, as well as Dr. Wood, expressed confidence that the man they saw was Oswald.⁶⁶³ Two other persons believed they saw

a person resembling Oswald firing a similar rifle at another range near Irving 2 days before the assassination.⁶⁶⁴

Although the testimony of these witnesses was partially corroborated by other witnesses,⁶⁶⁵ there was other evidence which prevented the Commission from reaching the conclusion that Lee Harvey Oswald was the person these witnesses saw. Others who were at the firing range remembered the same individual but, though noting a similarity to Oswald, did not believe that the man was Oswald;⁶⁶⁶ others either were unable to state whether the man was Oswald or did not recall seeing anybody who they feel may have been Oswald.⁶⁶⁷ Moreover, when interviewed on December 2, 1963, Slack recalled that the individual whom he saw had blond hair,⁶⁶⁸ and on December 3, 1963, Price stated that on several occasions when he saw the individual, he was wearing a "Bulldogger Texas style" hat and had bubble gum or chewing tobacco in his cheek.⁶⁶⁹ None of these characteristics match those known about Lee Harvey Oswald.

Moreover, the date on which Price adjusted the scope for the unknown person was September 28, 1963, but Oswald is known to have been in Mexico City at that time;⁶⁷⁰ since a comparison of the events testified to by Price and Slack strongly suggests that they were describing the same man,⁶⁷¹ there is reason to believe that Slack was also describing a man other than Oswald. In addition, Slack believed he saw the same person at the rifle range on November 10⁶⁷² and there is persuasive evidence that on November 10, Oswald was at the Paine's home in Irving and did not leave to go to the rifle range.⁶⁷³ Finally, the man whom Price assisted on September 28 drove an old car, possibly a 1940 or 1941 Ford.⁶⁷⁴ However, there is evidence that Oswald could not drive at that time, and there is no indication that Oswald ever had access to such a car.⁶⁷⁵ Neither Oswald's name nor any of his known aliases was found in the sign-in register maintained at the Sports Drome Rifle Range, though many customers did not sign this register.⁶⁷⁶ The allegations pertaining to the companions who reportedly accompanied the man believed to be Oswald are also inconsistent among themselves⁶⁷⁷ and conform to no other credible information ascertained by the Commission. Several witnesses noticed a bearded man at the club when the person believed to be Oswald was there, although only one witness thought the two men were together;⁶⁷⁸ the bearded gentleman was located, and he was not found to have any connection with Oswald.⁶⁷⁹

It seems likely that the identification of Price, Slack, and the Woods was reinforced in their own minds by the belief that the man whom they saw was firing a rifle perhaps identical to Oswald's Mannlicher-Carcano. The witnesses agreed that the man they observed was firing a Mauser-type bolt-action rifle with the ammunition clip immediately in front of the trigger action, and that a scope was mounted on the rifle.⁶⁸⁰ These features are consistent with the rifle Oswald used for the assassination.⁶⁸¹ The witnesses agreed that the man had accurate aim with the rifle.⁶⁸²

However, the evidence demonstrated that the weapon fired by the man they observed was different from the assassination rifle. The witnesses agreed that the barrel of the gun which the individual was firing had been shortened in the process of "sporterizing" the weapon.⁶⁸³ In addition, Price and Slack recalled that certain pieces were missing from the top of the weapon,⁶⁸⁴ and Dr. Wood and his son, and others, remembered that the weapon spouted flames when fired.⁶⁸⁵ None of these characteristics correspond with Oswald's Mannlicher-Carcano.⁶⁸⁶ Price and Slack believed that the gun did not have a sling, but the assassination weapon did have one. Sterling Wood, on the other hand, recalled that the rifle which he saw had a sling.⁶⁸⁷ Price also recalled that he examined the rifle briefly for some indication as to where it had been manufactured, but saw nothing, whereas the words "MADE ITALY" are marked on the top of Oswald's Mannlicher-Carcano.⁶⁸⁸

The scope on the rifle observed at the firing range does not appear to be the same as the one on the assassination weapon. Price remembered that the individual told him that his scope was Japanese, that he had paid \$18 for it, and that he had it mounted in a gunshop in Cedar Hills, though apparently no such shop exists in that area.⁶⁸⁹ The scope on the Mannlicher-Carcano was of Japanese origin but it was worth a little more than \$7 and was already mounted when he received the rifle from a mail-order firm in Chicago.⁶⁹⁰ Sterling Wood and Slack agreed that the scope had a somewhat different appearance from the scope on the assassination rifle.⁶⁹¹

Though the person believed to be Oswald retained his shell casings, presumably for reuse,⁶⁹² all casings recovered from areas where it is believed that Oswald may have practiced have been examined by the FBI Laboratory, and none has been found which was fired from Oswald's rifle.⁶⁹³ Finally, evidence discussed in chapter IV tends to prove that Oswald brought his rifle to Dallas from the home of the Paines in Irving on November 22, and there is no other evidence which indicates that he took the rifle or a package which might have contained the rifle out of the Paine's garage, where it was stored, prior to that date.⁶⁹⁴

Automobile demonstration.—The testimony of Albert Guy Bogard has been carefully evaluated because it suggests the possibility that Oswald might have been a proficient automobile driver and, during November 1963, might have been expecting funds with which to purchase a car. Bogard, formerly an automobile salesman with a Lincoln-Mercury firm in Dallas, testified that in the early afternoon of November 9, 1963, he attended a prospective customer who he believes was Lee Harvey Oswald. According to Bogard, the customer, after test driving an automobile over the Stemmons Freeway at 60 to 70 miles per hour, told Bogard that in several weeks he would have the money to make a purchase. Bogard asserted that the customer gave his name as "Lee Oswald," which Bogard wrote on a business card. After Oswald's name was mentioned on the radio on November 22, Bogard assertedly threw the card in a trash can, making the comment

to coemployees that he supposed Oswald would no longer wish to buy a car.⁶⁹⁵

Bogard's testimony has received corroboration.⁶⁹⁶ The assistant sales manager at the time, Frank Pizzo, and a second salesman, Eugene M. Wilson, stated that they recall an instance when the customer described by Bogard was in the showroom.⁶⁹⁷ Another salesman, Oran Brown, recalled that Bogard asked him to assist the customer if he appeared during certain evenings when Bogard was away from the showroom. Brown stated that he too wrote down the customer's name and both he and his wife remember the name "Oswald" as being on a paper in his possession before the assassination.⁶⁹⁸

However, doubts exist about the accuracy of Bogard's testimony. He, Pizzo, and Wilson differed on important details of what is supposed to have occurred when the customer was in the showroom. Whereas Bogard stated that the customer said he did not wish credit and wanted to purchase a car for cash,⁶⁹⁹ Pizzo and Wilson both indicated that the man did attempt to purchase on credit.⁷⁰⁰ According to Wilson, when the customer was told that he would be unable to purchase a car without a credit rating, substantial cash or a lengthy employment record, he stated sarcastically, "Maybe I'm going to have to go back to Russia to buy a car."⁷⁰¹ While it is possible that Oswald would have made such a remark, the statement is not consistent with Bogard's story. Indeed, Bogard has made no mention that the customer ever spoke with Wilson while he was in the showroom.⁷⁰² More important, on November 23, a search through the showroom's refuse was made, but no paper bearing Oswald's name was found.⁷⁰³ The paper on which Brown reportedly wrote Oswald's name also has never been located.⁷⁰⁴

The assistant sales manager, Mr. Pizzo, who saw Bogard's prospect on November 9 and shortly after the assassination felt that Oswald may have been this man, later examined pictures of Oswald and expressed serious doubts that the person with Bogard was in fact Oswald. While noting a resemblance, he did not believe that Oswald's hairline matched that of the person who had been in the showroom on November 9.⁷⁰⁵ Wilson has stated that Bogard's customer was only about 5 feet tall.⁷⁰⁶ Several persons who knew Oswald have testified that he was unable to drive,⁷⁰⁷ although Mrs. Paine, who was giving Oswald driving lessons, stated that Oswald was showing some improvement by November.⁷⁰⁸ Moreover, Oswald's whereabouts on November 9, as testified to by Marina Oswald and Ruth Paine, would have made it impossible for him to have visited the automobile showroom as Mr. Bogard claims.⁷⁰⁹

Alleged association with various Mexican or Cuban individuals.—The Commission has examined Oswald's known or alleged contacts and activities in an effort to ascertain whether or not he was involved in any conspiracy may be seen in the investigation it conducted as a result of the testimony given by Mrs. Sylvia Odio. The Commission investigated her statements in connection with its consid-

eration of the testimony of several witnesses suggesting that Oswald may have been seen in the company of unidentified persons of Cuban or Mexican background. Mrs. Odio was born in Havana in 1937 and remained in Cuba until 1960; it appears that both of her parents are political prisoners of the Castro regime. Mrs. Odio is a member of the Cuban Revolutionary Junta (JURE), an anti-Castro organization.⁷¹⁰ She testified that late in September 1963, three men came to her apartment in Dallas and asked her to help them prepare a letter soliciting funds for JURE activities. She claimed that the men, who exhibited personal familiarity with her imprisoned father, asked her if she were "working in the underground," and she replied that she was not.⁷¹¹ She testified that two of the men appeared to be Cubans, although they also had some characteristics that she associated with Mexicans. Those two men did not state their full names, but identified themselves only by their fictitious underground "war names." Mrs. Odio remembered the name of one of the Cubans as "Leopoldo."⁷¹² The third man, an American, allegedly was introduced to Mrs. Odio as "Leon Oswald," and she was told that he was very much interested in the Cuban cause.⁷¹³ Mrs. Odio said that the men told her that they had just come from New Orleans and that they were then about to leave on a trip.⁷¹⁴ Mrs. Odio testified that the next day Leopoldo called her on the telephone and told her that it was his idea to introduce the American into the underground "because he is great, he is kind of nuts."⁷¹⁵ Leopoldo also said that the American had been in the Marine Corps and was an excellent shot, and that the American said the Cubans "don't have any guts * * * because President Kennedy should have been assassinated after the Bay of Pigs, and some Cubans should have done that, because he was the one that was holding the freedom of Cuba actually."⁷¹⁶

Although Mrs. Odio suggested doubts that the men were in fact members of JURE,⁷¹⁷ she was certain that the American who was introduced to her as Leon Oswald was Lee Harvey Oswald.⁷¹⁸ Her sister, who was in the apartment at the time of the visit by the three men, and who stated that she saw them briefly in the hallway when answering the door, also believed that the American was Lee Harvey Oswald.⁷¹⁹ By referring to the date on which she moved from her former apartment, October 1, 1963, Mrs. Odio fixed the date of the alleged visit on the Thursday or Friday immediately preceding that date, i.e., September 26 or 27. She was positive that the visit occurred prior to October 1.⁷²⁰

During the course of its investigation, however, the Commission concluded that Oswald could not have been in Dallas on the evening of either September 26 or 27, 1963. It also developed considerable evidence that he was not in Dallas at any time between the beginning of September and October 3, 1963. On April 24, Oswald left Dallas for New Orleans, where he lived until his trip to Mexico City in late September and his subsequent return to Dallas. Oswald is known to

have been in New Orleans as late as September 23, 1963, the date on which Mrs. Paine and Marina Oswald left New Orleans for Dallas.⁷²¹ Sometime between 4 p.m. on September 24 and 1 p.m. on September 25, Oswald cashed an unemployment compensation check at a store in New Orleans;⁷²² under normal procedures this check would not have reached Oswald's postal box in New Orleans until at least 5 a.m. on September 25.⁷²³ The store at which he cashed the check did not open until 8 a.m.⁷²⁴ Therefore, it appeared that Oswald's presence in New Orleans until sometime between 8 a.m. and 1 p.m. on September 25 was quite firmly established.

Although there is no firm evidence of the means by which Oswald traveled from New Orleans to Houston, on the first leg of his Mexico City trip, the Commission noted that a Continental Trailways bus leaving New Orleans at 12:30 p.m. on September 25 would have brought Oswald to Houston at 10:50 p.m. that evening.⁷²⁵ His presence on this bus would be consistent with other evidence before the Commission.⁷²⁶ There is strong evidence that on September 26, 1963, Oswald traveled on Continental Trailways bus No. 5133 which left Houston at 2:35 a.m. for Laredo, Tex. Bus company records disclose that one ticket from Houston to Laredo was sold during the night shift on September 25-26, and that such ticket was the only one of its kind sold in the period of September 24 through September 26. The agent who sold this ticket has stated that Oswald could have been the purchaser.⁷²⁷ Two English passengers, Dr. and Mrs. John B. McFarland, testified that they saw Oswald riding alone on this bus shortly after they awoke at 6 a.m.⁷²⁸ The bus was scheduled to arrive in Laredo at 1:20 p.m. on September 26, and Mexican immigration records show that Oswald in fact crossed the border at Laredo to Nuevo Laredo, Mexico, between 6 a.m. and 2 p.m. on that day.⁷²⁹ Evidence set out in appendix XIII establishes that Oswald did not leave Mexico until October 3, and that he arrived in Dallas the same day.

The Commission noted that the only time not strictly accounted for during the period that Mrs. Odio thought Oswald might have visited her is the span between the morning of September 25 and 2:35 a.m. on September 26. The only public means of transportation by which Oswald could have traveled from New Orleans to Dallas in time to catch his bus from Houston to Laredo, would have been the airlines. Investigation disclosed no indication that he flew between these points.⁷³⁰ Moreover, it did not seem probable that Oswald would speed from New Orleans, spend a short time talking to Sylvia Odio, and then travel from Dallas to Mexico City and back on the bus. Automobile travel in the time available, though perhaps possible, would have been difficult.⁷³¹ The Commission noted, however, that if Oswald had reached Dallas on the evening of September 25, he could have traveled by bus to Alice, Tex., and there caught the bus which had left Houston for Laredo at 2:35 a.m. on September 26, 1963.⁷³² Further investigation in that regard indicated, however, that no tickets were sold, during the period September 23-26, 1963 for travel from

Dallas to Laredo or points beyond by the Dallas office of Continental Trailways, the only bus line on which Oswald could have made connections with the bus on which he was later seen. Furthermore, if Oswald had traveled from Dallas to Alice, he would not have reached the Houston to Laredo bus until after he was first reportedly observed on it by the McFarlands.⁷³³ Oswald had also told passengers on the bus to Laredo that he had traveled from New Orleans by bus, and made no mention of an intervening trip to Dallas.⁷³⁴ In addition, the Commission noted evidence that on the evening of September 25, 1963, Oswald made a telephone call to a party in Houston proposing to visit a resident of Houston that evening⁷³⁵ and the fact that such a call would appear to be inconsistent with Oswald's having been in Dallas at the time. It thus appeared that the evidence was persuasive that Oswald was not in Dallas on September 25, and, therefore, that he was not in that city at the time Mrs. Odio said she saw him.

In spite of the fact that it appeared almost certain that Oswald could not have been in Dallas at the time Mrs. Odio thought he was, the Commission requested the FBI to conduct further investigation to determine the validity of Mrs. Odio's testimony.⁷³⁶ The Commission considered the problems raised by that testimony as important in view of the possibility it raised that Oswald may have had companions on his trip to Mexico.⁷³⁷ The Commission specifically requested the FBI to attempt to locate and identify the two men who Mrs. Odio stated were with the man she thought was Oswald.⁷³⁸ In an effort to do that the FBI located and interviewed Manuel Ray, a leader of JURE who confirmed that Mrs. Odio's parents were political prisoners in Cuba, but stated that he did not know anything about the alleged Oswald visit.⁷³⁹ The same was true of Rogelio Cisneros,⁷⁴⁰ a former anti-Castro leader from Miami who had visited Mrs. Odio in June of 1962 in connection with certain anti-Castro activities.⁷⁴¹ Additional investigation was conducted in Dallas and in other cities in search of the visitors to Mrs. Odio's apartment.⁷⁴² Mrs. Odio herself was reinterviewed.⁷⁴³

On September 16, 1964, the FBI located Loran Eugene Hall in Johnsandale, Calif.⁷⁴⁴ Hall has been identified as a participant in numerous anti-Castro activities.⁷⁴⁵ He told the FBI that in September of 1963 he was in Dallas, soliciting aid in connection with anti-Castro activities. He said he had visited Mrs. Odio. He was accompanied by Lawrence Howard, a Mexican-American from East Los Angeles and one William Seymour from Arizona. He stated that Seymour is similar in appearance to Lee Harvey Oswald; he speaks only a few words of Spanish,⁷⁴⁶ as Mrs. Odio had testified one of the men who visited her did.⁷⁴⁷ While the FBI had not yet completed its investigation into this matter at the time the report went to press, the Commission has concluded that Lee Harvey Oswald was not at Mrs. Odio's apartment in September of 1963.

The Commission has also noted the testimony of Evaristo Rodriguez, a bartender in the Habana Bar in New Orleans, to the effect that he saw Oswald in that bar in August of 1963 in the company of a

Latin-appearing man.⁷⁴⁸ Rodriguez' description of the man accompanying the person he thought to be Oswald was similar in respects to the description given by Sylvia Odio since both testified that the man may have been of either Cuban or Mexican extraction, and had a slight bald spot on the forepart of his hairline.⁷⁴⁹ Rodriguez' identification of Oswald was uncorroborated except for the testimony of the owner of the bar, Orest Pena; according to Rodriguez, Pena was not in a position to observe the man he thought later to have been Oswald.⁷⁵⁰ Although Pena has testified that he did observe the same person as did Rodriguez, and that this person was Oswald,⁷⁵¹ an FBI interview report indicated that a month earlier Pena had stated that he "could not at this time or at any time say whether or not the person was identical with Lee Harvey Oswald."⁷⁵² Though when testifying, Pena identified photographs of Oswald, the FBI report also recorded that Pena "stated the only reason he was able to recognize Oswald was because he had seen Oswald's picture in the news media so often after the assassination of President John F. Kennedy."⁷⁵³ When present at Pena's bar, Oswald was supposed to have been intoxicated to the extent that he became ill,⁷⁵⁴ which is inconsistent with other evidence that Oswald did not drink alcoholic beverages to excess.⁷⁵⁵

The Commission has also noted the testimony of Dean Andrews, an attorney in New Orleans. Andrews stated that Oswald came to his office several times in the summer of 1963 to seek advice on a less than honorable discharge from the Armed Forces, the citizenship status of his wife and his own citizenship status. Andrews, who believed that he was contacted on November 23 to represent Oswald, testified that Oswald was always accompanied by a Mexican and was at times accompanied by apparent homosexuals.⁷⁵⁶ Andrews was able to locate no records of any of Oswald's alleged visits, and investigation has failed to locate the person who supposedly called Andrews on November 23, at a time when Andrews was under heavy sedation.⁷⁵⁷ While one of Andrews' employees felt that Oswald might have been at his office, his secretary has no recollection of Oswald being there.⁷⁵⁸

Oswald Was Not an Agent for the U.S. Government

From the time of his release from the Marine Corps until the assassination, Lee Harvey Oswald dealt in various transactions with several agencies of the U.S. Government. Before departing the United States for the Soviet Union in 1959, he obtained an American passport, which he returned to the Embassy in Moscow in October 1959 when he attempted to renounce his U.S. citizenship. Thereafter, while in the Soviet Union, Oswald had numerous contacts with the American Embassy, both in person and through correspondence. Two years later, he applied for the return and renewal of his passport, which was granted him. His application concerning the admittance of his wife to this country was passed upon by the Immigration and Naturalization Service of the Department of Justice in addition to the State Department. And before returning to this country, he

secured a loan from the State Department to help cover his transportation costs from Moscow to New York. These dealings with the Department of State and the Immigration and Naturalization Service have been reviewed earlier in this chapter and are considered in detail in appendix XV. After his return, Oswald was interviewed on three occasions by agents of the FBI, and Mrs. Paine was also questioned by the FBI about Oswald's activities. Oswald obtained a second passport in June of 1963. And both the FBI and the CIA took note of his Fair Play for Cuba Committee activities in New Orleans and his appearance at the Soviet consulate in Mexico City. For reasons which will be discussed fully in chapter VIII, Oswald's name was never given to the U.S. Secret Service.

These dealings have given rise to numerous rumors and allegations that Oswald may have been a paid informant or some type of undercover agent for a Federal agency, usually the FBI or the CIA. The Commission has fully explored whether Oswald had any official or unofficial relationship with any Federal agency beyond that already described.

Oswald's mother, Mrs. Marguerite Oswald, testified before the Commission that she believes her son went to Russia and returned as an undercover agent for the U.S. Government.⁷⁵⁹ Mrs. Oswald mentioned the belief that her son was an agent to a State Department representative whom she visited in January 1961, when she was trying to locate her son.⁷⁶⁰ She had been interviewed earlier by FBI Agent John W. Fain, within some 6 months of Oswald's departure for Russia, and did not at that time suggest such an explanation for Oswald's departure.⁷⁶¹ Though provided the opportunity to present any material she considered pertinent, Mrs. Oswald was not able to give the Commission any reasonable basis for her speculation.⁷⁶² As discussed later in this chapter, the Commission has investigated Marguerite Oswald's claim that an FBI agent showed her a picture of Jack Ruby after the assassination but before Lee Harvey Oswald had been killed; this allegation was inaccurate, since the picture was not of Ruby.

After the assassination it was reported that in 1962 Oswald had told Pauline Bates, a public stenographer in Fort Worth, Tex., that he had become a "secret agent" of the U.S. Government and that he was soon going back to Russia "for Washington."⁷⁶³ Mrs. Bates in her sworn testimony denied that Oswald ever told her anything to that effect.⁷⁶⁴ She testified that she had stated "that when he first said that he went to Russia and had gotten a visa that I thought—it was just a thought—that maybe he was going over under the auspices of the State Department—as a student or something."⁷⁶⁵

In order to evaluate the nature of Oswald's dealings with the Department of State and the Immigration and Naturalization Service, the Commission has obtained the complete files of both the Department and the Service pertaining to Lee Harvey Oswald. Officials who were directly involved in dealing with the Oswald case on these matters have testified before the Commission. A critical evaluation of the manner in which they were handled by these organizations is set forth

in appendix XV. The record establishes that Oswald received no preferential treatment and that his case involved no impropriety on the part of any Government official.

Director John A. McCone and Deputy Director Richard Helms of the Central Intelligence Agency testified before the Commission that no one connected with the CIA had ever interviewed Oswald or communicated with him in any way.⁷⁶⁶ In his supplementing affidavit, Director McCone stated unequivocally that Oswald was not an agent, employee, or informant of the CIA, that the Agency never communicated with him in any manner or furnished him any compensation, and that Oswald was never directly or indirectly associated with the CIA.⁷⁶⁷ The Commission has had access to the full CIA file on Oswald which is entirely consistent with Director McCone's statements.

The Director of the FBI, J. Edgar Hoover, Assistant to the Director Alan H. Belmont, FBI Agents John W. Fain and John L. Quigley, who interviewed Oswald, and FBI Agent James P. Hosty, Jr., who was in charge of his case at the time of the assassination, have also testified before the Commission. All declared, in substance, that Oswald was not an informant or agent of the FBI, that he did not act in any other capacity for the FBI, and that no attempt was made to recruit him in any capacity.⁷⁶⁸ Director Hoover and each Bureau agent, who according to the FBI would have been responsible for or aware of any attempt to recruit Oswald as an informant, have also provided the Commission with sworn affidavits to this effect.⁷⁶⁹ Director Hoover has sworn that he caused a search to be made of the records of the Bureau, and that the search discloses that Oswald "was never an informant of the FBI, and never assigned a symbol number in that capacity, and was never paid any amount of money by the FBI in any regard."⁷⁷⁰ This testimony is corroborated by the Commission's independent review of the Bureau files dealing with the Oswald investigation.

The Commission also investigated the circumstances which led to the presence in Oswald's address book of the name of Agent Hosty together with his office address, telephone number, and license number.⁷⁷¹ Hosty and Mrs. Paine testified that on November 1, 1963, Hosty left his name and phone number with Mrs. Paine so that she could advise Hosty when she learned where Oswald was living in Dallas.⁷⁷² Mrs. Paine and Marina Oswald have testified that Mrs. Paine handed Oswald the slip of paper on which Hosty had written this information.⁷⁷³ In accordance with prior instructions from Oswald,⁷⁷⁴ Marina Oswald noted Hosty's license number which she gave to her husband.⁷⁷⁵ The address of the Dallas office of the FBI could have been obtained from many public sources.

Thus, close scrutiny of the records of the Federal agencies involved and the testimony of the responsible officials of the U.S. Government establish that there was absolutely no type of informant or undercover relationship between an agency of the U.S. Government and Lee Harvey Oswald at any time.

Oswald's Finances

In search of activities or payments demonstrating the receipt of unexplained funds, the Commission undertook a detailed study of Oswald's receipts and expenditures starting with the date of his return from the Soviet Union on June 13, 1962, and continuing to the date of his arrest on November 22, 1963. In appendix XIV there appears a table listing Oswald's estimated receipts and expenditures on a monthly basis during this period.

The Commission was assisted in this phase of the investigation by able investigators of the Internal Revenue Service of the Department of the Treasury and by agents of the FBI. The investigation extended far beyond interrogation of witnesses who appeared before the Commission. At banks in New Orleans, La.; Fort Worth, Dallas, Houston, and Laredo, Tex., inquiries were made for any record of a checking, savings, or loan accounts or a safe deposit box rented in the names of Lee Harvey Oswald, his known aliases, or members of his immediate family. In many cases a photograph of Oswald was exhibited to bank officials who were in a position to see a person in the safe deposit box area of their banks. No bank account or safe deposit boxes were located which could be identified with Oswald during this period of his life, although evidence was developed of a bank account which he had used prior to his trip to the Soviet Union in 1959. Telegraph companies were checked for the possibility of money orders that may have been sent to Oswald. All known locations where Oswald cashed checks which he received were queried as to the possibility of his having cashed other checks there. Further inquiries were made at Oswald's places of employment, his residences and with local credit associations, hospitals, utility companies, State and local government offices, post offices, periodicals, newspapers, and employment agencies.⁷⁷⁶

Marina Oswald testified that she knew of no sources of income Oswald other than his wages and his unemployment compensation.⁷⁷⁷ No evidence of other cash income has been discovered. The Commission has found that the funds known to have been available to Oswald during the period June 13, 1962, through November 22, 1963, were sufficient to cover all of his known expenditures during this period. Including cash on hand of \$63 when he arrived from the Soviet Union, the Oswalds received a total of \$3,665.89 in cash from wages, unemployment compensation benefits, loans, and gifts from acquaintances. His cash disbursements during this period were estimated at \$3,501.79, leaving a balance of \$164.10. (See app. XIV.) This estimated balance is within \$19 of the \$183.87 in cash which was actually in Oswald's possession at the time of his arrest, consisting of \$13.87 on his person and \$170 in his wallet left at the Paine house.⁷⁷⁸

In computing Oswald's expenditures, estimates were made for food, clothing, and incidental expenses. The incidental expenses included telephone calls, the cost of local newspapers, money order and check-cashing fees, postage, local transportation costs, personal care goods and services, and other such small items. All of these expenses, in-

cluding food and clothing, were estimated at a slightly higher figure than would be normal for a family with the income of the Oswalds, and probably higher than the Oswalds actually spent on such items.⁷⁷⁹ This was done in order to be certain that even if some of Oswald's minor expenditures are not known, he had adequate funds to cover his known expenditures.

During the 17-month period preceding his death, Oswald's pattern of living was consistent with his limited income. He lived with his family in furnished apartments whose cost, including utilities, ranged from about \$60 to \$75 per month.⁷⁸⁰ Witnesses testified to his wife's disappointment and complaints and to their own shock and misgivings about several of the apartments in which the Oswalds lived during the period.⁷⁸¹ Moreover, the Oswalds, particularly Marina, frequently lived with relatives and acquaintances at no cost. Oswald and his family lived with his brother Robert and then with Marguerite Oswald from June until sometime in August 1962.⁷⁸² As discussed previously, Marina Oswald lived with Elena Hall and spent a few nights at the Taylors' house during October of 1962;⁷⁸³ in November of that same year, Marina Oswald lived with two families.⁷⁸⁴ When living away from his family Oswald rented rooms for \$7 and \$8 per week or stayed at the YMCA in Dallas where he paid \$2.25 per day.⁷⁸⁵ During late April and early May 1963, Oswald lived with relatives in New Orleans, while his wife lived with Ruth Paine in Irving, Tex.⁷⁸⁶ From September 24, 1963, until November 22, Marina Oswald stayed with Ruth Paine, while Oswald lived in roominghouses in Dallas.⁷⁸⁷ During the period Marina Oswald resided with others, neither she nor her husband made any contribution to her support.⁷⁸⁸

The Oswalds owned no major household appliances, had no automobile, and resorted to dental and hospital clinics for medical care.⁷⁸⁹ Acquaintances purchased baby furniture for them, and paid dental bills in one instance.⁷⁹⁰ After his return to the United States, Oswald did not smoke or drink, and he discouraged his wife from doing so.⁷⁹¹ Oswald spent much of his time reading books which he obtained from the public library, and periodicals to which he subscribed.⁷⁹² He resided near his place of employment and used buses to travel to and from work.⁷⁹³ When he visited his wife and the children on weekends in October and November 1963, he rode in a neighbor's car, making no contribution for gasoline or other expenses.⁷⁹⁴ Oswald's personal wardrobe was also very modest. He customarily wore T-shirts, cheap slacks, well-worn sweaters, and well-used zipper jackets. Oswald owned one suit, of Russian make and purchase, poor fitting and of heavy fabric which, despite its unsuitability to the climates of Texas and Louisiana and his obvious discomfort, he wore on the few occasions that required dress.⁷⁹⁵

Food for his family was extremely meager. Paul Gregory testified that during the 6 weeks that Marina Oswald tutored him he took the Oswalds shopping for food and groceries on a number of occasions and that he was "amazed at how little they bought."⁷⁹⁶ Their friends

in the Dallas-Fort Worth area frequently brought them food and groceries.⁷⁹⁷ Marina testified that her husband ate "very little." He "never had breakfast. He just drank coffee and that is all. Not because he was trying to economize. Simply he never liked to eat." She estimated that when he was living by himself in a roominghouse, he would spend "about a dollar, \$1.30" for dinner and have a sandwich and soft drink for lunch.⁷⁹⁸

The thrift which Oswald exercised in meeting his living expenses allowed him to accumulate sufficient funds to meet other expenses which he incurred after his return from the Soviet Union. From his return until January of 1963, Oswald repaid the \$435.71 he had borrowed from the State Department for travel expenses from Moscow, and the \$200 loan he had obtained from his brother Robert to fly from New York to Dallas upon his return to this country. He completed the retirement of the debt to his brother in October 1962.⁷⁹⁹ His cash receipts from all sources from the day of his arrival in Fort Worth through October 1962 aggregated \$719.94; it is estimated that he could have made the repayments to Robert and met his other known expenses and still have been left with savings of \$122.06 at the end of the month. After making initial \$10 monthly payments to the State Department, Oswald paid the Government \$190 in December and \$206 in January, thus liquidating that debt.⁸⁰⁰ From his net earning of \$805.96 from November through January plus his prior savings, Oswald could have made these payments to the State Department, met his other known expenses, and still have had a balance of \$8.59 at the end of January 1963. In discussing the repayment of these debts, Marina Oswald testified: "Of course we did not live in luxury. We did not buy anything that was not absolutely needed, because Lee had to pay his debt to Robert and to the Government. But it was not particularly difficult."⁸⁰¹

Included in the total figure for Oswald's disbursements were \$21.45 for the rifle used in the assassination and \$31.22 for the revolver with which Oswald shot Officer Tippit. The major portion of the purchase price for these weapons was paid in March 1963, when Oswald had finished paying his debts, and the purchases were compatible with the total funds then available to him.⁸⁰² During May, June, and July of 1963, Oswald spent approximately \$23 for circulars, application blanks, and membership cards for his one-man New Orleans chapter of the Fair Play for Cuba Committee.⁸⁰³ In August he paid \$2 to one and possibly two young men to assist in passing out circulars and then paid a \$10 court fine after pleading guilty to a charge of disturbing the peace.⁸⁰⁴ Although some of these expenses were incurred after Oswald lost his job on July 19, 1963, his wages during June and July, and his unemployment compensation thereafter, provided sufficient funds to enable him to finance these activities out of his own resources.⁸⁰⁵

Although Oswald paid his own busfare to New Orleans on April 24, 1963, his wife and the baby were taken there, at no cost to Oswald, by Ruth Paine.⁸⁰⁶ Similarly, Ruth Paine drove to New Orleans in

September and brought Marina Oswald and the baby back to Irving, Tex.⁸⁰⁷ Oswald's uncle, Charles Murret, also paid for the short trip taken by Oswald and his family from New Orleans to Mobile, Ala., on July 27, 1963.⁸⁰⁸ It is estimated that when Oswald left for Mexico City in September 1963, he had accumulated slightly over \$200. Marina Oswald testified that when he left for Mexico City he had "a little over \$100," though she may not have taken into account the \$33 unemployment compensation check which Oswald collected after her departure from New Orleans.⁸⁰⁹ In any event, expenses in Mexico have been estimated as approximately \$85, based on transportation costs of \$50 and a hotel expense of about \$1.28 per day. Oswald ate inexpensively and, allowing \$15 for entertainment and miscellaneous items, it would appear that he had the funds available to finance the trip.⁸¹⁰

The Commission has considered the testimony of Leonard E. Hutchison, proprietor of Hutch's Market in Irving, in connection with Oswald's finances. Hutchison has testified that on a Friday during the first week in November, a man he believes to have been Lee Harvey Oswald attempted to cash a "two-party," or personal check for \$189, but that he refused to cash the check since his policy is to cash personal checks for no more than \$25.⁸¹¹ Oswald is not known to have received a check for this amount from any source.

On Friday, November 1, Oswald did cash a Texas Unemployment Commission check for \$33 at another supermarket in Irving,⁸¹² so that a possible explanation of Hutchison's testimony is that he refused to cash this \$33 check for Oswald and is simply in error as to the amount of the instrument. However, since the check cashed at the supermarket was issued by the State comptroller of Texas, it is not likely that Hutchison could have confused it with a personal check.

Examination of Hutchison's testimony indicates that a more likely explanation is that Oswald was not in his store at all. Hutchison testified that the man who attempted to cash the check was a customer in his store on previous occasions; in particular, Hutchison recalled that the man, accompanied by a woman he believes was Marina Oswald and an elderly woman, were shopping in his store in October or November of 1963 on a night he feels certain was a Wednesday evening.⁸¹³ Oswald, however, is not known to have been in Irving on any Wednesday evening during this period.⁸¹⁴ Neither of the two checkers at the market recall such a visit by a person matching the description provided by Hutchison, and both Marina Oswald and Marguerite Oswald deny that they were ever in Hutchison's store.⁸¹⁵ Hutchison further stated that the man made irregular calls at his grocery between 7:20 a.m. and 7:45 a.m. on weekday mornings, and always purchased cinnamon rolls and a full gallon of milk.⁸¹⁶ However, the evidence indicates that except for rare occasions Oswald was in Irving only on weekends; moreover, Buell Wesley Frazier, who drove Oswald to and from Irving on these occasions, testified that on Monday mornings he picked Oswald up at a point which is many blocks from Hutchison's store and ordinarily by 7:20 a.m.⁸¹⁷

Hutchison also testified that Ruth Paine was an occasional customer in his store;⁸¹⁸ however, Mrs. Paine indicated that she was not in the store as often as Hutchison testified;⁸¹⁹ and her appearance is dissimilar to the description of the woman Hutchison stated was Mrs. Paine.⁸²⁰ In light of the strong reasons for doubting the correctness of Hutchison's testimony and the absence of any other sign that Oswald ever possessed a personal check for \$189, the Commission was unable to conclude that he ever received such a check.

The Commission has also examined a report that, not long before the assassination, Oswald may have received unaccounted funds through money orders sent to him in Dallas. Five days after the assassination, C. A. Hamblen, early night manager for the Western Union Telegraph Co. in Dallas, told his superior that about 2 weeks earlier he remembered Oswald sending a telegram from the office to Washington, D.C., possibly to the Secretary of the Navy, and that the application was completed in an unusual form of hand printing.⁸²¹ The next day Hamblen told a magazine correspondent who was in the Western Union office on other business that he remembered seeing Oswald in the office on prior occasions collecting money orders for small amounts of money.⁸²² Soon thereafter Hamblen signed a statement relating to both the telegram and the money orders, and specifying two instances in which he had seen the person he believed to be Oswald in the office; in each instance the man had behaved disagreeably and one other Western Union employee had become involved in assisting him.⁸²³

During his testimony, Hamblen did not recall with clarity the statements he had previously made, and was unable to state whether the person he reportedly had seen in the Western Union office was or was not Lee Harvey Oswald.⁸²⁴ Investigation has disclosed that a second employee does recall one of the occurrences described by Hamblen, and believes that the money order in question was delivered "to someone at the YMCA"; however, he is unable to state whether or not the man involved was Oswald.⁸²⁵ The employee referred to by Hamblen in connection with the second incident feels certain that the unusual episode described by Hamblen did not occur, and that she at no time observed Oswald in the Western Union office.⁸²⁶

At the request of Federal investigators, officers of Western Union conducted a complete search of their records in Dallas and in other cities, for the period from June through November 1963, for money orders payable to Lee Harvey Oswald or his known aliases and for telegrams sent by Oswald or his known aliases. In addition, all money orders addressed to persons at the YMCA in Dallas during October and November 1963 were inspected, and all telegrams handled from November 1 through November 22 by the employee who Hamblen assertedly saw service Oswald were examined, as were all telegrams sent from Dallas to Washington during November. No indication of any such money order or telegram was found in any of these records.⁸²⁷ Hamblen himself participated in this search, and was "unab'le * * * to pin down any of these telegrams or money orders that would indicate

it was Oswald.”⁸²⁸ Hamblen’s superiors have concluded “that this whole thing was a figment of Mr. Hamblen’s imagination,”⁸²⁹ and the Commission accepts this assessment.

POSSIBLE CONSPIRACY INVOLVING JACK RUBY

Jack Ruby shot Lee Harvey Oswald at 11:21 a.m., on Sunday, November 24, 1963, shortly after Ruby entered the basement of the Dallas Police Department. Almost immediately, speculation arose that Ruby had acted on behalf of members of a conspiracy who had planned the killing of President Kennedy and wanted to silence Oswald. This section of chapter VI sets forth the Commission’s investigation into the possibility that Ruby, together with Oswald or with others, conspired to kill the President, or that Ruby, though not part of any such conspiracy, had accomplices in the slaying of Oswald. Presented first are the results of the Commission’s detailed inquiry into Ruby’s actions from November 21 to November 24. In addition, this section analyzes the numerous rumors and suspicions that Ruby and Oswald were acquainted and examines Ruby’s background and associations for evidence of any conspiratorial relationship or motive. A detailed life of Ruby is given in appendix XVI which provides supplemental information about Ruby and his associations.

Ruby’s Activities From November 21 to November 24, 1963

The Commission has attempted to reconstruct as precisely as possible the movements of Jack Ruby during the period November 21–November 24, 1963. It has done so on the premise that, if Jack Ruby were involved in a conspiracy, his activities and associations during this period would, in some way, have reflected the conspiratorial relationship. The Commission has not attempted to determine the time at which Ruby first decided to make his attack on Lee Harvey Oswald, nor does it purport to evaluate the psychiatric and related legal questions which have arisen from the assault upon Oswald. Ruby’s activities during this 3-day period have been scrutinized, however, for the insight they provide into whether the shooting of Oswald was grounded in any form of conspiracy.

The eve of the President’s visit.—On Thursday, November 21, Jack Ruby was attending to his usual duties as the proprietor of two Dallas night spots—the Carousel Club, a downtown nightclub featuring striptease dancers, and the Vegas Club, a rock-and-roll establishment in the Oaklawn section of Dallas. Both clubs opened for business each day in the early evening and continued 7 days a week until after midnight.⁸³⁰ Ruby arrived at the Carousel Club at about 3 p.m. Thursday afternoon, as was his custom,⁸³¹ and remained long enough to chat with a friend and receive messages from Larry Crafard, a handyman and helper who lived at the Carousel.⁸³² Earlier in the day Ruby had visited with a young lady who was job hunting in Dallas,⁸³³ paid

his rent for the Carousel premises,⁸³⁴ conferred about a peace bond he had been obliged to post as a result of a fight with one of his striptease dancers,⁸³⁵ consulted with an attorney about problems he was having with Federal tax authorities,⁸³⁶ distributed membership cards for the Carousel Club,⁸³⁷ talked with Dallas County Assistant District Attorney William F. Alexander about insufficient fund checks which a friend had passed,⁸³⁸ and submitted advertising copy for his night-clubs to the Dallas Morning News.⁸³⁹

Ruby's evening activities on Thursday, November 21, were a combination of business and pleasure. At approximately 7:30 p.m., he drove Larry Crafard to the Vegas Club which Crafard was overseeing because Ruby's sister, Eva Grant, who normally managed the club, was convalescing from a recent illness.⁸⁴⁰ Thereafter, Ruby returned to the Carousel Club and conversed for about an hour with Lawrence Meyers, a Chicago businessman.⁸⁴¹ Between 9:45 and 10:45 p.m., Ruby had dinner with Ralph Paul, his close friend and financial backer. While dining Ruby spoke briefly with a Dallas Morning News employee, Don Campbell, who suggested that they go to the Castaway Club, but Ruby declined.⁸⁴² Thereafter, Ruby returned to the Carousel Club where he acted as master of ceremonies for his show and peacefully ejected an unruly patron.⁸⁴³ At about midnight Ruby rejoined Meyers at the Bon Vivant Room of the Dallas Cabana where they met Meyers' brother and sister-in-law.⁸⁴⁴ Neither Ralph Paul nor Lawrence Meyers recalled that Ruby mentioned the President's trip to Dallas.⁸⁴⁵ Leaving Meyers at the Cabana after a brief visit, Ruby returned to close the Carousel Club and obtain the night's receipts.⁸⁴⁶ He then went to the Vegas Club which he helped Larry Crafard close for the night;⁸⁴⁷ and, as late as 2:30 a.m., Ruby was seen eating at a restaurant near the Vegas Club.⁸⁴⁸

Friday morning at the Dallas Morning News.—Jack Ruby learned of the shooting of President Kennedy while in the second-floor advertising offices of the Dallas Morning News, five blocks from the Texas School Book Depository, where he had come Friday morning to place regular weekend advertisements for his two nightclubs.⁸⁴⁹ On arriving at the newspaper building at about 11 or 11:30 a.m., he talked briefly with two newspaper employees concerning some diet pills he had recommended to them.⁸⁵⁰ Ruby then went to the office of Morning News columnist, Tony Zoppi, where he states he obtained a brochure on his new master of ceremonies that he wanted to use in preparing copy for his advertisements.⁸⁵¹ Proceeding to the advertising department, he spoke with advertising employee Don Campbell from about noon until 12:25 p.m. when Campbell left the office.⁸⁵² In addition to the business at hand, much of the conversation concerned Ruby's unhappiness over the financial condition of his clubs and his professed ability to handle the physical fights which arose in connection with the clubs.⁸⁵³ According to Campbell, Ruby did not mention the Presidential motorcade nor did he display any unusual behavior.⁸⁵⁴

About 10 minutes after the President had been shot but before word had spread to the second floor, John Newnam, an advertising de-

partment employee, observed Ruby sitting at the same spot where Campbell had left him. At that time Ruby had completed the advertisement, which he had apparently begun to compose when Campbell departed, and was reading a newspaper.⁸⁵⁵ To Newnam, Ruby voiced criticism of the black-bordered advertisement entitled "Welcome, Mr. Kennedy" appearing in the morning paper and bearing the name of Bernard Weissman as the chairman of the committee sponsoring the advertisement.⁸⁵⁶ (See Commission Exhibit No. 1031, p. 294.) According to Eva Grant, Ruby's sister, he had telephoned her earlier in the morning to call her attention to the ad.⁸⁵⁷ At about 12:45 p.m., an employee entered the office and announced that shots had been fired at the President. Newnam remembered that Ruby responded with a look of "stunned disbelief."⁸⁵⁸

Shortly afterward, according to Newnam, "confusion reigned" in the office as advertisers telephoned to cancel advertising they had placed for the weekend.⁸⁵⁹ Ruby appears to have believed that some of those cancellations were motivated by the Weissman advertisement.⁸⁶⁰ After Newnam accepted a few telephone calls, he and Ruby walked toward a room where other persons were watching television.⁸⁶¹ One of the newspaper employees recalled that Ruby then appeared "obviously shaken, and an ashen color—just very pale * * *"⁸⁶² showed little disposition to converse,⁸⁶³ and sat for a while with a dazed expression in his eyes.⁸⁶⁴

After a few minutes, Ruby placed telephone calls to Andrew Armstrong, his assistant at the Carousel Club, and to his sister, Mrs. Grant. He told Armstrong, "If anything happens we are going to close the club" and said he would see him in about 30 minutes.⁸⁶⁵ During the call to his sister, Ruby again referred to the Weissman advertisement; at one point he put the telephone to Newnam's ear, and Newnam heard Mrs. Grant exclaim, "My God, what do they want?" It was Newnam's recollection that Ruby tried to calm her.⁸⁶⁶

Ruby testified that after calling his sister he said, "John, I will have to leave Dallas."⁸⁶⁷ Ruby explained to the Commission:

I don't know why I said that, but it is a funny reaction that you feel; the city is terribly let down by the tragedy that happened. And I said, "John, I am not opening up tonight."

And I don't know what else transpired. I know people were just heartbroken * * *.

I left the building and I went down and I got in my car and I couldn't stop crying. * * *⁸⁶⁸

Newnam estimated that Ruby departed from the Morning News at about 1:30 p.m., but other testimony indicated that Ruby may have left earlier.⁸⁶⁹

Ruby's alleged visit to Parkland Hospital.—The Commission has investigated claims that Jack Ruby was at Parkland Hospital at about 1:30 p.m., when a Presidential press secretary, Malcolm Kilduff, announced that President Kennedy was dead. Seth Kantor, a newspaperman who had previously met Ruby in Dallas, reported and later

testified that Jack Ruby stopped him momentarily inside the main entrance to Parkland Hospital some time between 1:30 and 2 p.m., Friday, November 22, 1963.⁸⁷⁰ The only other person besides Kantor who recalled seeing Ruby at the hospital did not make known her observation until April 1964, had never seen Ruby before, allegedly saw him only briefly then, had an obstructed view, and was uncertain of the time.⁸⁷¹ Ruby has firmly denied going to Parkland and has stated that he went to the Carousel Club upon leaving the Morning News.⁸⁷² Video tapes of the scene at Parkland do not show Ruby there, although Kantor can be seen.⁸⁷³

Investigation has limited the period during which Kantor could have met Ruby at Parkland Hospital on Friday to a few minutes before and after 1:30 p.m. Telephone company records and the testimony of Andrew Armstrong established that Ruby arrived at the Carousel Club no later than 1:45 p.m. and probably a few minutes earlier.⁸⁷⁴ Kantor was engaged in a long-distance telephone call to his Washington office from 1:02 p.m. until 1:27 p.m.⁸⁷⁵ Kantor testified that, after completing that call, he immediately left the building from which he had been telephoning, traveled perhaps 100 yards, and entered the main entrance of the hospital. It was there, as he walked through a small doorway, that he believed he saw Jack Ruby, who, Kantor said, tugged at his coattails and asked, "Should I close my places for the next three nights, do you think?" Kantor recalled that he turned briefly to Ruby and proceeded to the press conference at which the President's death was announced. Kantor was certain he encountered Ruby at Parkland but had doubts about the exact time and place.⁸⁷⁶

Kantor probably did not see Ruby at Parkland Hospital in the few minutes before or after 1:30 p.m., the only time it would have been possible for Kantor to have done so. If Ruby immediately returned to the Carousel Club after Kantor saw him, it would have been necessary for him to have covered the distance from Parkland in approximately 10 or 15 minutes in order to have arrived at the club before 1:45 p.m., when a telephone call was placed at Ruby's request to his entertainer, Karen Bennett Carlin.⁸⁷⁷ At a normal driving speed under normal conditions the trip can be made in 9 or 10 minutes.⁸⁷⁸ However, it is likely that congested traffic conditions on November 22 would have extended the driving time.⁸⁷⁹ Even if Ruby had been able to drive from Parkland to the Carousel in 15 minutes, his presence at the Dallas Morning News until after 1 p.m., and at the Carousel prior to 1:45 p.m., would have made his visit at Parkland exceedingly brief. Since Ruby was observed at the Dallas Police Department during a 2 hour period after 11 p.m. on Friday,⁸⁸⁰ when Kantor was also present, and since Kantor did not remember seeing Ruby there,⁸⁸¹ Kantor may have been mistaken about both the time and the place that he saw Ruby. When seeing Ruby, Kantor was preoccupied with the important event that a press conference represented. Both Ruby and Kantor were present at another important event, a press conference held about midnight, November 22, in the assembly room of the Dallas Police Department. It is conceivable that Kantor's en-

counter with Ruby occurred at that time, perhaps near the small doorway there.⁸⁸²

Ruby's decision to close his clubs.—Upon arriving at the Carousel Club shortly before 1:45 p.m., Ruby instructed Andrew Armstrong, the Carousel's bartender, to notify employees that the club would be closed that night.⁸⁸³ During much of the next hour Ruby talked by telephone to several persons who were or had been especially close to him, and the remainder of the time he watched television and spoke with Armstrong and Larry Crafard about the assassination.⁸⁸⁴ At 1:51 p.m., Ruby telephoned Ralph Paul in Arlington, Tex., to say that he was going to close his clubs. He urged Paul to do likewise with his drive-in restaurant.⁸⁸⁵ Unable to reach Alice Nichols, a former girl friend, who was at lunch, Ruby telephoned his sister, Eileen Kaminsky, in Chicago.⁸⁸⁶ Mrs. Kaminsky described her brother as completely unnerved and crying about President Kennedy's death.⁸⁸⁷ To Mrs. Nichols, whose return call caused Ruby to cut short his conversation with Mrs. Kaminsky, Ruby expressed shock over the assassination.⁸⁸⁸ Although Mrs. Nichols had dated Ruby for nearly 11 years, she was surprised to hear from him on November 22 since they had not seen one another socially for some time.⁸⁸⁹ Thereafter, Ruby telephoned at 2:37 p.m. to Alex Gruber, a boyhood friend from Chicago who was living in Los Angeles.⁸⁹⁰ Gruber recalled that in their 3-minute conversation Ruby talked about a dog he had promised to send Gruber, a carwash business Gruber had considered starting, and the assassination.⁸⁹¹ Ruby apparently lost his self-control during the conversation and terminated it.⁸⁹² However, 2 minutes after that call ended, Ruby telephoned again to Ralph Paul.⁸⁹³

Upon leaving the Carousel Club at about 3:15 p.m., Ruby drove to Eva Grant's home but left soon after he arrived, to obtain some weekend food for his sister and himself.⁸⁹⁴ He first returned to the Carousel Club and directed Larry Crafard to prepare a sign indicating that the club would be closed; however, Ruby instructed Crafard not to post the sign until later in the evening to avoid informing his competitors that he would be closed.⁸⁹⁵ (See Commission Exhibit 2427, p. 339.) Before leaving the club, Ruby telephoned Mrs. Grant who reminded him to purchase food.⁸⁹⁶ As a result he went to the Ritz Delicatessen, about two blocks from the Carousel Club, and bought a great quantity of cold cuts.⁸⁹⁷

Ruby probably arrived a second time at his sister's home close to 5:30 p.m. and remained for about 2 hours. He continued his rapid rate of telephone calls, ate sparingly, became ill, and attempted to get some rest.⁸⁹⁸ While at the apartment, Ruby decided to close his clubs for 3 days. He testified that after talking to Don Saffran, a columnist for the Dallas Times-Herald:

I put the receiver down and talked to my sister, and I said, "Eva, what shall we do?"

And she said, "Jack, let's close for the 3 days." She said, "We don't have anything anyway, but we owe it to—" (chokes up.)

So I called Don Saffran back immediately and I said, "Don, we decided to close for Friday, Saturday, and Sunday."
And he said, "Okay."⁸⁹⁹

Ruby then telephoned the Dallas Morning News to cancel his advertisement and, when unable to do so, he changed his ad to read that his clubs would be closed for the weekend.⁹⁰⁰ Ruby also telephoned Cecil Hamlin, a friend of many years. Sounding very "broken up," he told Hamlin that he had closed the clubs since he thought most people would not be in the mood to visit them and that he felt concern for President Kennedy's "kids."⁹⁰¹ Thereafter he made two calls to ascertain when services at Temple Shearith Israel would be held.⁹⁰² He placed a second call to Alice Nichols to tell her of his intention to attend those services⁹⁰³ and phoned Larry Crafard at the Carousel to ask whether he had received any messages.⁹⁰⁴ Eva Grant testified:

When he was leaving, he looked pretty bad. This I remember. I can't explain it to you. He looked too broken, a broken man already. He did make the remark, he said, "I never felt so bad in my life, even when Ma or Pa died."

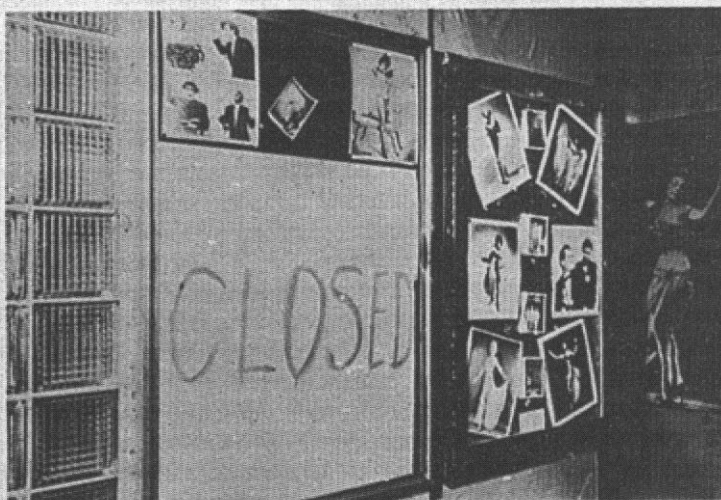
So I said, "Well, Pa was an old man. He was almost 89 years. * * *"⁹⁰⁵

Friday evening.—Ruby is uncertain whether he went directly from his sister's home to his apartment or possibly first to his club.⁹⁰⁶ At least 5 witnesses recall seeing a man they believe was Ruby on the third floor of police headquarters at times they have estimated between 6 and 9 p.m.;⁹⁰⁷ however, it is not clear that Ruby was present at the Police and Courts Building before 11 p.m. With respect to three of the witnesses, it is doubtful that the man observed was Ruby. Two of those persons had not known Ruby previously and described wearing apparel which differed both from Ruby's known dress that night and from his known wardrobe.⁹⁰⁸ The third, who viewed from the rear the person he believed was Ruby, said the man unsuccessfully attempted to enter the homicide office.⁹⁰⁹ Of the police officers on duty near homicide at the time of the alleged event, only one remembered the episode, and he said the man in question definitely was not Ruby.⁹¹⁰ The remaining witnesses knew or talked with Ruby, and their testimony leaves little doubt that they did see him on the third floor at some point on Friday night; however the possibility remains that they observed Ruby later in the evening, when his presence is conclusively established.⁹¹¹ Ruby has denied being at the police department Friday night before approximately 11:15 p.m.⁹¹²

In any event, Ruby eventually returned to his own apartment before 9 p.m. There he telephoned Ralph Paul but was unable to persuade Paul to join him at synagogue services.⁹¹³ Shortly after 9 p.m., Ruby called the Chicago home of his oldest brother, Hyman Rubenstein, and two of his sisters, Marion Carroll and Ann Volpert.⁹¹⁴ Hyman Rubenstein testified that, during the call, his brother was so disturbed

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TISEMENT ANNOUNCING THAT THE VEGAS AND
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(COMMISSION EXHIBIT 2427)



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DALLAS TIMES HERALD
SATURDAY, NOV. 23, 1963
PAGE A-13

about the situation in Dallas that he mentioned selling his business and returning to Chicago.⁹¹⁵ From his apartment, Ruby drove to Temple Shearith Israel, arriving near the end of a 2-hour service which had begun at 8 p.m.⁹¹⁶ Rabbi Hillel Silverman, who greeted him among the crowd leaving the services⁹¹⁷ was surprised that Ruby, who appeared depressed, mentioned only his sister's recent illness and said nothing about the assassination.⁹¹⁸

Ruby related that, after joining in the postservice refreshments,⁹¹⁹ he drove by some night clubs, noticing whether or not they had been closed as his were.⁹²⁰ He testified that, as he drove toward town, a radio announcement that the Dallas police were working overtime prompted the thought that he might bring those at police headquarters something to eat.⁹²¹ At about 10:30 p.m., he stopped at a delicatessen near the Vegas Club and purchased 8 kosher sandwiches and 10 soft drinks.⁹²² From the delicatessen, he called the police department but was told that the officers had already eaten.⁹²³ He said he then tried to offer the food to employees at radio station KLIF but failed in several attempts to obtain the private night line number to the station.⁹²⁴ On three occasions between phone calls, Ruby spoke with a group of students whom he did not know, lamenting the President's death, teasing one of the young men about being too young for his clubs, borrowing their copy of the Dallas Times Herald to see how his advertisements had been run, and stating that his clubs were the only ones that had closed because of the assassination. He also expressed the opinion, as he had earlier in the day, that the assassination would be harmful to the convention business in Dallas.⁹²⁵ Upon leaving the delicatessen with his purchases, Ruby gave the counterman as a tip a card granting free admission to his clubs.⁹²⁶ He drove downtown to the police station where he has said he hoped to find an employee from KLIF who could give him the "hot line" phone number for the radio station.⁹²⁷

The third floor of police headquarters.—Ruby is known to have made his way, by about 11:30 p.m., to the third floor of the Dallas Police Department where reporters were congregated near the homicide bureau.⁹²⁸ Newsman John Rutledge, one of those who may well have been mistaken as to time, gave the following description of his first encounter with Ruby at the police station:

I saw Jack and two out-of-state reporters, whom I did not know, leave the elevator door and proceed toward those television cameras, to go around the corner where Captain Fritz's office was. Jack walked between them. These two out-of-state reporters had big press cards pinned on their coats, great big red ones, I think they said "President Kennedy's Visit to Dallas—Press", or something like that. And Jack didn't have one, but the man on either side of him did. And they walked pretty rapidly from the elevator area past the policeman, and Jack was bent over like this—writing on a piece of paper, and talking to one of the reporters, and pointing to something on the piece of paper, he was kind of hunched over.⁹²⁹



Jack Ruby at press conference in basement assembly room about midnight November 22, 1963. (Jack Ruby is the individual in the dark suit, back row, right-hand side, wearing horn-rimmed glasses.)

COMMISSION EXHIBIT No. 2424

Detective Augustus M. Eberhardt, who also recalled that he first saw Ruby earlier in the evening, said Ruby carried a note pad and professed to be a translator for the Israeli press. He remembered Ruby's remarking how unfortunate the assassination was for the city of Dallas and that it was "hard to realize that a complete nothing, a zero like that, could kill a man like President Kennedy * * *." ⁹³⁰

Video tapes confirm Ruby's statement that he was present on the third floor when Chief Jesse E. Curry and District Attorney Henry M. Wade announced that Oswald would be shown to the newsmen at a press conference in the basement. ⁹³¹ Though he has said his original purpose was only to locate a KLIF employee, Ruby has stated that while at the police station he was "carried away with the excitement of history." ⁹³² He accompanied the newsmen to the basement to observe Oswald. His presence at the midnight news conference is established by television tapes and by at least 12 witnesses. ⁹³³ When Oswald arrived, Ruby, together with a number of newsmen, was standing atop a table on one side of the room. ⁹³⁴ (See Commission Exhibit No. 2424, p. 341.) Oswald was taken from the room after a brief appearance, and Ruby remained to hear reporters question District Attorney Wade. During the press conference, Wade stated that Oswald would probably be moved to the county jail at the beginning of the next week. ⁹³⁵ In answer to one question, Wade said that Oswald belonged to the "Free Cuba Committee." A few reporters spoke up correcting Wade and among the voices was that of Jack Ruby. ⁹³⁶

Ruby later followed the district attorney out of the press conference, walked up to him and, according to Wade, said "Hi Henry * * * Don't you know me? * * * I am Jack Ruby, I run the Vegas Club. * * *." ⁹³⁷ Ruby also introduced himself to Justice of the Peace David L. Johnston, shook his hand, gave Johnston a business card to the Carousel Club, and, upon learning Johnston's official position, shook Johnston's hand again. ⁹³⁸ After talking with Johnston, he gave another card to Icarus M. Pappas, a reporter for New York radio station WNEW. ⁹³⁹ From a representative of radio station KBOX in Dallas, Ruby obtained the "hot line" telephone number to KLIF. ⁹⁴⁰ He then called the station and told one of the employees that he would like to come up to distribute the sandwiches and cold drinks he had purchased. ⁹⁴¹ Observing Pappas holding a telephone line open and attempting to get the attention of District Attorney Wade, Ruby directed Wade to Pappas, who proceeded to interview the district attorney. ⁹⁴² Ruby then called KLIF a second time and offered to secure an interview with Wade; he next summoned Wade to his phone, whereupon KLIF recorded a telephone interview with the district attorney. ⁹⁴³ A few minutes later, Ruby encountered Russ Knight, a reporter from KLIF who had left the station for the police department at the beginning of Ruby's second telephone call. Ruby directed Knight to Wade and waited a short distance away while the reporter conducted another interview with the district attorney. ⁹⁴⁴

At radio station KLIF.—When Ruby left police headquarters, he drove to radio station KLIF, arriving at approximately 1:45 a.m. and remaining for about 45 minutes.⁹⁴⁵ After first distributing his sandwiches and soft drinks, Ruby settled in the newsroom for the 2 a.m. newscast in which he was credited with suggesting that Russ Knight ask District Attorney Wade whether or not Oswald was sane.⁹⁴⁶ After the newscast, Ruby gave a Carousel card to one KLIF employee, although another did not recall that Ruby was promoting his club as he normally did.⁹⁴⁷ When speaking with KLIF's Danny Patrick McCurdy, Ruby mentioned that he was going to close his clubs for the weekend and that he would rather lose \$1,200 or \$1,500 than remain open at that time in the Nation's history. McCurdy remembered that Ruby "looked rather pale to me as he was talking to me and he kept looking at the floor."⁹⁴⁸ To announcer Glen Duncan, Ruby expressed satisfaction that the evidence was mounting against Oswald. Duncan said that Ruby did not appear to be grieving but, instead, seemed pleased about the personal contact he had had with the investigation earlier in the evening.⁹⁴⁹

Ruby left the radio station accompanied by Russ Knight. Engaging Knight in a short conversation, Ruby handed him a radio script entitled "Heroism" from a conservative radio program called "Life Line." It was apparently one of the scripts that had come into Ruby's hands a few weeks before at the Texas Products Show when Hunt Foods were including such scripts with samples of their products.⁹⁵⁰ The script extolled the virtues of those who embark upon risky business ventures and stand firmly for causes they believe to be correct.⁹⁵¹ Ruby asked Knight's views on the script and suggested that there was a group of "radicals" in Dallas which hated President Kennedy and that the owner of the radio station should editorialize against this group. Knight could not clearly determine whether Ruby had reference to persons who sponsored programs like "Life Line" or to those who held leftwing views.⁹⁵² Knight gained the impression that Ruby believed such persons, whoever they might be, were partially responsible for the assassination.⁹⁵³

Early morning of November 23.—At about 2:30 a.m., Ruby entered his automobile and departed for the Dallas Times-Herald Building. En route, he stopped for about an hour to speak with Kay Helen Coleman, one of his dancers, and Harry Olsen, a member of the Dallas Police Department, who had hailed him from a parking garage at the corner of Jackson and Field Streets. The couple were crying and extremely upset over the assassination. At one point, according to Ruby, the police officer remarked that "they should cut this guy [Oswald] inch by inch into ribbons," and the dancer said that "in England they would drag him through the streets and would have hung him."⁹⁵⁴ Although Ruby failed to mention this episode during his first two FBI interviews,⁹⁵⁵ he later explained that his reason for failing to do so was that he did not "want to involve them in anything, because it was supposed to be a secret that he [the police officer] was going with this young lady."⁹⁵⁶ About

6 weeks after the assassination, Olsen left the Dallas Police Department and married Miss Coleman. Both Olsen and his wife testified that they were greatly upset during their lengthy conversation with Ruby early Saturday morning; but Mrs. Olsen denied and Olsen did not recall the remarks ascribed to them.⁹⁵⁷ The Olsens claimed instead that Ruby had cursed Oswald.⁹⁵⁸ Mrs. Olsen also mentioned that Ruby expressed sympathy for Mrs. Kennedy and her children.⁹⁵⁹

From Jackson and Field Streets, Ruby drove to the Dallas Times-Herald, where he talked for about 15 minutes with composing room employee Roy Pryor, who had just finished a shift at 4 a.m. Ruby mentioned that he had seen Oswald earlier in the night, that he had corrected Henry Wade in connection with the Fair Play for Cuba Committee, and that he had set up a telephone interview with Wade. Pryor testified that Ruby explicitly stated to him that he believed he was in good favor with the district attorney.⁹⁶⁰ Recalling that Ruby described Oswald as a "little weasel of a guy" and was emotionally concerned about the President's wife and children, Pryor also was impressed by Ruby's sorrowful mood and remembered that, as he talked, Ruby shook a newspaper to emphasize his concern over the assassination.⁹⁶¹

When Pryor left the composing room, Ruby remained and continued speaking with other employees, including Arthur Watherwax and the foreman, Clyde Gadash. Ruby, who often visited the Times-Herald at that early morning hour in connection with his ads, sought Watherwax's views on his decision to close his clubs and indicated he was going to attempt to persuade other club owners to do likewise. Watherwax described Ruby as "pretty shaken up" about the assassination and at the same time "excited" that he had attended Oswald's Friday night press conference.⁹⁶²

While at the Times-Herald, Ruby displayed to the composing room employees a "twistboard" he had previously promised to Gadash.⁹⁶³ The twistboard was an exercising device consisting of two pieces of hardened materials joined together by a lazy susan bearing so that one piece could remain stationary on the floor while a person stood atop it and swiveled to and fro.⁹⁶⁴ Ruby had been trying to promote sales of the board in the weeks before President Kennedy was killed.⁹⁶⁵ Considerable merriment developed when one of the women employees at the Times-Herald demonstrated the board, and Ruby himself, put on a demonstration for those assembled.⁹⁶⁶ He later testified: "* * * not that I wanted to get in with the hilarity of frolicking, but he [Gadash] asked me to show him, and the other men gathered around."⁹⁶⁷ Gadash agreed that Ruby's general mood was one of sorrow.⁹⁶⁸

At about 4:30 a.m., Ruby drove from the Dallas Times-Herald to his apartment where he awakened his roommate George Senator.⁹⁶⁹ During his visit in the composing room Ruby had expressed the view that the Weissman advertisement was an effort to discredit the Jews.⁹⁷⁰ Senator testified that when Ruby returned to the apartment, he began to discuss the Weissman advertisement and also a sign-

board he had seen in Dallas urging that Chief Justice Earl Warren be impeached.⁹⁷¹ Shortly thereafter, Ruby telephoned Larry Crafard at the Carousel Club.⁹⁷² He told Crafard to meet him and Senator at the Nichols Garage adjacent to the Carousel Club and to bring a Polaroid camera kept in the club.⁹⁷³ After Crafard joined Ruby and Senator, the three men drove to the "Impeach Earl Warren" sign near Hall Avenue and Central Expressway in Dallas. There Ruby instructed Crafard to take three photographs of the billboard. Believing that the sign and the Weissman newspaper ad might somehow be connected, Ruby noted on the back of an envelope a name and post office box number that appeared on the sign.⁹⁷⁴ According to George Senator:

* * * when he was looking at the sign and taking pictures of it, and the newspaper ad, * * * this is where he really wanted to know the whys or why these things had to be out. He is trying to combine these two together, which I did hear him say, "This is the work of the John Birch Society or the Communist Party or maybe a combination of both."⁹⁷⁵

Pursuing a possible connection between the billboard and the newspaper advertisement, Ruby drove to the post office and asked a postal employee for the name of the man who had rented the box indicated on the billboard, but the employee said that he could not provide such information. Ruby inspected the box, however, and was upset to find it stuffed with mail.⁹⁷⁶ The three men then drove to a coffee-shop where Ruby continued to discuss the two advertisements. After about 30 minutes, they left the coffeeshop. Crafard was taken to the Carousel Club; Ruby and Senator returned to their apartment,⁹⁷⁷ and Ruby retired at about 6 a.m.⁹⁷⁸

The morning and afternoon of November 23.—At 8 or 8:30 a.m. Crafard, who had been asked to feed Ruby's dogs, telephoned Ruby at his apartment to inquire about food for the animals.⁹⁷⁹ Ruby forgot that he had told Crafard he did not plan to go to bed and reprimanded Crafard for waking him.⁹⁸⁰ A few hours thereafter Crafard assembled his few belongings, took from the Carousel cash register \$5 of money due him from Ruby, left a receipt and thank-you note, and began hitchhiking to Michigan. Later that day, Andrew Armstrong found the note and telephoned Ruby.⁹⁸¹

Ruby apparently did not return to bed following Crafard's call. During the morning hours, he watched a rabbi deliver on television a moving eulogy of President Kennedy.⁹⁸² According to Ruby, the rabbi:

went ahead and eulogized that here is a man that fought in every battle, went to every country, and had to come back to his own country to be shot in the back [starts crying] * * *. That created a tremendous emotional feeling for me, the way he said that. Prior to all the other times, I was carried away.⁹⁸³

An employee from the Carousel Club who telephoned Ruby during the morning remembered that his "voice was shaking" when he spoke of the assassination.⁹⁸⁴

Ruby has stated that, upon leaving his apartment some time between noon and 1:30 p.m., he drove to Dealey Plaza where a police officer, who noted Ruby's solemnity, pointed out to him the window from which the rifleshots had been fired the day before.⁹⁸⁵ Ruby related that he inspected the wreaths that had been placed in memory of the President and became filled with emotion while speaking with the police officer.⁹⁸⁶ Ruby introduced himself to a reporter for radio station KRLD who was working inside a mobile news unit at the plaza; the newsman mentioned to Ruby that he had heard of Ruby's help to KLIF in obtaining an interview with Henry Wade, and Ruby pointed out to the reporter that Capt. J. Will Fritz and Chief Curry were then in the vicinity. Thereafter, the newsman interviewed and photographed the officers.⁹⁸⁷ Ruby said that he next drove home and returned downtown to Sol's Turf Bar on Commerce Street.⁹⁸⁸

The evidence indicated, however, that sometime after leaving Dealey Plaza, Ruby went to the Nichols Parking Garage adjacent to the Carousel Club, where he was seen by Garnett C. Hallmark, general manager of the garage, and Tom Brown, an attendant. Brown believed that at about 1:30 p.m. he heard Ruby mention Chief Curry's name in a telephone conversation from the garage. Brown also recalled that, before finally departing, Ruby asked him to inform acquaintances whom he expected to stop by the garage that the Carousel would be closed.⁹⁸⁹ Hallmark testified that Ruby drove into the garage at about 3 p.m., walked to the telephone, inquired whether or not a competing burlesque club would be closed that night, and told Hallmark that he (Ruby) was "acting like a reporter."⁹⁹⁰ Hallmark then heard Ruby address someone at the other end of the telephone as "Ken" and caught portions of a conversation concerning the transfer of Oswald.⁹⁹¹ Hallmark said Ruby never called Oswald by name but used the pronoun "he" and remarked to the recipient of the call, "you know I'll be there."⁹⁹²

Ken Dowe, a KLIF announcer, to whom Ruby made at least two telephone calls within a short span of time Saturday afternoon, confirmed that he was probably the person to whom Hallmark and Brown overheard Ruby speaking. In one call to Dowe, Ruby asked whether the station knew when Oswald would be moved; and, in another, he stated he was going to attempt to locate Henry Wade.⁹⁹³ After Ruby finished his calls, he walked onto Commerce Street, passed the Carousel Club, and returned a few minutes later to get his car.⁹⁹⁴

Ruby's comment that he was "acting like a reporter" and that he would be at the Oswald transfer suggests that Ruby may have spent part of Saturday afternoon shuttling back and forth from the Police and Courts Building to Dealey Plaza. Such activity would explain the fact that Tom Brown at the Nichols Garage believed he saw Ruby at 1:30 p.m. while Garnett Hallmark placed Ruby at the garage at 3 p.m. It would also explain Ken Dowe's receiving two phone calls

from Ruby. The testimony of five news reporters supports the possibility that Ruby was at the Police and Courts Building Saturday afternoon.⁹⁹⁵ One stated that Ruby provided sandwiches for newsmen on duty there Saturday afternoon, although no news representative has mentioned personally receiving such sandwiches.⁹⁹⁶ Another testified that he received a card to the Carousel Club from Ruby about 4 p.m. that day at the police station.⁹⁹⁷ A third believed he saw Ruby enter an office in which Henry Wade was working, but no one else reported a similar event.⁹⁹⁸ The remaining two witnesses mentioned no specific activities.⁹⁹⁹ None of the persons who believed they saw Ruby at the police department on Saturday had known him previously, and no police officer has reported Ruby's presence on that day. Ruby has not mentioned such a visit. The Commission, therefore, reached no firm conclusion as to whether or not Ruby visited the Dallas Police Department on Saturday.

Shortly after 3 p.m. Ruby went to Sol's Turf Bar on Commerce Street where he remained for about 45 minutes. Ruby, a nondrinker, stated that he visited Sol's for the purpose of talking with his accountant, who customarily prepared the bar's payroll on Saturday afternoon. The accountant testified, however, that he saw Ruby only briefly and mentioned no business conversation with Ruby.¹⁰⁰⁰ Ruby was first noticed at the Turf Bar by jeweler Frank Bellochio, who, after seeing Ruby, began to berate the people of Dallas for the assassination.¹⁰⁰¹ Ruby disagreed and, when Bellochio said he might close his jewelry business and leave Dallas, Ruby attempted to calm him, saying that there were many good citizens in Dallas.¹⁰⁰² In response, Bellochio pointed to a copy of the Bernard Weissman advertisement.¹⁰⁰³ To Bellochio's bewilderment, Ruby then said he believed that the advertisement was the work of a group attempting to create anti-Semitic feelings in Dallas and that he had learned from the Dallas Morning News that the ad had been paid for partly in cash.¹⁰⁰⁴ Ruby thereupon produced one of the photographs he had taken Saturday morning of the "Impeach Earl Warren" sign and excitedly began to rail against the sign as if he agreed with Bellochio's original criticism of Dallas.¹⁰⁰⁵ He "seemed to be taking two sides—he wasn't coherent," Bellochio testified.¹⁰⁰⁶ When Bellochio saw Ruby's photographs, which Bellochio thought supported his argument against Dallas, he walked to the front of the bar and showed them to Tom Apple, with whom he had been previously arguing. In Apple's presence, Bellochio asked Ruby for one of the pictures but Ruby refused, mentioning that he regarded the pictures as a scoop.¹⁰⁰⁷ Bellochio testified: "I spoke to Tom and said a few more words to Tom, and Ruby was gone—never said 'Goodbye' or 'I'll be seeing you.' " ¹⁰⁰⁸

Ruby may have left in order to telephone Stanley Kaufman, a friend and attorney who had represented him in civil matters.¹⁰⁰⁹ Kaufman testified that, at approximately 4 p.m., Ruby called him about the Bernard Weissman advertisement. According to Kaufman, "Jack was particularly impressed with the [black] border as being a

tipoff of some sort—that this man knew the President was going to be assassinated * * *.”¹⁰¹⁰ Ruby told Kaufman that he had tried to locate Weissman by going to the post office and said that he was attempting to be helpful to law enforcement authorities.¹⁰¹¹

Considerable confusion exists as to the place from which Ruby placed the call to Kaufman and as to his activities after leaving Sol's Turf Bar. Eva Grant stated that the call was made from her apartment about 4 p.m.¹⁰¹² Ruby, however, believed it was made from the Turf Bar. He stated that from the Turf Bar he went to the Carousel and then home and has not provided additional details on his activities during the hours from about 4 to 9:30 p.m.¹⁰¹³ Robert Larkin saw him downtown at about 6 p.m.¹⁰¹⁴ and Andrew Armstrong testified that Ruby visited the Carousel Club between 6 and 7 p.m. and remained about an hour.¹⁰¹⁵

At Eva Grant's apartment Saturday evening.—Eva Grant believed that, for most of the period from 4 until 8 p.m., Ruby was at her apartment. Mrs. Grant testified that her brother was still disturbed about the Weissman advertisement when he arrived, showed her the photograph of the Warren sign, and recounted his argument with Bellochio about the city of Dallas. Still curious as to whether or not Weissman was Jewish, Mrs. Grant asked her brother whether he had been able to find the name Bernard Weissman in the Dallas city directory, and Ruby said he had not. Their doubts about Weissman's existence having been confirmed, both began to speculate that the Weissman ad and the Warren sign were the work of either “Commies or the Birchers,” and were designed to discredit the Jews.¹⁰¹⁶ Apparently in the midst of that conversation Ruby telephoned Russ Knight at KLIF and, according to Knight, asked who Earl Warren was.¹⁰¹⁷

Mrs. Grant has testified that Ruby eventually retired to her bedroom where he made telephone calls and slept.¹⁰¹⁸ About 8:30 p.m., Ruby telephoned to Thomas J. O'Grady, a friend and former Dallas police officer who had once worked for Ruby as a bouncer. To O'Grady, Ruby mentioned closing the Carousel Club, criticized his competitors for remaining open, and complained about the “Impeach Earl Warren” sign.¹⁰¹⁹

Saturday evening at Ruby's apartment.—By 9:30 p.m., Ruby had apparently returned to his apartment where he received a telephone call from one of his striptease dancers, Karen Bennett Carlin, who, together with her husband, had been driven from Fort Worth to Dallas that evening by another dancer, Nancy Powell.¹⁰²⁰ All three had stopped at the Colony Club, a burlesque nightclub which competed with the Carousel.¹⁰²¹ Mrs. Carlin testified that, in need of money, she telephoned Ruby, asked whether the Carousel would be open that night, and requested part of her salary.¹⁰²² According to Mrs. Carlin, Ruby became angry at the suggestion that the Carousel Club might be open for business but told her he would come to the Carousel in about an hour.¹⁰²³

Thereafter, in a depressed mood, Ruby telephoned his sister Eva Grant, who suggested he visit a friend.¹⁰²⁴ Possibly in response to

that suggestion, Ruby called Lawrence Meyers, a friend from Chicago with whom he had visited two nights previously.¹⁰²⁵ Meyers testified that, during their telephone conversation, Ruby asked him what he thought of this "terrible thing." Ruby then began to criticize his competitors, Abe and Barney Weinstein, for failing to close their clubs on Saturday night. In the course of his conversation about the Weinsteins and the assassination, Ruby said "I've got to do something about this."¹⁰²⁶ Meyers initially understood that remark to refer to the Weinsteins. Upon reflection after Oswald was shot, Meyers was uncertain whether Ruby was referring to his competitors, or to the assassination of President Kennedy; for Ruby had also spoken at length about Mrs. Kennedy and had repeated "those poor people, those poor people."¹⁰²⁷ At the conclusion of their conversation, Meyers declined Ruby's invitation to join him for a cup of coffee but invited Ruby to join him at the motel. When Ruby also declined, the two agreed to meet for dinner the following evening.¹⁰²⁸

Meanwhile, Karen Carlin and her husband grew anxious over Ruby's failure to appear with the money they had requested.¹⁰²⁹ After a substantial wait, they returned together to the Nichols Garage where Mr. Carlin telephoned to Ruby.¹⁰³⁰ Carlin testified that he told Ruby they needed money in order to return to Fort Worth¹⁰³¹ although Nancy Powell testified that she drove the Carlins home that evening.¹⁰³² Agreeing to advance a small sum, Ruby asked to speak to Mrs. Carlin, who claimed that Ruby told her that if she needed more money she should call him on Sunday.¹⁰³³ Thereafter, at Ruby's request, garage attendant Huey Reeves gave Mrs. Carlin \$5, and she signed with her stage name "Little Lynn" a receipt which Reeves time-stamped 10:33 p.m., November 23.¹⁰³⁴ (See Commission Exhibit No. 1476, p. 351.)

Inconsistent testimony was developed regarding Ruby's activities during the next 45 minutes. Eva Grant testified that she did not see her brother on Saturday night after 8 p.m. and has denied calling Ralph Paul herself that night.¹⁰³⁵ Nonetheless, telephone company records revealed that at 10:44 p.m. a call was made to Ralph Paul's Bull Pen Drive-In in Arlington, Tex., from Mrs. Grant's apartment.¹⁰³⁶ It was the only call to Paul from her apartment on Friday or Saturday;¹⁰³⁷ she recalled her brother making such a call that weekend;¹⁰³⁸ and Ralph Paul has testified that Ruby telephoned him Saturday night from Eva Grant's apartment and said he and his sister were there crying.¹⁰³⁹

Nineteen-year-old Wanda Helmick, a former waitress at the Bull Pen Drive-In, first reported in June, 1964 that some time during the evening she saw the cashier answer the Bull Pen's pay telephone and heard her call out to Paul, "It is for you. It is Jack."¹⁰⁴⁰ Mrs. Helmick claimed she overheard Paul, speaking on the telephone, mention something about a gun which, she understood from Paul's conversation, the caller had in his possession. She said she also heard Paul exclaim "Are you crazy?"¹⁰⁴¹ She provided no other details of the conversation. Mrs. Helmick claimed that on Sunday, November 24,

after Oswald had been shot, she heard Paul repeat the substance of the call to other employees as she had related it and that Paul said Ruby was the caller.¹⁰⁴² Ralph Paul denied the allegations of Mrs. Helmick.¹⁰⁴³ Both Paul and Mrs. Helmick agreed that Paul went home soon after the call, apparently about 11 p.m.¹⁰⁴⁴

Shortly after 11 p.m., Ruby arrived at the Nichols Garage where he repaid Huey Reeves and obtained the receipt Mrs. Carlin had signed.¹⁰⁴⁵ Outside the Carousel, Ruby exchanged greetings with Police Officer Harry Olsen and Kay Coleman, whom he had seen late the previous night.¹⁰⁴⁶ Going upstairs to the club, Ruby made a series of five brief long-distance phone calls, the first being to the Bull Pen Drive-In at 11:18 p.m. and lasting only 1 minute.¹⁰⁴⁷ Apparently unable to reach Paul there, Ruby telephoned Paul's home in Arlington, Tex., for 3 minutes.¹⁰⁴⁸ A third call was placed at 11:36 p.m. for 2 minutes, again to Paul's home.¹⁰⁴⁹ At 11:44 p.m. Ruby telephoned Breck Wall, a friend and entertainer who had gone to Galveston, Tex., when his show in Dallas suspended its performance out of respect to President Kennedy. The call lasted 2 minutes.¹⁰⁵⁰ Thereafter, Ruby immediately placed a 1-minute phone call to Paul's home.¹⁰⁵¹

Although Ruby has mentioned those calls, he has not provided details to the Commission; however, he has denied ever indicating to Paul or Wall that he was going to shoot Oswald and has said he did not consider such action until Sunday morning.¹⁰⁵² Ralph Paul did not mention the late evening calls in his interview with FBI agents on November 24, 1963.¹⁰⁵³ Later Paul testified that Ruby called him from downtown to say that nobody was doing any business.¹⁰⁵⁴ Breck Wall testified that Ruby called him to determine whether or not the American Guild of Variety Artists (AGVA), which represented striptease dancers in Dallas, had met concerning a dispute Ruby was having with the union.¹⁰⁵⁵ Ruby's major difference with AGVA during the preceding 2 weeks had involved what Ruby considered to be AGVA's failure to enforce against his 2 competitors, Abe and Barney Weinstein, AGVA's ban on "striptease contests" and performances by "amateurs."¹⁰⁵⁶ As recently as Wednesday, November 20, Ruby had telephoned an AGVA representative in Chicago about that complaint and earlier in November he had unsuccessfully sought to obtain assistance from a San Francisco gambler and a Chicagoan reputed for his heavyhanded union activities.¹⁰⁵⁷ Wall testified that Ruby "was very upset the President was assassinated and he called Abe Weinstein or Bernie Weinstein * * * some names for staying open * * * ." Wall added, "he was very upset * * * that they did not have the decency to close on such a day and he thought out of respect they should close."¹⁰⁵⁸

Ruby's activities after midnight.—After completing the series of calls to Paul and Wall at 11:48 p.m., Ruby went to the Pago Club, about a 10-minute drive from the Carousel Club.¹⁰⁵⁹ He took a table near the middle of the club and, after ordering a Coke, asked the waitress in a disapproving tone, "Why are you open?"¹⁰⁶⁰ When Robert

Route Republic
for postage stamps in your daily mail orders, shipments

For Jack Ruby.
\$5.00
Received By
Ladd

REPUBLIC CARLOADING

COPY OF RECEIPT GIVEN BY LITTLE LYNN TO HUEY REEVES AT 10:33 P.M.
NOVEMBER 23, 1963 (COMMISSION EXHIBIT 1476)

DO NOT WRITE ABOVE THIS LINE

NOV 24 11 17 AM '63

TO: KAREN BOBNETT
FROM: JACK RUBY
AMOUNT: TWENTY FIVE DOLLARS AND 00 CENTS

DELIVER THE FOLLOWING MESSAGE WITH THE MONEY:

Ex. No. 5118 LANE, D.S. Deposition 3-31-64

COPY OF TELEGRAM ORDER FOR MONEY
SENT TO LITTLE LYNN ON NOVEMBER
24, 1963, STAMPED 11:17 A.M. (DOYLE
LANE DEPOSITION 5118)

(Duplicate of original money order receipt given to Jack Ruby)

NOV 24 11 17 AM '63

JACK RUBY
25.00
KAREN BOBNETT
FT WORTH TEXAS
D.L. Lane

DALLAS COPY
RECEIVED IN 18.00
BOOKKEEPING BUREAU
D.L. Lane

COPY OF WESTERN UNION OFFICE COPY OF RECEIPT GIVEN
TO JACK RUBY ON NOVEMBER 24, 1963, STAMPED 11:17 A.M.
(DOYLE LANE DEPOSITION 5119)

THE WESTERN UNION TELEGRAPH COMPANY

RECEIPT
OF DALLAS, TEXAS

TO: JACK RUBY
FROM: KAREN BOBNETT
AMOUNT: 25.00

Ex. No. 5119 LANE, D.S. Deposition 3-31-64

COPY OF BACK OF WESTERN UNION RECEIPT GIVEN TO
JACK RUBY ON NOVEMBER 24, 1963, STAMPED 11:16 A.M.
(COMMISSION EXHIBIT 2421)

NOV 24 11 16 AM '63

COPY OF FACE OF WESTERN
UNION RECEIPT GIVEN TO JACK
RUBY ON NOVEMBER 24, 1963
(COMMISSION EXHIBIT 2420)

Norton, the club's manager, joined Ruby a few minutes later he expressed to Ruby his concern as to whether or not it was proper to operate the Pago Club that evening. Ruby indicated that the Carousel was closed but did not criticize Norton for remaining open.¹⁰⁶¹ Norton raised the topic of President Kennedy's death and said, "[W]e couldn't do enough to the person that [did] this sort of thing." Norton added, however, that "Nobody has the right to take the life of another one."¹⁰⁶² Ruby expressed no strong opinion, and closed the conversation by saying he was going home because he was tired.¹⁰⁶³ Later, Ruby told the Commission: "he knew something was wrong with me in the certain mood I was in."¹⁰⁶⁴

Ruby testified that he went home after speaking with Norton and went to bed about 1:30 a.m.¹⁰⁶⁵ By that time, George Senator claimed, he had retired for the night and did not remember Ruby's return.¹⁰⁶⁶ Eva Grant testified that her brother telephoned her at about 12:45 a.m. to learn how she was feeling.¹⁰⁶⁷

Sunday morning.—Ruby's activities on Sunday morning are the subject of conflicting testimony. George Senator believed that Ruby did not rise until 9 or 9:30 a.m.;¹⁰⁶⁸ both Ruby and Senator maintained that Ruby did not leave their apartment until shortly before 11:00 a.m., and two other witnesses have provided testimony which supports that account of Ruby's whereabouts.¹⁰⁶⁹ On the other hand, three WBAP-TV television technicians—Warren Richey, John Smith, and Ira Walker—believed they saw Ruby near the Police and Courts Building at various times between 8 a.m. and 11 a.m.¹⁰⁷⁰ But there are substantial reasons to doubt the accuracy of their identifications. None had ever seen Ruby on a prior occasion. None looked for an extended period at the man believed to be Ruby,¹⁰⁷¹ and all were occupied with their duties and had no reason to remember the man's appearance until they saw Ruby's picture on television.¹⁰⁷²

Smith, for one, was not entirely positive about his identification of Ruby as the man he saw;¹⁰⁷³ and Richey was looking down from atop a TV mobile unit when he observed on the sidewalk the man he believed was Ruby.¹⁰⁷⁴ In addition, Richey and Smith provided descriptions of Ruby which differ substantially from information about Ruby gathered from other sources. Smith described the man he saw as being an "unkempt person that possibly could have slept with his clothes on * * *."¹⁰⁷⁵ Ruby was characteristically clean and well groomed.¹⁰⁷⁶ In fact, Senator testified that Ruby shaved and dressed before leaving their apartment that morning, and at the time Ruby shot Oswald he was dressed in a hat and business suit.¹⁰⁷⁷ Richey described Ruby as wearing a grayish overcoat,¹⁰⁷⁸ while investigation indicated that Ruby did not own an overcoat and was not wearing one at the time of the shooting.¹⁰⁷⁹ (See Pappas Deposition Exhibit No. 1, p. 356.) Although Walker's identification of Ruby is the most positive, his certainty must be contrasted with the indefinite identification made by Smith, who had seen the man on one additional occasion.¹⁰⁸⁰ Both Smith and Walker saw a man resembling Ruby when the man, on two occasions, looked through the window of their mobile news unit and

once asked whether Oswald had been transferred. Both saw only the man's head, and Smith was closer to the window; yet Smith would not state positively that the man was Ruby.¹⁰⁸¹ Finally, video tapes of scenes on Sunday morning near the NBC van show a man close to the Commerce Street entrance who might have been mistaken for Ruby.¹⁰⁸²

George Senator said that when he arose, before 9 a.m., he began to do his laundry in the basement of the apartment building while Ruby slept.¹⁰⁸³ During Senator's absence, Ruby received a telephone call from his cleaning lady, Mrs. Elnora Pitts, who testified that she called sometime between 8:30 and 9 a.m. to learn whether Ruby wanted her to clean his apartment that day.¹⁰⁸⁴ Mrs. Pitts remembered that Ruby "sounded terrible strange to me." She said that "there was something wrong with him the way he was talking to me."¹⁰⁸⁵ Mrs. Pitts explained that, although she had regularly been cleaning Ruby's apartment on Sundays, Ruby seemed not to comprehend who she was or the reason for her call and required her to repeat herself several times.¹⁰⁸⁶ As Senator returned to the apartment after the call, he was apparently mistaken for Ruby by a neighbor, Sidney Evans, Jr. Evans had never seen Ruby before but recalled observing a man resembling Ruby, clad in trousers and T-shirt, walk upstairs from the "washateria" in the basement of their building and enter Ruby's suite with a load of laundry. Later in the morning, Malcolm Slaughter who shared an apartment with Evans, saw an individual, similarly clad, on the same floor as Ruby's apartment.¹⁰⁸⁷ Senator stated that it was not Ruby's custom to do his own washing and that Ruby did not do so that morning.¹⁰⁸⁸

While Senator was in the apartment, Ruby watched television, made himself coffee and scrambled eggs, and received, at 10:19 a.m., a telephone call from his entertainer, Karen Carlin.¹⁰⁸⁹ Mrs. Carlin testified that in her telephone conversation she asked Ruby for \$25 inasmuch as her rent was delinquent and she needed groceries.¹⁰⁹⁰ She said that Ruby, who seemed upset, mentioned that he was going downtown anyway and that he would send the money from the Western Union office.¹⁰⁹¹ According to George Senator, Ruby then probably took a half hour or more to bathe and dress.¹⁰⁹²

Supporting the accounts given by Mrs. Carlin and Mrs. Pitts of Ruby's emotional state, Senator testified that during the morning Ruby:

* * * was even mumbling, which I didn't understand. And right after breakfast he got dressed. Then after he got dressed he was pacing the floor from the living room to the bedroom, from the bedroom to the living room, and his lips were going. What he was jabbering I don't know. But he was really pacing.¹⁰⁹³

Ruby has described to the Commission his own emotions of Sunday morning as follows:

* * * Sunday morning * * * [I] saw a letter to Caroline, two columns about a 16-inch area. Someone had written a letter to Caroline. The most heartbreaking letter. I don't remember the contents. * * * alongside that letter on the same sheet of paper was a small comment in the newspaper that, I don't know how it was stated, that Mrs. Kennedy may have to come back for the trial of Lee Harvey Oswald. * * *

I don't know what bug got ahold of me. I don't know what it is, but I am going to tell the truth word for word.

I am taking a pill called Preludin. It is a harmless pill, and it is very easy to get in the drugstore. It isn't a highly prescribed pill. I use it for dieting.

I don't partake of that much food. I think that was a stimulus to give me an emotional feeling that suddenly I felt, which was so stupid, that I wanted to show my love for our faith, being of the Jewish faith, and I never used the term and I don't want to go into that—suddenly the feeling, the emotional feeling came within me that someone owed this debt to our beloved President to save her the ordeal of coming back. I don't know why that came through my mind.¹⁰⁸⁴

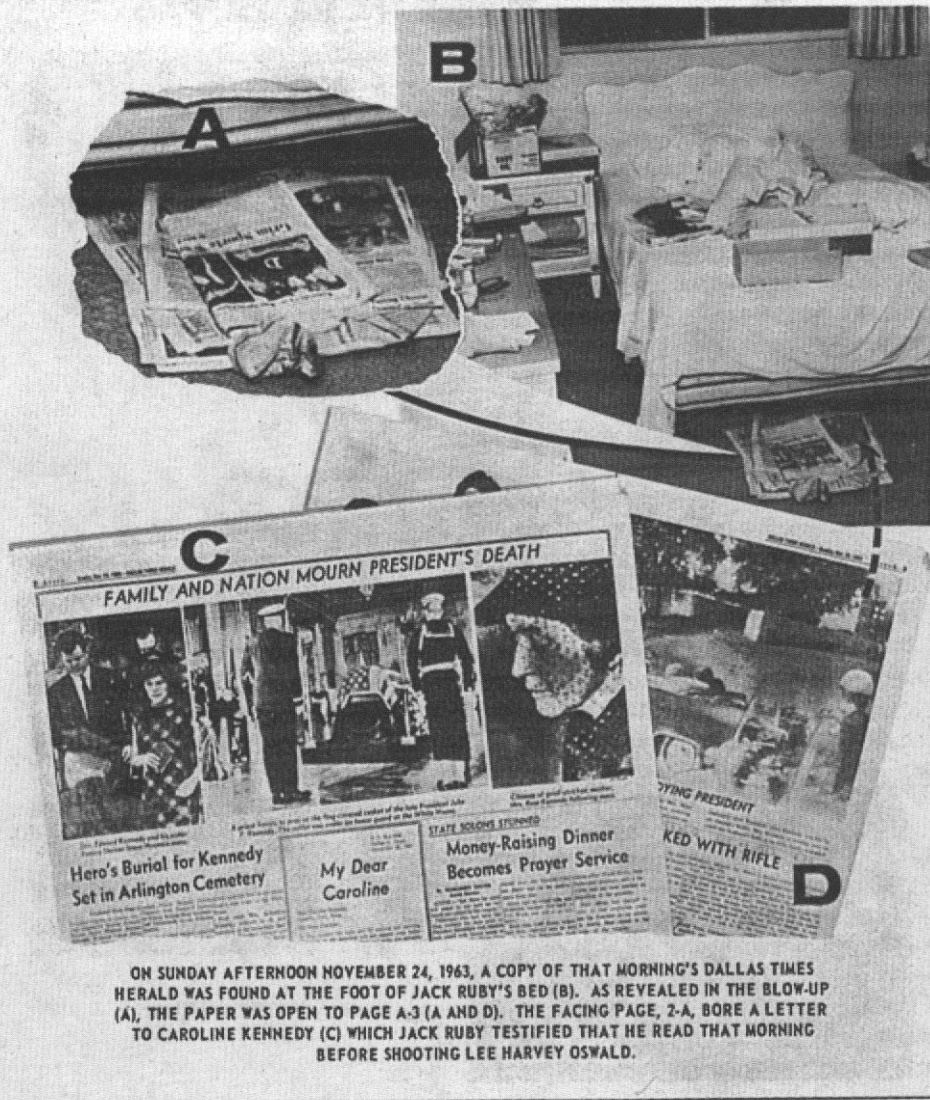
(See Commission Exhibit No. 2426, p. 355.)

Sunday morning trip to police department.—Leaving his apartment a few minutes before 11 a.m., Ruby went to his automobile taking with him his dachshund, Sheba, and a portable radio.¹⁰⁹⁵ He placed in his pocket a revolver which he routinely carried in a bank moneybag in the trunk of his car.¹⁰⁹⁶ Listening to the radio, he drove downtown, according to his own testimony, by a route that took him past Dealey Plaza where he observed the scattered wreaths. Ruby related that he noted the crowd that had gathered outside the county jail and assumed that Oswald had already been transferred. However, when he passed the Main Street side of the Police and Courts Building, which is situated on the same block as the Western Union office, he also noted the crowd that was gathered outside that building.¹⁰⁹⁷ Normal driving time for the trip from his apartment would have been about 15 minutes, but Ruby's possible haste and the slow movement of traffic through Dealey Plaza make a reliable estimate difficult.¹⁰⁹⁸

Ruby parked his car in a lot directly across the street from the Western Union office. He apparently placed his keys and billfold in the trunk of the car, then locked the trunk, which contained approximately \$1,000 in cash, and placed the trunk key in the glove compartment of the car. He did not lock the car doors.¹⁰⁹⁹

With his revolver, more than \$2,000 in cash, and no personal identification, Ruby walked from the parking lot across the street to the Western Union office where he filled out forms for sending \$25 by telegraph to Karen Carlin.¹¹⁰⁰ After waiting in line while one other Western Union customer completed her business,¹¹⁰¹ Ruby paid for the telegram and retained as a receipt one of three time-stamped docu-

BEDROOM OF JACK RUBY'S APARTMENT (COMMISSION EXHIBIT 2426)



**JACK RUBY MOVING TOWARD OSWALD
IN FRONT OF NEWSMAN IKE PAPPAS**



◀ PAPPAS DEPOSITION EXHIBIT 2

ments which show that the transaction was completed at almost exactly 11:17 a.m., c.s.t.¹¹⁰² (See Commission Exhibits Nos. 1476, 2420, 2421; D. Lane Deposition Exhibits Nos. 5118, 5119, p. 351.) The Western Union clerk who accepted Ruby's order recalls that Ruby promptly turned, walked out of the door onto Main Street, and proceeded in the direction of the police department one block away.¹¹⁰³ The evidence set forth in chapter V indicates that Ruby entered the police basement through the auto ramp from Main Street and stood behind the front rank of newsmen and police officers who were crowded together at the base of the ramp awaiting the transfer of Oswald to the county jail.¹¹⁰⁴ As Oswald emerged from a basement office at approximately 11:21 a.m., Ruby moved quickly forward and, without speaking,¹¹⁰⁵ fired one fatal shot into Oswald's abdomen before being subdued by a rush of police officers.¹¹⁰⁶

Evaluation of activities.—Examination of Ruby's activities immediately preceding and following the death of President Kennedy revealed no sign of any conduct which suggests that he was involved in the assassination. Prior to the tragedy, Ruby's activities were routine. Though persons who saw him between November 22 and 24 disagree as to whether or not he appeared more upset than others around him, his response to the assassination appears to have been one of genuine shock and grief. His indications of concern over the possible effects of the assassination upon his businesses seem consistent with other evidence of his character.¹¹⁰⁷ During the course of the weekend, Ruby seems to have become obsessed with the possibility that the Impeach Earl Warren sign and the Bernard Weissman ad were somehow connected and related to the assassination. However, Ruby's interest in these public notices was openly expressed and, as discussed below, the evidence reveals no connection between him and any political organization.

Examination of Larry Crafard's sudden departure from Dallas shortly before noon on November 23 does not suggest that Ruby was involved in a conspiracy. To be sure, Crafard started hitchhiking to Michigan, where members of his family lived, with only \$7 in his pocket.¹¹⁰⁸ He made no attempt to communicate with law enforcement officials after Oswald's death;¹¹⁰⁹ and a relative in Michigan recalled that Crafard spoke very little of his association with Ruby.¹¹¹⁰ When finally located by the FBI 6 days later, he stated that he left Ruby's employ because he did not wish to be subjected to further verbal abuse by Ruby and that he went north to see his sister, from whom he had not heard in some time.¹¹¹¹

An investigation of Crafard's unusual behavior confirms that his departure from Dallas was innocent. After Oswald was shot, FBI agents obtained from the Carousel Club an unmailed letter drafted by Crafard to a relative in Michigan at least a week before the assassination.¹¹¹² The letter revealed that he was considering leaving Dallas at that time.¹¹¹³ On November 17, Crafard, who had been receiving only room, board, and incidental expenses, told Ruby he wanted to stop working for him; however, Crafard agreed to remain when Ruby

promised a salary.¹¹¹⁴ Then on the morning of November 23, Ruby and Crafard had a minor altercation over the telephone.¹¹¹⁵ Although Crafard did not voluntarily make known to the authorities his associations with Ruby, he spoke freely and with verifiable accuracy when questioned. The automobile driver who provided Crafard his first ride from Dallas has been located; his statement generally conforms with Crafard's story; and he did not recall any unusual or troubled behavior by Crafard during that ride.¹¹¹⁶

Although Crafard's peremptory decision to leave Dallas might be unusual for most persons, such behavior does not appear to have been uncommon for him. His family residence had shifted frequently among California, Michigan, and Oregon.¹¹¹⁷ During his 22 years, he had earned his livelihood picking crops, working in carnivals, and taking other odd jobs throughout the country.¹¹¹⁸ According to his testimony, he had previously hitchhiked across the country with his then wife and two infant children.¹¹¹⁹ Against such a background, it is most probable that the factors motivating Crafard's departure from Dallas on November 23 were dissatisfaction with his existence in Ruby's employ, which he had never considered more than temporary, Ruby's decision to close his clubs for 3 days, the argument on Saturday morning, and his own desire to see his relatives in Michigan. There is no evidence to suggest any connection between Crafard's departure and the assassination of the President or the shooting of Oswald.

The allegations of Wanda Helmick raised speculation that Ruby's Saturday night phone calls to Ralph Paul and Breck Wall might have concerned the shooting of Oswald, but investigation has found nothing to indicate that the calls had conspiratorial implications. Paul was a close friend, business associate, and adviser to Jack Ruby. Ruby normally kept in close telephone contact with Paul, who had a substantial sum of money committed to the Carousel Club.¹¹²⁰ Paul explained that Ruby called him Saturday evening once to point out his ads, another time to say that nobody seemed to be doing any business in downtown Dallas, and a third time to relate that both he and his sister were crying over the assassination.¹¹²¹ Between two of those phone calls to Paul, Ruby telephoned to Galveston, Tex., to speak with Wall, a friend and former business associate who was an official of the American Guild of Variety Artists. Wall related that during that call Ruby criticized the Weinstens for failing to close their clubs.

Having earlier made the same complaint to Lawrence Meyers to whom he mentioned a need "to do something about this" it would have been characteristic for Ruby to want to direct Breck Wall's attention, as an AGVA official, to what he regarded as the Weinstens' improper conduct. The view that the calls to Wall and Paul could have had conspiratorial implications also is belied in large measure by the conduct of both men before and after the events of November 22-24. A check of long-distance telephone records reveals no suspicious activity by either man.¹¹²² Paul, in fact, is not known to have visited Dallas during the weekend of the assassination except to appear openly in an effort to arrange counsel for Ruby within a few hours of the at-

tack on Oswald. Neither the FBI nor the CIA has been able to provide any information that Ralph Paul or Breck Wall ever engaged in any form of subversive activity.¹¹²³

Moreover, Mrs. Helmick's reliability is undermined by her failure to report her information to any investigative official until June 9, 1964.¹¹²⁴ Although a sister-in-law confirms that Mrs. Helmick wrote her "something about a gun" shortly after the shooting,¹¹²⁵ the only mention of any statement by Paul which was included in a letter written by Mrs. Helmick after the Ruby trial was that Paul believed Ruby was "not in his right mind."¹¹²⁶ No corroborating witness named by Mrs. Helmick has been found who remembers the conversations she mentioned.¹¹²⁷ Both Ruby and Paul have denied that anything was said, as Mrs. Helmick suggests, about a gun or an intent to shoot Oswald, and Wall has stated that Ruby did not discuss such matters with him.¹¹²⁸ Even if Mrs. Helmick is accurate the statements ascribed to Paul indicate only that he may have heard of a possible reference by Ruby to shooting Oswald. According to her, Paul's response was to exclaim "Are you crazy?" But under no circumstances does the report of Mrs. Helmick or any other fact support a belief that Paul or Wall was involved in the shooting of Oswald.

The Commission has conducted an investigation of the telephone call Ruby received from Karen Carlin at 10:19 Sunday morning to determine whether that call was prearranged for the purpose of conveying information about the transfer of Oswald or to provide Ruby an excuse for being near the police department. The Commission has examined the records of long-distance telephone calls on Sunday morning for Jack Ruby,¹¹²⁹ the Carlins,¹¹³⁰ the Dallas police,¹¹³¹ and several other persons¹¹³² and has found no sign of any indirect communication to Ruby through Mr. or Mrs. Carlin. No other evidence showing any link between the Carlins and the shooting of Oswald has been developed.

Ruby and Oswald Were Not Acquainted

The possibility of a prior acquaintanceship between Ruby and Oswald has been suggested by some persons who viewed the shooting on television and believed that a look of recognition appeared on Oswald's face as Ruby moved toward him in the jail basement. The Commission has examined the television tapes and movie films which were made as Oswald moved through the basement and has observed no facial expressions which can be interpreted as signifying recognition of Ruby by Oswald. It is doubtful even that Oswald could have seen Ruby sufficiently clearly to discern his identity since Oswald was walking from a dark corridor into "the flash from the many cameras" and the lights of TV cameramen which were "blinding."¹¹³³ In addition to such generalized suspicion, there have been numerous specific allegations that Oswald was seen in the company of Ruby prior to November 22, often at Ruby's Carousel Club. All such allegations have been investigated, but the Commission has found none which

merits credence. In all but a few instances where the Commission was able to trace the claim to its source, the person responsible for the report either denied making it or admitted that he had no basis for the original allegations.¹¹³⁴ Frequently those responsible for the allegations have proved to be persons of erratic memory or dubious mental stability.¹¹³⁵ In a few instances, the source of the story has remained unidentified, and no person has come forward to substantiate the rumor.¹¹³⁶

The testimony of a few witnesses who claim to have seen Ruby with a person who they feel may have been Oswald warrants further comment. One such witness, Robert K. Patterson, a Dallas electronics salesman, has stated that on a date established from sales records as November 1, 1963, Ruby, accompanied by a man who resembled Oswald, purchased some equipment at his business establishment.¹¹³⁷ However, Patterson did not claim positively that the man he saw was Oswald,¹¹³⁸ and two of his associates who were also present at the time could not state that the man was Oswald.¹¹³⁹ Other evidence indicates that Ruby's companion was Larry Crafard. Crafard, who lived at the Carousel Club while working for Ruby from mid-October until November 23, 1963, stated that sometime in late October or early November he accompanied Ruby to an electronics store in connection with the purchase of electronics equipment.¹¹⁴⁰ Ruth Paine testified that Crafard's photograph bears a strong resemblance to Oswald; and employment records of the Texas School Book Depository show that Oswald worked a full day on November 1, 1963.¹¹⁴¹

William D. Crowe, Jr., a young nightclub master of ceremonies who had worked for Ruby on three occasions and had begun a 4- or 5-week engagement at the Carousel Club on November 11, 1963, was the first person who reported a possible association between Ruby and Oswald.¹¹⁴² While attempting to enter the Carousel Club on November 24, shortly after Oswald was shot, Crowe encountered two news media representatives who were gathering information on Jack Ruby.¹¹⁴³ At that time, Crowe, who included a memory act in his repertoire,¹¹⁴⁴ mentioned the "possibility" that he had seen Oswald at the Carousel Club.¹¹⁴⁵ As a result he was asked to appear on television. In Crowe's own words, the story "started snowballing." He testified:

They built up the memory thing and they built up the bit of having seen Oswald there, and I never stated definitely, positively, and they said that I did, and all in all, what they had in the paper was hardly even close to what I told them.¹¹⁴⁶

Crowe added that his memory act involved a limited system which did not, in fact, improve his memory and that his memory might not even be as good as that of the average person. When asked how certain he was that the man he saw was Oswald, Crowe testified: " * * * the face seemed familiar as some faces do, and I had associated him with a patron that I had seen in the club a week before. That was about it." ¹¹⁴⁷

A possible explanation for Crowe's belief that Oswald's face seemed familiar was supplied by a freelance photographer, Eddie Rocco, who had taken pictures at the Carousel Club for Ruby at about the time Crowe was employed there. Rocco produced one of those photographs which depicted a man who might have been mistaken for Oswald by persons having no reason to remember the man at the time they saw him.¹¹⁴⁸ When shown the Rocco photograph, Crowe said that there was as strong a possibility that the man he recalled seeing was the man in the photograph as there was that he was Oswald.¹¹⁴⁹ Crowe's uncertainty was further underscored by his failure initially to provide his information about Oswald to David Hoy, a news-media friend whom Crowe telephoned in Evansville, Ind., less than 20 minutes after Oswald was shot.¹¹⁵⁰ By then the possible recognition had occurred to Crowe,¹¹⁵¹ and Hoy said he was quite surprised that Crowe had given the information first to other news representatives instead of telling him in that early conversation.¹¹⁵²

After Crowe's identification had been publicized, four other persons also reported seeing Oswald at the Carousel Club. One man said he saw Ruby and Oswald seated at a table together and recalled that the man resembling Oswald was addressed by a blond-haired waitress as "Bettit" or "Pettit." The witness was unable to give any description of "Pettit" except that he was the man who had been shot by Ruby. He could not describe the inside of the Carousel and was unable to give a precise location for the club.¹¹⁵³ Another witness, a resident of Tennessee, related seeing a man resembling Oswald at the Carousel Club on November 10.¹¹⁵⁴ Ruth Paine has testified, however, that Oswald spent the entire holiday weekend of November 9, 10, and 11 at her home in Irving, Tex.¹¹⁵⁵ Two of Ruby's former employees, Karen Carlin and Billy Joe Willis, also believed they had seen a person who resembled Oswald. Willis believed he saw the man at the Carousel Club but did not think the man was Oswald.¹¹⁵⁶ Mrs. Carlin likewise was not certain that the man was Oswald nor was she sure where she had seen him.¹¹⁵⁷ Neither reported any connection between the man and Ruby. No other employees recalled seeing Oswald or a person resembling him at the Carousel Club.¹¹⁵⁸

Wilbryn Waldon (Robert) Litchfield II also claimed to have seen at the Carousel Club a man resembling Oswald. Litchfield stated that during a visit to the Carousel Club in late October or early November 1963, he saw such a man enter Ruby's office, apparently to confer with Ruby.¹¹⁵⁹ Although there is substantial evidence that Litchfield did see Ruby at the Carousel Club about that time,¹¹⁶⁰ there is strong reason to believe that Litchfield did not see Lee Harvey Oswald. Litchfield described the man he saw as having pockmarks on the right side of his chin;¹¹⁶¹ Oswald did not have such identifying marks.¹¹⁶² Moreover, the Commission has substantial doubts concerning Litchfield's credibility. Although present at an FBI interview of another witness on November 29, Litchfield made no mention of his observation to public officials until December 2, 1963.¹¹⁶³ Litchfield, who had twice been convicted for offenses involving forged

checks,¹¹⁶⁴ testified that he first recalled that Oswald resembled the visitor he saw at the Carousel Club while watching a television showing on Sunday morning, November 24, of the shooting by Ruby.¹¹⁶⁵ At that time Litchfield was playing poker with three friends, and he testified that he promptly informed them of the resemblance he observed.¹¹⁶⁶ However, none of the three poker companions remembered Litchfield's making such a remark; and two added that Litchfield's statements were often untrustworthy.¹¹⁶⁷

With regard to all of the persons who claimed to have seen Ruby and Oswald together, it is significant that none had particular reason to pay close attention to either man, that substantial periods of time elapsed before the events they assertedly witnessed became meaningful, and that, unlike the eyewitnesses who claimed to have seen Oswald on November 22, none reported their observations soon after Oswald was arrested. In the course of its investigation, the Commission has encountered numerous clear mistakes of identification. For example, at least four persons, other than Crafard, are known to have been mistaken for Oswald.¹¹⁶⁸ Other persons have been misidentified as Jack Ruby.¹¹⁶⁹ Under all the available evidence there is no substantial likelihood that the person the various witnesses claimed to have seen with Ruby was in fact Oswald.

In addition to probing the reported evidence that Ruby and Oswald had been seen together, the Commission has examined other circumstances for signs that the two men were acquainted. From the time Oswald returned from Mexico, both he and Jack Ruby lived in the Oak Cliff section of Dallas, slightly more than a mile apart. Numerous neighbors of both Oswald and Ruby were interviewed, and none knew of any association between the two.¹¹⁷⁰ Oswald's work began at 8 each weekday morning and terminated at 4:45 each afternoon.¹¹⁷¹ Jack Ruby usually remained in his apartment until past 9 a.m. each day.¹¹⁷² Although both men worked in downtown Dallas, they normally traveled to their places of employment by different routes. Ruby owned an automobile, and the shortest route downtown from his home was via a freeway adjacent to his apartment.¹¹⁷³ Oswald did not own a car and had, at best, a rudimentary ability to drive.¹¹⁷⁴ From his roominghouses on North Beckley Avenue and on Marsalis Street, he normally took public transportation which did not bring him within six blocks of either Ruby's apartment or his downtown nightclub, nor did Oswald's route from the bus stop to home or work bring him near Ruby's home or business.¹¹⁷⁵ Persons at Oswald's roominghouse testified that he regularly came home promptly after work and remained in his room.¹¹⁷⁶ While in Dallas, he is not known to have visited any nightclub.¹¹⁷⁷ Ruby was generally at the Carousel Club from 9 o'clock each evening until after 1 a.m.¹¹⁷⁸ In a few instances, Ruby and Oswald patronized the same stores, but no indication has been found that they ever met at such stores.¹¹⁷⁹ Ruby at one time frequented a restaurant where Oswald occasionally ate breakfast, but the times of their patronage were widely separated and restaurant employees knew of no acquaintance between Ruby and Oswald.¹¹⁸⁰

Likewise, Ruby has held various memberships in the Dallas YMCA and Oswald lived there for brief periods; however, there is no indication that they were there at the same time.¹¹⁸¹

Both Ruby and Oswald maintained post office boxes at the terminal annex of the U.S. post office in Dallas, but there is no indication that those facts were more than coincidental. On November 1, 1963, Oswald rented box No. 6225, his third since October 1962.¹¹⁸² Oswald's possible purpose has been discussed previously in this chapter. On November 7, 1963, Jack Ruby rented post office box No. 5475 because he hoped to receive mail responses to advertisements for the twistboard exercise device which he was then promoting.¹¹⁸³ Although it is conceivable that Oswald and Ruby coincidentally encountered one another while checking their boxes, the different daily schedules of the two men render even this possibility unlikely. Moreover, Oswald's withdrawn personality makes it improbable that the two would have spoken if their paths had crossed.

The Commission has also examined the known friends and acquaintances of Ruby and Oswald for evidence that the two were acquainted, but it has found very few possible links. One conceivable association was through John Carter, a boarder at 1026 North Beckley Avenue while Oswald lived there. Carter was friendly with Wanda Joyce Killam, who had known Jack Ruby since shortly after he moved to Dallas in 1947 and worked for him from July 1963 to early November 1963. Mrs. Killam, who volunteered the information about Carter's residence during an interview with an agent of the FBI, has stated that she did not believe Carter ever visited the Carousel Club and that she did not think Carter knew Ruby.¹¹⁸⁴ Carter stated that he had not heard of Ruby until Oswald was shot, had talked briefly with Oswald only once or twice, and had never heard Oswald mention Ruby or the Carousel Club.¹¹⁸⁵ The Commission has no reason to disbelieve either Mrs. Killam or Mr. Carter.

A second possible link between Oswald and Ruby was through Earlene Roberts, the housekeeper at 1026 North Beckley Avenue. Bertha Cheek, the sister of Mrs. Roberts, is known to have visited Jack Ruby at the Carousel Club during the afternoon of November 18, 1963. Mrs. Cheek testified that she had met with Ruby and a person whom Ruby represented to be an interior decorator for the purpose of discussing the possibility of financially backing Ruby in a new nightclub which he planned to open. Mrs. Cheek said she had met Ruby only once, a few years before, and that she had not heard of Oswald until he shot President Kennedy.¹¹⁸⁶ Mr. Frank Boerder, the decorator who was present at the November 18 meeting, confirmed the substance of the discussion reported by Mrs. Cheek,¹¹⁸⁷ and other witnesses establish that Ruby was, in fact, seeking an associate for a new nightclub venture.¹¹⁸⁸ There is no evidence that Jack Ruby ever associated with Earlene Roberts, nor is there any indication that Mrs. Cheek knew of Lee Harvey Oswald prior to November 22.¹¹⁸⁹

Oswald's trips to the home of Mrs. Ruth Paine at 2115 West Fifth Street in Irving, Tex., presented another possible link to Ruby.

While Oswald's family resided with Mrs. Paine, William F. Simmons, pianoplayer in the musical combo which worked at the Carousel Club from September 17, 1963, until November 21, 1963, lived at 2539 West Fifth Street, in Irving. Simmons has stated that his only relationship to Ruby was as an employee, that Ruby never visited him, that he did not know Oswald, and that he had never seen Oswald at the Carousel Club.¹¹⁹⁰ Other persons in the neighborhood knew of no connection between Ruby and Oswald.¹¹⁹¹

The Commission has investigated rumors that Jack Ruby and Lee Harvey Oswald were both homosexuals and, thus, might have known each other in that respect. However, no evidence has been uncovered to support the rumors, the closest acquaintances of both men emphatically deny them,¹¹⁹² and Ruby's nightclubs were not known to have been frequented by homosexuals.¹¹⁹³

A final suggestion of a connection between Jack Ruby and Lee Harvey Oswald arises from the testimony of Oswald's mother, Marguerite Oswald. When appearing before the Commission, Mrs. Oswald related that on November 23, 1963, before Ruby shot Oswald, FBI Agent Bardwell D. Odum showed her a picture of a man she believed was Jack Ruby, and asked whether the man shown was familiar to her. Odum had first attempted to see Marina Oswald, but Marguerite refused to allow Marina to be disturbed at that time.¹¹⁹⁴ In the course of Marguerite's testimony, the Commission asked the FBI for a copy of the photograph displayed by Odum to her. When Marguerite viewed the photograph provided the Commission, she stated that the picture was different from the one she saw in November, in part because the "top two corners" were cut differently and because the man depicted was not Jack Ruby.¹¹⁹⁵

The Commission has investigated this matter and determined that Special Agent Odum did show a picture to Marguerite Oswald for possible identification but that the picture was not of Jack Ruby. On November 22 the CIA had provided the FBI with a photograph of a man who, it was thought at the time, might have been associated with Oswald. To prevent the viewer from determining precisely where the picture had been taken, FBI Agent Odum had trimmed the background from the photograph by making a series of straight cuts which reduced the picture to an irregular hexagonal shape.¹¹⁹⁶ The picture which was displayed by the Commission to Marguerite Oswald was a copy of the same picture shown her by Agent Odum; however, in supplying a duplicate photograph for Commission use the FBI had cropped the background by cutting along the contours of the body of the man shown,¹¹⁹⁷ resulting in a photograph without any background, unlike the first photograph Marguerite viewed on November 23. Affidavits obtained from the CIA and from the two FBI agents who trimmed the photographs established that the one shown to Mrs. Oswald before the Commission, though trimmed differently from the one shown her on November 23, was a copy of the same picture. Neither picture was of Jack Ruby.¹¹⁹⁸ The original photograph had been taken by the CIA outside of the United States sometime between

July 1, 1963, and November 22, 1963, during all of which time Ruby was within the country.¹¹⁹⁹

Ruby's Background and Associations

In addition to examining in detail Jack Ruby's activities from November 21 to November 24 and his possible acquaintanceship with Lee Harvey Oswald, the Commission has considered whether or not Ruby had ties with individuals or groups that might have obviated the need for any direct contact near the time of the assassination. Study of Jack Ruby's background, which is set out more fully in appendix XVI, leads to the firm conclusion that he had no such ties.

Business activities.—Ruby's entire life is characteristic of a rigorously independent person. He moved from his family home soon after leaving high school at age 16, although a "family" residence has been maintained in Chicago throughout the years.¹²⁰⁰ Later, in 1947, he moved from Chicago to Dallas and maintained only sporadic contact with most of his family.¹²⁰¹ For most of his working years and continuously since 1947, Jack Ruby was self-employed.¹²⁰² Although he had partners from time to time, the partnerships were not lasting, and Ruby seems to have preferred to operate independently.

Ruby's main sources of income were his two nightclubs—the Carousel Club and the Vegas Club—although he also frequently pursued a number of independent, short-lived business promotions. (Ruby's business dealings are described in greater detail in app. XVI.) At the time of the assassination, the United States claimed approximately \$44,000 in delinquent taxes, and he was in substantial debt to his brother Earl and to his friend Ralph Paul.¹²⁰³ However, there are no indications that Earl Ruby or Ralph Paul was exerting pressure for payment or that Ruby's tax liabilities were not susceptible to an acceptable settlement. Ruby operated his clubs on a cash basis, usually carrying large amounts of cash on his person; thus there is no particular significance to the fact that approximately \$3,000 in cash was found on his person and in his automobile when arrested. Nor do his meager financial records reflect any suspicious activities. He used his bank accounts only infrequently, with no unexplained large transactions; and no entries were made to Ruby's safe-deposit boxes in over a year prior to the shooting of Oswald.¹²⁰⁴ There is no evidence that Ruby received any sums after his arrest except royalties from a syndicated newspaper article on his life and small contributions for his defense from friends, sympathizers, and family members.¹²⁰⁵

Ruby's political activities.—Jack Ruby considered himself a Democrat, perhaps in part because his brother Hyman had been active in Democratic ward politics in Chicago.¹²⁰⁶ When Ruby was arrested, police officers found in his apartment, 10 political cards urging the election of the "Conservative Democratic slate,"¹²⁰⁷ but the Commission has found no evidence that Ruby had distributed that literature and he is not known ever to have campaigned for any political candi-

dates.¹²⁰⁸ None of his friends or associates expressed any knowledge that he belonged to any groups interested in political issues, nor did they remember that he had discussed political problems except on rare occasions.¹²⁰⁹

As a young man, Ruby participated in attacks upon meetings of the German-American Bund in Chicago, but the assaults were the efforts of poolhall associates from his predominantly Jewish neighborhood rather than the work of any political group. His only other known activities which had any political flavor possessed stronger overtones of financial self-interest. In early 1942 he registered a copyright for a placard which displayed an American flag and bore the inscription "Remember Pearl Harbor." The placard was never successfully promoted. At other times, he is reported to have attempted to sell busts of President Franklin D. Roosevelt.¹²¹⁰ The rabbi of Ruby's synagogue expressed the belief that Ruby was too unsophisticated to grasp or have a significant interest in any political creed.¹²¹¹ Although various views have been given concerning Ruby's attitude toward President Kennedy prior to the assassination, the overwhelming number of witnesses reported that Ruby had considerable respect for the President, and there has been no report of any hostility toward him.¹²¹²

There is also no reliable indication that Ruby was ever associated with any Communist or radical causes. Jack Ruby's parents were born in Poland in the 1870's and his father served in the Czarist Russian army from 1893-98. Though neither parent became a citizen after emigrating to the United States in the early 1900's, the evidence indicates that neither Ruby nor his family maintained any ties with relatives in Europe.¹²¹³ Jack Ruby has denied ever being connected with any Communist activities. The FBI has reported that, prior to the shooting of Oswald, its nationwide files contained no information of any subversive activities by Ruby.¹²¹⁴ In addition, a Commission staff member has personally examined all subversive activities reports from the Dallas-Fort Worth office of the FBI for the year 1963 and has found no reports pertaining to Jack Ruby or any of his known acquaintances.¹²¹⁵

The Commission has directed considerable attention to an allegation that Jack Ruby was connected with Communist Party activities in Muncie, Ind. On the day after Oswald's death, a former resident of Muncie claimed that between 1943 and 1947 a Chicagoan resembling Ruby and known to him as Jack Rubenstein was in Muncie on three occasions and associated with persons who the witness suspected were Communists. The witness stated that the man resembling Ruby visited Muncie during these years as a guest of the son-in-law of a now-deceased jeweler for whom the witness worked.¹²¹⁶ A second son-in-law of the jewelry store owner suggested that he may have known Ruby while the two resided in Chicago,¹²¹⁷ but the son-in-law whom Ruby allegedly visited disclaimed any acquaintanceship with Ruby.¹²¹⁸ Both sons-in-law denied any Communist activities and

the Commission has found no contrary evidence other than the testimony of the witness.

On the first two occasions on which Ruby is alleged to have been in Muncie, military records show him to have been on active military duty in the South.¹²¹⁹ The witness also said that the man he knew as Rubenstein owned or managed a nightclub when he met him, but the Commission has no reliable evidence that Jack Ruby ever owned or worked in any nightclubs when he lived in Chicago.¹²²⁰ The witness further stated that on one occasion he found the name of Jack Rubenstein, or perhaps a similar name, together with the names of others he believed were Communists, on a list which had been left in a room above the jewelry store after a meeting held there. The witness said he gave the list to his wife's cousin, now deceased, who was then the chief of detectives in Muncie.¹²²¹ However, neither the list nor a person identifiable as Jack Ruby has been located after a thorough search by the FBI of its own files and those of the Muncie Police Department, the Indiana State Police, and other agencies.¹²²² The witness did not recall seeing Rubenstein in Muncie during the period of that meeting, and he had never heard Rubenstein say anything which would indicate he was a Communist.¹²²³

The FBI has interviewed all living persons who the witness stated were involved with Ruby in Communist activities in Muncie. One person named by the witness was known previously to have been involved in Communist Party activities, but subversive activities files have revealed no such activities for any of the others.¹²²⁴ The admitted former Communist denied knowing Ruby and stated that the jewelry store owner was not known to him as a Communist and that Communist meetings were never held above the store.¹²²⁵ All other Muncie residents named by the witness as possible associates of Ruby denied knowing Ruby.¹²²⁶ Similarly, fellow employees of the witness whom he did not claim were Communists knew of no Communist activities connected with the jewelry store owner or any visits of Jack Ruby, and FBI informants familiar with Communist activities in Indiana and Chicago did not know of any participation by Ruby.¹²²⁷ Finally, the witness testified that even though he believed as early as 1947 that all of the persons named by him were Communists he had never brought his information to the attention of any authority investigating such activities, except for providing the alleged list to his cousin.¹²²⁸ The Commission finds no basis for accepting the witness's testimony.

The Commission has also investigated the possibility that Ruby was associated with ultraconservative political endeavors in Dallas. Upon his arrest, there were found in Ruby's possession two radio scripts of a right-wing program promoted by H. L. Hunt, whose political views are highly conservative. Ruby had acquired the scripts a few weeks earlier at the Texas Products Show, where they were enclosed in bags of Hunt food products. Ruby is reported to have become enraged when he discovered the scripts, and threatened to send one to "Kennedy."¹²²⁹ He is not known to have done anything with them prior to

giving one to a radio announcer on November 23; and on that day he seemed to confuse organizations of the extreme right with those of the far left.¹²³⁰ On November 21, Ruby drove Connie Trammel, a young college graduate whom he had met some months previously, to the office of Lamar Hunt, the son of H. L. Hunt, for a job interview. Although Ruby stated that he would like to meet Hunt, seemingly to establish a business connection, he did not enter Hunt's office with her.¹²³¹

An allegation that Ruby was a visitor at the home of Maj. Gen. Edwin A. Walker (Resigned, U.S. Army) appears totally unfounded. The allegation was made in late May 1964 to an agent of the U.S. Secret Service by William McEwan Duff. Duff, who was discharged from military service in June 1964 because of a fraudulent enlistment, disclaimed any knowledge of Ruby or Oswald when questioned by FBI agents in January 1964.¹²³²

Another allegation connecting Jack Ruby with right-wing activities was Mark Lane's assertion, mentioned previously, that an unnamed informant told him of a meeting lasting more than 2 hours in the Carousel Club on November 14, 1963, between Jack Ruby, Patrolman J. D. Tippit, and Bernard Weissman.¹²³³ Although the name of Lane's informant has never been revealed to the Commission, an investigation has been conducted in an effort to find corroboration for the claimed Tippit, Weissman, and Ruby meeting. No employee of the Carousel Club has any knowledge of the meeting described by Lane.¹²³⁴ Ruby and Weissman both deny that such a meeting occurred, and Officer Tippit's widow has no knowledge that her late husband ever went to the Carousel Club.¹²³⁵

Some confusion has arisen, however, because early Friday afternoon, November 22, Ruby remarked that he knew the Tippit who had been shot by Oswald. Later Ruby stated that he did not know J. D. Tippit but that his reference was to G. M. Tippit, a member of the special services bureau of the Dallas Police Department who had visited Ruby establishments occasionally in the course of his official duties.¹²³⁶ Larry Crafard was unable to recognize photographs of J. D. Tippit and had no recollection of a Tippit, Weissman, and Ruby meeting at any time.¹²³⁷ However, uncertainty was introduced when Crafard identified a photograph of Bernard Weissman as resembling a man who had visited the Carousel Club and had been referred to by Ruby as "Weissman."¹²³⁸ In a subsequent interview Crafard stated that he believed Weissman was a detective on the Dallas Police Department, that his first name may have been Johnny, and that he was in his late thirties or early forties.¹²³⁹ As set forth previously, Bernard Weissman was a 26-year-old New York carpet salesman. Crafard added "I could have my recollection of a Mr. Weissman mixed up with someone else".¹²⁴⁰

Ruby's conduct on November 22 and 23, 1963, corroborates his denial that he knew Bernard Weissman. Ruby expressed hostility to the November 22 full-page advertisement to many persons. To none did he give any indication that he was familiar with the person listed as responsible for the advertisement.¹²⁴¹ His attempt on November 23

to trace the holder of the post office box shown on the "Impeach Earl Warren" sign and to locate Weissman's name in a Dallas city directory¹²⁴² also tends to indicate that in fact he was not familiar with Weissman. Had he been involved in some type of unlawful activity with Weissman, it is highly unlikely that Ruby would have called attention to Weissman as he did.

Investigation has disclosed no evidence that Officer J. D. Tippit was acquainted with either Ruby or Oswald. Neither Tippit's wife nor his close friends knew of such an acquaintanceship.¹²⁴³ Tippit was not known to frequent nightclubs¹²⁴⁴ and he had no reason during the course of his police duties to enter Ruby's clubs.¹²⁴⁵ Although at the time of the assassination Tippit was working weekends in a Dallas restaurant owned by a member of the John Birch Society, the restaurant owner stated that he never discussed politics with Tippit.¹²⁴⁶ Persons close to Tippit related that Tippit rarely discussed political matters with any person and that he was a member of no political organization.¹²⁴⁷ Telephone records for the period following September 26, 1963, revealed no suspicious long-distance calls from the Tippit household.¹²⁴⁸

Tippit's encounter with Oswald following the shooting of the President is indicative of no prior association between the two men. Police radio logs show that, as part of general directions issued to all officers immediately after the assassination, Tippit was specifically directed to patrol the Oak Cliff area where he came upon Oswald.¹²⁴⁹ His movement from the area which he had been patrolling into the central Oak Cliff area was also in conformity with the normal procedure of the Dallas Police Department for patrol cars to cover nearby districts when the patrol cars in that district became otherwise engaged, as occurred after the assassination.¹²⁵⁰ Oswald fit the general description, which, 15 minutes after the assassination, was broadcast to all police cars of a suspect described by a bystander who had seen Oswald in the sixth-floor window of the Texas School Book Depository.¹²⁵¹ There is thus no basis for any inference that, in approaching Oswald, Tippit was acting other than in the line of police duty.

Allegations of Cuban activity.—No substantiation has been found for rumors linking Ruby with pro- or anti-Castro Cuban activities,¹²⁵² except for one incident in January 1959 when Ruby made preliminary inquiries, as a middleman, concerning the possible sale to Cuba of some surplus jeeps located in Shreveport, La., and asked about the possible release of prisoners from a Cuban prison. No evidence has been developed that the project ever became more than a "possibility". Ruby explained that in early 1959 United States sentiment toward Cuba was still favorable and that he was merely pursuing a money-making opportunity.¹²⁵³

During the period of the "jeep sale", R. D. Matthews, a gambler and a "passing acquaintance" of Ruby, returned to Dallas from Havana where he had been living. In mid-1959, he returned to Cuba until mid-1960.¹²⁵⁴ On October 3, 1963, a telephone call was made from the Carousel Club to Matthews' former wife in Shreveport.¹²⁵⁵ No

evidence has been uncovered that Matthews was associated with the sale of jeeps or the release of prisoners or that he knew of Oswald prior to the assassination.¹²⁵⁶ Matthews' ex-wife did not recall the phone call in October of 1963, and she asserted that she did not know Jack Ruby or anybody working for him.¹²⁵⁷

In September 1959, Ruby traveled to Havana as a guest of a close friend and known gambler, Lewis J. McWillie. Both Ruby and McWillie state the trip was purely social.¹²⁵⁸ In January 1961, McWillie left Cuba with strong feelings of hostility to the Castro regime. In early 1963, Ruby purchased a pistol which he shipped to McWillie in Nevada, but McWillie did not accept the package.¹²⁵⁹ The Commission has found no evidence that McWillie has engaged in any activities since leaving Cuba that are related to pro- or anti-Castro political movements or that he was involved in Ruby's abortive jeep transaction.

The Commission has also received evidence that in April 1962, a telegram sent to Havana, Cuba, was charged to the business telephone of Earl Ruby, brother of Jack Ruby.¹²⁶⁰ Earl Ruby stated that he was unable to recall that telegram but testified that he had never traveled to Cuba nor had any dealings with persons in Cuba.¹²⁶¹ Jack Ruby is not known to have visited his brother at that time, and during that period Earl and Jack did not maintain a close relationship.¹²⁶² Earl Ruby is not known to have been involved in any subversive activities.¹²⁶³

Finally, examination of FBI information relative to Cuban groups in the Dallas-Fort Worth area for the year 1963 fails to disclose any person who might provide a link between Ruby and such groups.¹²⁶⁴ The Central Intelligence Agency has no information suggesting that Jack Ruby or any of his closest associates have been involved in any type of revolutionary or subversive Cuban activity.¹²⁶⁵

Possible underworld connections.—The Commission has investigated Ruby's possible criminal activities, looking with particular concern for evidence that he engaged in illegal activities with members of the organized underworld or that, on his own, he was a promoter of illegal endeavors. The results of that investigation are more fully detailed in appendix XVI. Ruby was reared in a Chicago neighborhood where he became acquainted with local criminals and with persons who later became criminals. Throughout his life, Ruby's friendships with persons of that character were limited largely to professional gamblers, although his night club businesses brought him in contact with persons who had been convicted of other offenses. There is no credible evidence that Ruby, himself, gambled on other than a social basis or that he had any unpaid gambling debts.¹²⁶⁶ He had never been charged with a felony prior to his attack on Oswald; his only encounters in Chicago stemmed from ticket scalping and the unauthorized sale of copyrighted music; and, in Dallas, his law violations, excluding traffic charges, resulted from the operation of his clubs or outbursts of temper.¹²⁶⁷ Ruby has disclaimed that he was

associated with organized criminal activities, and law enforcement agencies have confirmed that denial.¹²⁶⁸

Investigation of George Senator.—In addition to examining Ruby's own activities and background, the Commission has paid careful attention to the activities and background of George Senator, Ruby's roommate and one of his closest friends in Dallas. Senator was interrogated by staff members over a 2-day period; he provided a detailed account of his own life and cooperated fully in all aspects of the Commission's inquiry into the activities of Jack Ruby.

Senator was 50 years old at the time Ruby shot Oswald. He had been born September 4, 1913, in Gloversville, N.Y., and had received an eighth grade education. Upon leaving school, he worked in Gloversville and New York City until about age 25. For the next few years he worked in various restaurants and cafeterias in New York and Florida until enlisting in the Army in August 1941.¹²⁶⁹ After his honorable discharge in September 1945, Senator was employed for most of the next 13 years selling inexpensive dresses throughout the South and Southwest. In the course of that employment he moved to Dallas where he met Jack Ruby while visiting Ruby's Vegas Club in about 1955 or 1956.¹²⁷⁰ Ruby was one of many who helped Senator when he encountered financial difficulties during the years 1958 to 1962. For a while in 1962, Ruby provided room and board in exchange for Senator's help in his clubs and apartment. In August 1963, Senator was unable to maintain his own apartment alone following his roommate's marriage. Ruby again offered to help and on November 1, 1963, Senator moved into Ruby's apartment.¹²⁷¹ The Commission has found no evidence that Senator ever engaged in any political activities.¹²⁷²

Against this background the Commission has evaluated Senator's account of his own activities on November 22, 23, and 24. When questioned by Dallas and Federal authorities hours after the shooting of Oswald, Senator omitted mention of having accompanied Ruby to photograph the "Impeach Earl Warren" sign on Saturday morning. Senator stated to Commission staff members that in the interviews of November 24 he omitted the incident because of oversight.¹²⁷³ However, he spoke freely about it in his sworn testimony and no inaccuracies have been noted in that portion of his testimony. Senator also failed to mention to the Commission and to previous interrogators that, shortly after Ruby left their apartment Sunday morning, he called friends, Mr. and Mrs. William Downey, and offered to visit their apartment and make breakfast for them.¹²⁷⁴ Downey stated, in June 1964, that Senator said he was alone and that, after Downey declined the offer, Senator remarked that he would then go downtown for breakfast.¹²⁷⁵ When told of Downey's account, Senator denied it and explained that the two were not friendly by the time Senator left Dallas about six weeks after the assassination.¹²⁷⁶

The Commission also experienced difficulty in ascertaining the activities of Senator on November 22 and 23. He was unable to account specifically for large segments of time when he was not with

Ruby.¹²⁷⁷ And, as to places and people Senator says he visited on those days prior to the time Oswald was shot, the Commission has been unsuccessful in obtaining verification.¹²⁷⁸ Senator admitted that he had spent much of that time drinking but denied that he was intoxicated.¹²⁷⁹

It is difficult to know with complete certainty whether Senator had any foreknowledge of the shooting of Oswald. Ruby testified that at about 10:15 a.m. on Sunday morning, November 24, he said, in Senator's presence, "If something happened to this person, that then Mrs. Kennedy won't have to come back for the trial."¹²⁸⁰ According to Ruby, this is the most explicit statement he made concerning Oswald that morning.¹²⁸¹ Senator denies any knowledge of Ruby's intentions.¹²⁸²

Senator's general response to the shooting was not like that of a person seeking to conceal his guilt. Shortly before it was known that Ruby was the slayer of Oswald, Senator visited the Eatwell Restaurant in downtown Dallas. Upon being informed that Ruby was the attacker, Senator exclaimed, "My God," in what appeared to be a genuinely surprised tone.¹²⁸³ He then ran to a telephone, returned to gulp down his coffee, and quickly departed.¹²⁸⁴ He drove promptly to the home of James Martin, an attorney and friend. Martin recalled that Senator's concern was for his friend Ruby and not for himself.¹²⁸⁵ Martin and Senator drove to the Dallas Police Department where Senator voluntarily submitted himself to police questioning, and gave interviews to newspaper and television reporters.¹²⁸⁶ The Commission has concluded, on the basis of its investigation into Senator's background, activities, and reaction to the shooting, that Senator did not aid or conspire with Jack Ruby in the killing of Oswald.

Ruby's activities preceding President's trip.—In addition to the broad investigation into Ruby's background and associations, the Commission delved particularly into Ruby's pattern of activities during the 2 months preceding President Kennedy's visit to Dallas in order to determine whether there was unusual conduct which might be linked to the President's forthcoming trip.

The Commission has been able to account specifically for Jack Ruby's presence in Dallas on every day after September 26, 1963, except five—September 29, 30 and October 11, 14, and 24—and there is no evidence that he was out of the Dallas-Fort Worth area on those days.¹²⁸⁷ The report of one person who saw Ruby on September 28 indicates that Ruby probably remained in Dallas on September 29 and 30,¹²⁸⁸ when Oswald was in Mexico City. The Commission has looked for but has found no evidence that Ruby traveled to Mexico at that time.¹²⁸⁹ Both Ruby and Ralph Paul have stated that Ruby did not leave the Dallas-Fort Worth area during September, October, or November 1963.¹²⁹⁰

During October and November of 1963, Jack Ruby maintained his usual vigorous pace of business activities. In particular, he directed considerable attention to his two nightclubs and to other business

promotions.¹²⁹¹ During the final month before the Kennedy trip, his time was increasingly occupied with personnel problems at both his clubs. There is no indication that he devoted less than full attention to these matters or that he appeared preoccupied with other affairs. His acquaintances did feel that Ruby seemed depressed and concerned that his friends were deserting him.¹²⁹² However, there were no signs of secretive conduct.

Scrutiny of Ruby's activities during the several days preceding the President's arrival in Dallas has revealed no indication of any unusual activity. Ruby is remembered to have discussed the President's impending trip with only two persons and only briefly.¹²⁹³ Two newspapers containing a description of the expected motorcade routes through Dallas and Fort Worth were found in Ruby's car at the time of this arrest. However, such papers circulated widely in Dallas, and Ruby's car, like his apartment, was so cluttered with other newspapers, notebooks, brochures, cards, clothing, and personal items¹²⁹⁴ that there is no reason to attach any significance to the papers.

Aside from the results of the Commission's investigation reported above, there are other reasons to doubt that Jack Ruby would have shot Oswald as he did if he had been involved in a conspiracy to carry out the assassination, or that he would have been delegated to perform the shooting of Oswald on behalf of others who were involved in the slaying of the President. By striking in the city jail, Ruby was certain to be apprehended. An attempt to silence Oswald by having Ruby kill him would have presented exceptionally grave dangers to any other persons involved in the scheme. If the attempt had failed, Oswald might have been moved to disclose his confederates to the authorities. If it succeeded, as it did, the additional killing might itself have produced a trail to them. Moreover, Ruby was regarded by most persons who knew him as moody and unstable—hardly one to have encouraged the confidence of persons involved in a sensitive conspiracy.¹²⁹⁵

Since his apprehension, Jack Ruby has provided the Federal authorities with several detailed accounts of his activities both preceding and following the assassination of President Kennedy. Ruby has shown no reluctance to answer any questions addressed to him. The accounts provided by Ruby are consistent with evidence available to the Commission from other sources.

These additional considerations are thus fully consistent with the results of the Commission's investigation. Rumors of a connection between Ruby and Oswald have proved groundless, while examination of Ruby's background and associations, his behavior prior to the assassination, and his activities during the November 22-24 weekend has yielded no evidence that Ruby conspired with anyone in planning or executing the killing of Lee Harvey Oswald. Whatever the legal culpability of Jack Ruby for his act of November 24, the evidence is persuasive that he acted independently in shooting Oswald.

CONCLUSION

Based upon the investigation reviewed in this chapter, the Commission concluded that there is no credible evidence that Lee Harvey Oswald was part of a conspiracy to assassinate President Kennedy. Examination of the facts of the assassination itself revealed no indication that Oswald was aided in the planning or execution of his scheme. Review of Oswald's life and activities since 1959, although productive in illuminating the character of Lee Harvey Oswald (which is discussed in the next chapter), did not produce any meaningful evidence of a conspiracy. The Commission discovered no evidence that the Soviet Union or Cuba were involved in the assassination of President Kennedy. Nor did the Commission's investigation of Jack Ruby produce any grounds for believing that Ruby's killing of Oswald was part of a conspiracy. The conclusion that there is no evidence of a conspiracy was also reached independently by Dean Rusk, the Secretary of State; Robert S. McNamara, the Secretary of Defense; C. Douglas Dillon, the Secretary of the Treasury; Robert F. Kennedy, the Attorney General; J. Edgar Hoover, the Director of the FBI; John A. McCone, the Director of the CIA; and James J. Rowley, the Chief of the Secret Service, on the basis of the information available to each of them.¹²⁹⁶