
ANATOMY OF THE SECOND FLOOR LUNCH ROOM ENCOUNTER.

By: Bart Kamp.

Winner of the Mary Ferrell & JFK Lancer New Frontier Award Nov. 2016.

“Bart’s work in re-examining the official story of the encounter with Lee Oswald Texas School Book Depository building second floor has brought forward a broad array of new data, including documents and statements of the participants and a variety of TSBD witnesses.”

Winner of the Dealey Plaza UK Annual Achievement Award April 2017.



V.1 released August 1st 2016.

V.2 April 14th 2017.

V.3 August 30th 2017.



ACKNOWLEDGEMENTS AND RESOURCES.

Before I kick off, I would like to thank Greg Parker, Gokay Hasan Yusuf and Ed Ledoux for their generosity for taking the time to proofread this piece.

I thank Stan Dane for his memes. Terry Martin and Ed Ledoux for some of those crisp new scans. I managed to grab a few bits myself from [Newspaper Archives](#).

The rest of the [ROKC](#) crew: Lee Farley (for some beautiful insights), Jake Sykes, Vinny, Vanessa Loney, Mick Purdy, Paul Francisco Paso and Alan Dixon for their input at the forum.

Forum members: Faroe Islander, Redfern and Richard Hocking.

Thanks also to Colin Crow, Steve Roe and Denis Morissette for the leads to some of the photos, video clips and articles. Chris Davidson and Gerda Dunckel for their GIFs.

Special thanks to Bernard Wilds webmaster of [DPUK](#) for creating the first version of this document, he beat me to it and he did a fab job!

And my mentor Harry van der Brugghen who taught me how to become a better photographer and also handed me the font (Antique Olive Roman) being used for this piece. Harry passed away in Aug. 2016, so that is why I am using this font.

And last, and most certainly not the least: thank you all for taking the time and effort for reading this as well.

In April 2016 I gave a two hour presentation at the yearly Dealey Plaza UK seminar in Canterbury. I did a two hour presentation and talking to Barry Keane just after, I told him I was not happy as I ran out of time and had to cut down on content, especially on the 2nd floor encounter. He said "write it down". This I did.....

The main reason I originally put this piece together, was for it to act as a script for Part 1 of the next batch of Prayer Man movies, I blame Barry Keane who told me to write it all up after the Dealey Plaza UK seminar in Canterbury in April 2016. This will be Volume 2, episode 1 of **Prayer Man the Movie – The Second Floor Lunch Room Encounter**. However the research into this segment of the assassination got bigger and bigger, in the end it has been quite a puzzle.

There will be four interactive presentation movies in total. This lunch room encounter was already a large part of [My First Presentation](#), and after digging into this for the past year and amassing so much on it, I decided to 'break' the film into four parts.

1. The Second Lunch Room Encounter.
2. Oswald's Interrogations.
3. The TSBD Employees.
4. Prayer Man.

Eventually all 4 papers will be combined into a book. No idea when that is going to come out, 2018 perhaps.

A lot of this collection comes from forums research with the majority of it discussed at [ROKC](#) and [The Education Forum](#).

A few books, which I will address further down the line and the documentation and other media available through [Mary Ferrell, John F. Kennedy/Dallas Police Department Collection](#), [National Archives in Washington](#), [John Armstrong's Archive At Baylor University](#), [Harold Weisberg's archive at Hood College](#) and the [University of North Texas](#).

A valuable piece of info is the page regarding the [lunchroom encounter at the Mary Ferrell Chronologies](#), it is an excellent starting point.

Since writing this essay and releasing the first draft on Aug. 1st 2016, as you may have already noticed above, I have been given the Mary Ferrell JFK Lancer New Frontier Award in Nov. 2016. I am completely surprised, humbled, but also overjoyed with this Award, and it is a great encouragement to keep going with the up and coming three essays.

Since its first release, I have come across a few more things and decided to add them. It has increased this essay by more than 30 pages.

I have re-read the whole piece and made amendments everywhere, from a grammatical p.o.v, but also for putting the points across a little more concise.

Added between Aug 2016 and April 2017:

- New chapter on Baker's actions before he made his dash towards the front steps.
- Bill Shelley and Billy Lovelady's testimonies with regards their observations of Baker running into the TSBD.
- I decided to add all the original newspaper articles about Oswald's whereabouts from Nov. 22nd-26th.
- Carolyn Arnold makes an entry as well. I thought her initial FBI statement and all the theatrics following deserve a mention.
- Harold Norman's statement for the HSCA proved to be a very valuable add-on as well.
- Barry Ernest's work in The Girl On The Stairs has been added over several chapters, he interviewed Roy Truly, Victoria Adams, Sandra Styles and Dorothy Garner after the assassination and some of their statements are of such value that they had to be added as well.
- Additionally some of Sean Murphy's findings regarding Sandra Styles have been added.

Updates after April 14th 2017 release:

- St. Louis Post Dispatch article from Nov.26 1963 added on page 8.
- Medicine Hat News newspaper article added to "Research history...." page 10.
- Link to newspaper article from The Houston Post (Nov. 23rd) with Billy Lovelady's remarks added. Page 30.
- Norman Redlich memo (3 pages) discussing the elevators added to "The Stairs and The Elevators" chapter, pages 50-52. Thanks to Malcolm Blunt for this!
- Text added to page 53, in the chapter "Did Truly Walk Ahead Of Baker", with regards to the Secret Service agents taking statements of the TSBD employees in early Dec. 1963.
- Also added in the re-enactment chapter I added an article by the Dallas Morning News on page 118.
- FBI re-enactment photo added, from Robin Unger, page 119.
- Document of Thomas J. Kelley added with regards to the Secret Service re-enactment on page 120.
- Set of FBI re-enactment photos added, which I managed to score at the Holland McCoombs collection. Added these, as they are rare and have not been seen before by many. Pages 122-126.
- Photo added of Marrion Baker alongside with fellow DPD officers and John Sherman Cooper in Wa. Page 129.

Even with this additional material I am aware of some that I have not been able to get my hands on as of yet.

There is Roy Truly's deleted W.C. testimony i/e. This by itself is mindboggling, testimony that has been deleted from the Warren Report and is available as a recording on a dictabelt. Denis Morissette brought this to my attention.

Since July 2016 ROKC has been trying to get a digital copy of it from the National Archives in Washington. Everything was going fine, payment was taken and just before it was to be sent to an outside source to get a digital copy made, the Archives decided not to do this and have it screened instead.

Meaning: sending it to a different outside source to obtain a digital copy for themselves only and then have it transcribed and the content of it vetted for a possible (partial) release. We were promised an answer in Oct. 2016, but to this day we have not heard from them as of yet.

AUDIO ACCESSION PRESERVATION LIST										
Warren Commission		RC 272		Internal Transfer						
Subject No. #	TITLE - DATE - DESCRIPTION		Binning Time	Disc	Reel	Orig. Case	Orig. Other	New Num.	Ref. Comp.	Remarks
272819.33	WNR radio, November 1963, City Hall with Curry, Oswald, and Nade		16" 12"	10"	7"				1-7*	Acetate 7.5 7.5
272819.34	WNR radio, November 22, 1963, excerpts from Dallas City Council and Texas Hotel speech (Tape #*)				1				1-7*	Acetate 7.5 7.5
272819.35	WNR radio, November 1963, Funeral of Officer Tippett. (Tape #**)				1				1-7*	Acetate 7.5 7.5
272819.36	WNR radio, November 1963, Chief Curry press conference; Bruce and Cutsy; Attorney Howard and Glenn King and J. Martin, Attorney interview with Autz. (Tape #***)				1				1-7*	Acetate 7.5 7.5
272819.37	WNR radio, November 1963, Justice of the Peace Pierce McBride; Curry press conference; interview with Oswald and Cady; Bill Stewart Sunday night on WNR; and City Hall Friday and Saturday. (Tape #****)				1				1-7*	Acetate 7.5 7.5
272819.38	Unidentified tape (marked Tape #20/21-A) and a number of boxes of logs (contents) for Dallas, Fort Worth radio stations.				1					7.5
272819.01	Dictaphone belt containing deleted testimony of Roy Truly.						1-belt			
272819.02 2-6/6	Audiograph discs comprising testimony of Marine Oswald, September 1, 1966			4				12-7"	12-7"	Poly. 7.5 7.5

Then there is Gill Toff, who interviewed many individuals who were there that day in 1968. Some of them of extreme interest to me: Roy Truly, Jack Dougherty, Harry Dean Holmes, Elsie Dorman, Will Fritz, Pauline Sanders and others.

An attempt to get funds for a documentary release of 30 hours' worth of interviews in 2013 via [Kickstarter](#) and [GoFundMe](#) barely got off the ground.

I have tried to get my hands on this material and so far have failed, so I am completely in the dark whether this is of any value to this essay or the next two. Time will tell.

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DID OSWALD DESCEND FROM THE 6TH FLOOR AFTER KILLING JFK?

Did Oswald descend from the 6th floor after killing JFK? Make his way down to the second floor, via the back stairs in the northwest corner of the TSBD, where he was confronted by Marrion Baker and Roy Truly leaning in just behind Baker, or did he come from the first floor and get a coke, or did it happen at all?

This so-called encounter drew my attention at first in the film *JFK* by Oliver Stone. In this film, Victoria Adams' and Sandra Styles' descent question the encounter from a timing perspective. They were going down the stairs from the fourth floor almost immediately after the shots were fired. The timing of this actual event, the second floor lunch room encounter, has been used by the Warren Commission to ascertain Oswald's guilt as it had trouble putting Oswald in the 6th floor window at the time of the shooting.

However, at the same time, conspiracy theorists (CTers) have used this happening as proof of Oswald's innocence by questioning the very same timing aspect of it. In addition, they think that he had come from below, the first floor via the front stairs as he had stated that he was on the first floor during lunch time and when the motorcade went past the building. Overall, the belief among researchers is that this encounter happened somehow.



JFK, 1991. Warner Brothers. Truly supposedly leaned in from the doorway behind Baker, therefore Baker would be blocking Truly's view. In this film still Truly is leaning in from the wrong way.

Back then, I thought it was odd and just one of the many things that called into question of Oswald as the JFK shooter on the sixth floor from the Southeast corner window of the Texas School Book Depository, on November 22 1963.

The official story of Baker and Truly going in the TSBD and the [second floor lunch room encounter as written inside the Warren Report](#) goes as follows:

When the shots were fired, a Dallas motorcycle patrolman Marion L. Baker was riding in the motorcade at a point several cars behind the President. He had turned right from Main Street onto Houston Street and was about 200 feet South of Elm Street when he heard a shot. Baker having recently returned from a week of deer hunting was certain the shot came from a high-powered rifle. He looked up and saw pigeons scattering in the air from their perches on the Texas

School Book Depository Building. He raced his motorcycle to the building, dismounted, scanned the area to the West and pushed his way through the spectators toward the entrance.

There he encountered Roy Truly the building superintendent who offered Baker his help. They entered the building and ran toward the two elevators in the rear. Finding that both elevators were on an upper floor they dashed up the stairs. Not more than 2 minutes had elapsed since the shooting. When they reached the second-floor landing on their way up to the top of the building, Patrolman Baker thought he caught a glimpse of someone through the small glass window in the door separating the hall area near the stairs from the small vestibule leading into the lunch room. Gun in hand he rushed to the door and saw a man about 20 feet away walking toward the other end of the lunch room. The man was empty handed.

At Baker's command the man turned and approached him. Truly who had started up the stairs to the third floor ahead of Baker, returned to see what had delayed the patrolman. Baker asked Truly whether he knew the man in the lunch room. Truly replied that the man worked in the building, whereupon Baker turned from the man and proceeded with Truly up the stairs. The man they encountered had started working in the Texas School Book Depository Building on October 16 1963. His fellow workers described him as very quiet, a "loner". His name was Lee Harvey Oswald. Within about 1 minute after his encounter with Baker and Truly, Oswald was seen passing through the second-floor offices. In his hand was a full "Coke bottle which he had purchased from a vending machine in the lunch room. He was walking toward the front of the building where a passenger elevator and a short flight of stairs provided access to the main entrance of the building on the first floor.

Two questions arise from a common police procedure perspective already, after reading the above and they are:

1. *Why did Baker not call this in? He had seen what had happened down Elm St for a second or two while putting his bike on the stand and dismounting. Then he made his way to the TSBD even after Dallas Police Chief Jesse Curry ordered all law enforcement personnel to check behind the picket fence seconds before? He had heard that call over his radio and in effect disobeyed a direct order.*
2. *Why did Baker not seal off the building? Instead, allegedly entering as the only armed law enforcement officer and making his way up the stairs with the superintendent Roy Truly ahead of him, who was unarmed. That is if he actually did what he said he had... big if! Or did he seal the building until cops arrived to back him up?*

Here is Baker telling his part of the story on CBS.



RESENTMENT RISING AGAINST DALLAS POLICE

By RICHARD DUDMAN
A Staff Correspondent of the Post-Dispatch

DALLAS, Tex., Nov. 26—Revolting is rising against the Dallas Police Department over what many consider a series of blunders culminating in the fatal shooting of Lee Harvey Oswald Sunday.

The second shooting has joined many Dallas citizens out of the stunned shock caused by the assassination of President John F. Kennedy last Friday.

The comment, "It could have happened in any city," is giving way to the question, "What is wrong in Dallas that lets these things happen here?"

Groping for Answers

Criticism is aimed mainly at the Police Department, but the operations of the Secret Service and the Federal Bureau of Investigation are being questioned as the people of Dallas grope for answers.

All three agencies are being blamed for the fact that no search was made of the Texas Textbook Depository Building before the presidential motorcade passed it. The assassin shot the President from the deserted sixth floor of the warehouse.

The window the killer had chosen was a perfect vantage point. It faced the parade route, overlooking a downward curve of the roadway so that a passing automobile would be moving directly away and thus would present an easier target.

Angle of Window

The level and angle of the window were such that the assassin could have aimed a gun at Mr. Kennedy's head from a point 10 feet behind the sill, safe from the sight of anyone close to the building.

Officials have excused the failure to search the building in advance by saying it would have been physically impossible to search and secure every building

was unusually suited to the assassin's purpose and should have been searched if no other building was searched.

A second major blunder, as many here see it, came immediately after the shooting of the President. Dallas police raced to the warehouse building and began a quick look for the killer. At one point they had Oswald in their hands, but let him go when the manager of the textbook company said the man was an employee.

They later took a muster of employees, found Oswald missing and broadcast his description. It was that information that led Patrolman J. D. Tippit to stop a man on the street four miles away. That man shot and killed Tippit and has been identified as Oswald.

Building Not Sealed

The question here is why did police not seal the building immediately when they thought the killer of the President was inside? One explanation has been that the first search had to be a quick one and that any employee of the place could easily be traced afterward if necessary.

Another, which seemed to some to be the only explanation, was that the officers were so unsettled by the shooting that they neglected to follow normal police practice.

A criticism expressed by a leading Texas criminal lawyer in Houston, that the Dallas authorities might jeopardize their case by questioning Oswald at length without letting him have legal counsel, seemed to carry little weight in Dallas.

In Accordance With Law

Percy Foreman, president of the National Association of Defense Lawyers in Criminal Cases, questioned the procedure here, but few Dallas residents seemed impressed. Several Dallas lawyers, questioned on this point, said the interrogation was fully in accordance with Texas law.

Two lawyers began a discussion by saying, "Of course, he has a right to counsel, but here in Texas . . ."

The crowning blunder, in the opinion of many here, was Chief of Police Jesse E. Curry's attempt to transfer Oswald from the City Hall to the county jail in daylight in accordance with a widely-publicized schedule.

Fixture at Police Station

Compounding that blunder, police on duty in the City Hall basement permitted the hoodlum operator of a strip-tease joint, known as a pistol-carrying brawler with a police record, to mingle with the crowd that awaited Oswald's emergence from the jail. Apparently he escaped notice because he had become a fixture as a police station hanger-on.

The result was the second shooting witnessed by millions on television, in which Jack Ruby fatally wounded the man who was accused of killing the President but had not confessed or been convicted of the crime.

Yesterday, when Ruby, in turn, was transferred skillfully to the county jail, slouched in the back seat of an unmarked automobile and without any prior announcement, the sentiment heard over and over again in Dallas was that the gate had been locked after the horse was stolen.

RESEARCH HISTORY OF THE 2ND FLOOR LUNCHROOM ENCOUNTER.

I have listed everything that I could lay my hands on and compared these findings within its own chapter. Not everything is an untruth; some of it is down to bad communication, sloppiness, complacency or a simple mistake, which happen to bolster earlier discoveries.

However, if you add up all of these statements, testimonies, newspaper reports and media, then you can come to only one conclusion:

That there is something very wrong with the official story, with many aspects of it pointing heavily toward a concerted effort to nail Oswald to the cross with a false narrative.

Let us go through some of the research published before about this encounter.

Leo Sauvage, a New York correspondent from French newspaper Le Figaro, is one of the first reporters to question the lunchroom encounter as it is being presented and Oswald's 'escape' from the TSBD (more about his work later).

In the [Lowell Sun from December 26 1963](#) Leo Sauvage writes:

"There are disturbing aspects of the lunch room episode. According to the testimony of Roy S. Truly, manager of the Depository, a motorcycle policeman entered the building right after the shooting. Seconds later he and Truly reached the second-storey landing. At that moment, we are told officially Oswald was already in the lunch room with a Coca-Cola bottle in his hand.

'This means that, assuming he was the assassin, he had to cross the floor from the window where the shots were fired, to the opposite side of the building, in order to reach the staircase (after concealing the rifle behind some packing boxes), run down four flights of stairs, walk to the lunch room, put a dime in the vending machine and open the bottle. Truly and the policeman did not report that Oswald was panting nor show other signs of having been running.' Leo Sauvage may have been one of the first to question the time line of the 2nd floor lunch room encounter but being first in this case is not the best, since a lot of material was not available to him enabling a more balanced assessment.

Quite a few other authors have dug into this part of this vast case; I shall name the most important ones:

- [Harold Weisberg's Whitewash](#) deals, (as far as the info that was available in the 60's), with the second floor lunchroom encounter from a timing perspective, in conjunction with the so-called reconstruction after the assassination. From that point of view only, there is already quite a bit to question on this encounter. I will get into more detail about the fraudulent reconstruction later on. He writes a separate piece [just on Baker's testimony](#). Setting the bar high already, regarding the truthfulness of the actual happenings of this so-called encounter. In [Whitewash II](#) it gets even better. Weisberg devotes an entire chapter on the second floor lunchroom encounter ("Chapter 5 Baker's Dozen") and he points out the many discrepancies in Baker's affidavits to the DPD and the FBI. He brings Marvin Johnson into the fold as well, which raises more questions about the truthfulness of the participants. More about this in detail further down below.

"What is presented in WHITEWASH on this encounter and both reconstructions, which is the disproof of the Warren Report's version by the identical evidence the Report cited, is mild compared to the truth." Whitewash II (p 42).

Did Lee Harvey Oswald have an alibi?

NEWS staff writer Gordon Pollard has completed another article on the Kennedy assassination in which he discusses Lee Harvey Oswald's alibi.

Associated Press photographer James Altgens was standing about 30 feet from the Presidential Limousine when John Kennedy received his fatal head wound and only seconds later took the now famous photograph of the motorcade which shows in the background the entrance of the Texas School Book Depository.

The controversy concerning this picture centers on the blurred image of a mysterious per-

son standing in the Depository doorway. This figure bears striking resemblance to Lee Harvey Oswald but officials have stated that the person in the picture is really Billy Lovelady, another employee of the Depository.

In a recent conversation with James Altgens in Dallas, the veteran photographer told me that neither he nor any of his colleagues has been able to take a picture of Billy Lovelady.

"It seems very strange," he observed, "for I really can't think of any reason why Mr. Lovelady should refuse to allow even one photo of himself to be taken."

"If I were in his position, I

Gordon Pollard

would certainly have some pictures taken to settle the matter for once and for all."

Mr. Altgens noted also that a newspaper photographer was sent from Fort Worth to take a picture of Lovelady but was arrested by the police and told to leave the city at once.

But perhaps the most startling aspect of the famous Altgens photo has received the least attention: the question of the clothing worn by the figure in the doorway.

The man at the entrance appears to be wearing a white undershirt and a dark shirt or jacket. At the time of the assas-

sination Lovelady was clad in a shirt with black and white vertical stripes which was buttoned to the neck. But at the time of his arrest Oswald was wearing a dark blue shirt over a white T-shirt.

Only moments after James Altgens had taken this picture, Motorcycle Officer Marion Baker and Depository Superintendent Roy Truly entered the Depository and ran up one flight of stairs to the second floor lunchroom where they saw Oswald standing calmly.

This confrontation raises one of the most crucial questions in the entire Kennedy assassination controversy: could Oswald have run from the southeast corner window on the sixth floor to the lunchroom on the second floor in time for the meeting with Baker and Truly?

The Warren Commission conducted two tests. In the first Baker reached the second floor landing in one minute, 30 seconds and in the second he ran the course in one minute, 15 seconds. Secret Service Agent John Howlett covered the distance from the sixth floor to the lunchroom in one minute, 18 seconds the first time and in one minute, 14 seconds in the second test.

Therefore, taking the longest time of Howlett — Oswald (one minute, 18 seconds) and the shortest time of Baker (one minute, 15 seconds), Oswald would have arrived three seconds after Baker.

In other words, the Warren Commission itself concedes that Oswald had an alibi according to the fundamental principle of American law that any uncertainty or ambiguity be interpreted to the advantage of the accused.

Even if we take the shortest time of Howlett — Oswald (one minute, 14 seconds) and the longest time of Baker (one minute, 30 seconds), Oswald is only 16 seconds away from his alibi.

It is important to note also that the tests carried out by Agent Howlett did not allow for the time required to clean and hide the rifle nor did they provide for the delayed mechanical closing of the lunchroom door.

What is especially peculiar, however, is the mystery of the vanishing bottle of Coke. The Warren Report maintains that Oswald had nothing in his hands when seen in the lunchroom although both Baker and Truly stated at first that he was holding a bottle of Coke. Both police

Captain Fritz and FBI Agent James Bookout reported that Oswald himself mentioned the Coke during his interrogation.

Commission Exhibit No. 3978 on page 679 of Volume XXVI of the Commission's Hearings and Exhibits is a photocopy of a handwritten deposition made by Marion Baker who writes: "On the second floor where the lunch room is located, I saw a man standing in the lunchroom, drinking a Coke." Though still clearly legible, the words "drinking a Coke" have been crossed out.

If Oswald was indeed drinking a bottle of Coke, his alibi would be almost uncontested and, even without the Coke, it seems very probable.

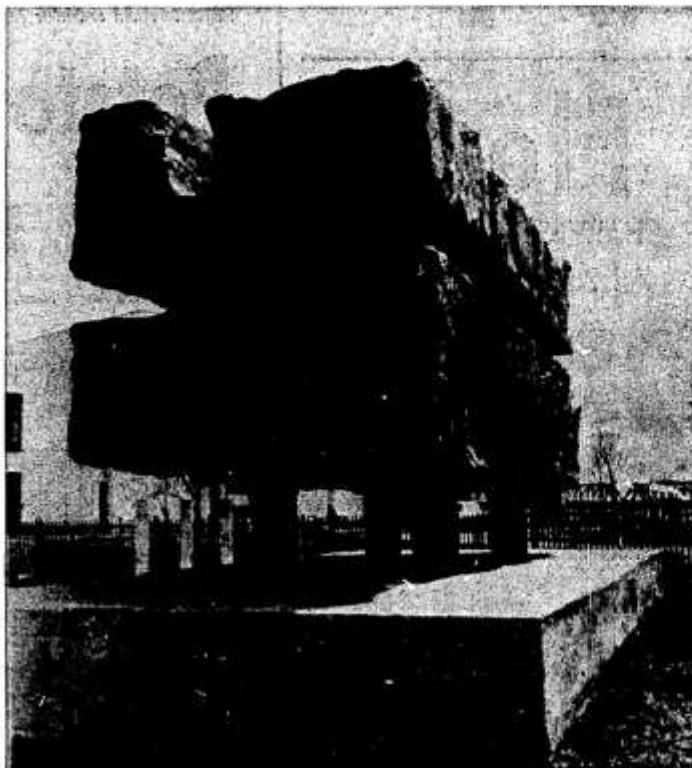
During questioning on the night of the assassination, Oswald told FBI Agent Bookout that he was having lunch in the second floor lunchroom immediately before the shooting and had noticed two men walking by in the hallway. He recalled that one of them was "Junior." James "Junior" Jarman testified that he had indeed walked past the lunchroom at the time mentioned by Oswald.

This would seem to leave open three possibilities: (1) that Oswald was on the sixth floor but made an amazing guess that out of 50 workers in the Depository Jarman would be passing the lunchroom at that particular time; (2) that Oswald was on the sixth floor but was capable of looking through four solid walls and consequently observed Jarman's movements; or (3) that Oswald was not on the sixth floor but was instead having lunch on the second where he noticed Jarman in the hallway.

Perhaps the most crucial single item of evidence in determining Oswald's innocence or guilt, however, is a photograph taken during the shooting by an eyewitness named Mary Ann Moorman.

This photo was taken just after the first shot had been fired and showed in the background the Texas School Book Depository. Deputy Sheriff John Wiseman who took the photo from Mrs. Moorman admitted that the background in the picture included the southeast corner window on the sixth floor of the Depository.

But this photograph has been suppressed without any explanation being offered and Mary Ann Moorman was not called as a witness by the Warren Commission.



DOES IT OR DOESN'T IT? — A \$50,000 sculpture by artist Armond Vaillancourt has become the subject of controversy on grounds that it resembles a swastika. It is prominently displayed at Expo and some members of the Jewish community

say it should be removed. Mr. Vaillancourt denies he had any intention of incorporating a swastika into the work, entitled *Present*, and has threatened to blow it up to prove his feelings.

(CP photo)

In the Medicine Hat News of May 3 1967, Gordon Pollard starts to ask quite a few questions about the alleged encounter.

- [Sylvia Meagher's book, Accessories After The Fact](#), is besides Whitewash an excellent source, not just for the second floor lunchroom encounter, but also the TSBD employees who were inside and just in front of the building when The President got shot. Meagher's book also questions the timing of it all, and drags in the coke, which of course has repercussions for that very same timing perspective.
- Howard Roffman, in his book [Presumed Guilty](#), goes deep into the whole matter. Obviously, he goes into the timings of the fraudulent reconstruction, but he also compares witness

statements, not just by Truly and Baker, but he also gets statements and testimony by Bill Shelley, Joe Molina and Billy Lovelady involved. But more importantly he uses the Couch film to determine a partial view of Baker's dash towards the front steps of the TSBD. Roffman is a protégé of Harold Weisberg and they and Richard Bernabei correspond with each other and discuss various aspects of the case.

In a letter from Howard Roffman to Harold Weisberg and Richard Bernabei dated July 14 1970. Roffman lays out his findings, I personally do not agree with some of it, but am a bit fascinated by the fact how much was already noticed and discussed more than forty-five years ago. Click on [page1](#), [page 2](#) and [page 3](#) to view the letter's content.

- Then there is [Crossfire by Jim Marrs](#), which came out not long before the movie JFK was released. This book was one of the sources for the movie. It is the second book I read on the JFK Assassination. The second floor lunch room encounter gets Marrs' attention for a few pages (50-53).

Baker's actions, glorified in an action comic book called: [The Warren Commission Report: A Graphic Investigation Into The Kennedy Assassination, Dan Mishkin, Ernie Colon, and Jerzy Drozd.](#)



Several authors followed, adding this encounter in their books and questioning it as well, but only from a timing perspective. Not one delves deeper into the matter itself, and takes this happening for granted. The majority are just re-writing what Weisberg, Meagher and Roffman had already published.

With the release of the film JFK, growing pressure on the government agencies secures the release of many files running into millions of pages, and important to our segment of this case, the [Dallas Police Department](#) does this.

As the internet starts to gain more ground as a media platform, a few researchers start putting their findings on blogs, newsgroups and forums.

- Michael T. Griffin in the late 90's publishes an article entitled [Proof That Oswald Did Not Shoot JFK: The Baker-Oswald Encounter](#). This is the first serious attempt in comparing all statements made by Truly and Baker. It also goes through various timing scenarios, brings in the Couch film, but not Darnell. However it relies a lot on the timing perspective.
- [Greg Parker and Donald Willis raised the matter once more in and around 2002.](#)

And they take it much further since it is these two individuals who actually start questioning the 2FLRE from an evidence p.o.v. and go much deeper than others previously have done. They also put forward that the encounter happened on the first floor instead! You can find a fair amount of posts in the Google newsgroups discussing this. According to what Greg Parker told me, it started when [the second floor encounter between Oswald and Baker was being heavily questioned at the JFK Lancer Forum in May 2007.](#)

Some bits from the Google Newsgroup have been [summarised by Greg Parker at the ROKC forum.](#)

- Sean Murphy and Lee Farley also add their observations and start discussions at a few forums such as [JFK Lancer](#), [Education Forum](#) and [Google Newsgroups](#) about the shenanigans in and around the Texas School Book Depository.
- Richard Hocking joining the debate adding his deductions and bringing various TSBD individuals in the fold at the [Education Forum](#).
- [Gil Jesus](#) another excellent researcher, posted his analysis on his website, sadly some of his work is not available any more. I have managed to seize a web article entitled "[Lunch Room Encounter](#)" as a pdf.

Around the same period, Barry Ernest first self-publishes his book [The Girl On The Stairs](#), followed up in 2013 with a 'proper' release by Pelican. This tremendous book also brings up the 2nd floor encounter in various instances. I don't agree with its assessment as to how it happened, but this book contains a lot of valuable info, it would be stupid to ignore it. Ernest interviewed Victoria Adams, Sandra Styles, Dorothy Garner, Roy Truly and Roger Craig. Just the content of this book alone absolves Oswald from being the sixth floor shooter. I refer to his work quite a few times.

After Sean Murphy's sudden departure from JFK assassination research on November 22nd 2013, [ROKC](#) core members picked up the torch in a manner of speaking, and ran with this ever since, by going to the National Archives to look for documents and photographs, and source the newspaper articles that reported on this particular segment of the case. Getting better quality media, proved to be quite a challenge, and still is.

I ended up re-investigating this entire segment of this vast case.

A lot of the info was scattered all over the web, and my main mission was to catalogue all this material for everyone to check out. There is enough to doubt the official story to such an extent, that Lee Oswald gave them the idea of the coke and the lunchroom all by himself.

Furthermore, Oswald was on the first floor, instead of being in the second floor lunchroom when encountered by a DPD police man, whether that was Baker remains to be seen.

If the second floor lunchroom encounter is a complete fabrication and Oswald was indeed on the first floor as he stated, then this by itself has far-reaching consequences.

Let us go through this bit-by-bit. Baker's run, his encounter etc., and compare all statements, testimonies, newspaper quotes and visuals.

BAKER'S ACTIONS BEFORE HE GOT OFF HIS BIKE.

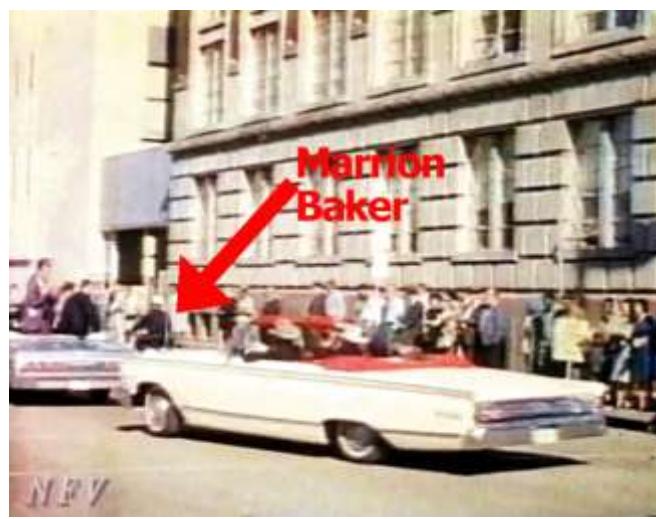
Before Baker got off his bike and made a dash towards the front entrance, he was riding escort with the motorcade near Cam Car 3.



Marrion Baker on the right. Pic.: Tom Dillard/Dallas Morning News.

Stavis Ellis, Baker's supervisor, stated that he put Baker this far back in the motorcade, as he did not regard Baker to be the sharpest knife in the drawer. Overall Ellis had harsh words for Baker and his subsequent actions. More about this later.

Baker is captured in the Hughes film almost halfway down Houston.



He seems to be unperturbed by what is happening or it is about to happen which means that the distance between him and the TSBD is relatively short. The photographers in Cam Car 3 are still looking back at what had just happened, Bob Jackson had taken his last picture and handed his film to Jim Featherston, a reporter waiting to receive it at the corner of Main and Houston. When the heavyset reporter fumbled it and began to chase after it, the men in the car found themselves laughing. Then the first shot rang out.....



Baker in the Hughes film.

Baker's WC testimony regarding his approach to the TSBD.

Mr. BELIN - How fast would you estimate the speed of your motorcycle as you turned the corner, if you know?

Mr. BAKER - I would say--it wasn't very fast. I almost lost balance, we were just creeping along real slowly.

Mr. DULLES - That is turning from Main into Houston?

Mr. BAKER - That is right, sir.

Mr. BELIN - You turned--do you have any actual speed estimate as you turned that corner at all or just you would say very slow?

Mr. BAKER - I would say from around 5 to 6 or 7 miles an hour, because you can't hardly travel under that and you know keep your balance.

Mr. BELIN - From what direction was the wind coming. When it hit you?

Mr. BAKER - Due north.

Mr. BELIN - All right.

Now, tell us what happened after you turned on to Houston Street?

Mr. BAKER - AS I got myself straightened up there, I guess it took me some 20, 30 feet, something like that, and it was about that time that I heard these shots come out.

Mr. BELIN - All right.

Could you just tell us what you heard and what you saw and what you did?

Mr. BAKER - As I got, like I say as I got straightened up there, I was, I don't know when these shots started coming off, I just--it seemed to me like they were high, and I just happened to look right straight up---

Mr. DULLES - I wonder if you would just tell us on that chart and I will try to follow with the record where you were at this time, you were coming down Houston.

Mr. BELIN - Sir, if you can--I plan to get that actual chart in a minute. If we could----

Mr. DULLES - I want to see where he was vis-a-vis the building on the chart there.

Mr. BAKER - This is Main Street and this is Houston. This is the corner that I am speaking of; I made the right turn here. The motorcade and all, as I was here turning the front car was turning up here, and as I got somewhere about right here----

Mr. DULLES - That is halfway down the first block.

Mr. BELIN - No, sir; can I interrupt you for a minute?

Mr. DULLES - Certainly.

Mr. BELIN - Officer Baker, when we were in Dallas on March 20, Friday, you walked over with me and showed me about the point you thought your motorcycle was when you heard the first shot, do you remember doing that?

Mr. BAKER - Yes, sir.

Mr. BELIN - And then we paced this off measuring it from a distance which could be described as the north curb line of Main Street as extended?

Mr. BAKER - Yes, sir; that would be this one right across here.

Mr. BELIN - And we paced it off as to where you thought your motorcycle was when you heard the first shot and do you remember offhand about where you said this was as to what distance it was, north of the north curb line of Main Street?

Mr. BAKER - We approximated it was 60 to 80 feet there, north of the north curb line of Main on Houston.

Mr. DULLES - Thank you.

Mr. BELIN - Does that answer your question?

Mr. DULLES - That answers my question entirely.

Mr. BELIN - In any event you heard the first shot, or when you heard this noise did you believe it was a shot or did you believe it was something else?

Mr. BAKER - It hit me all at once that it was a rifle shot because I had just got back from deer hunting and I had heard them pop over there for about a week.

Mr. BELIN - What kind of a weapon did it sound like it was coming from?

Mr. BAKER - It sounded to me like it was a high-powered rifle.

Mr. BELIN - All right. When you heard the first shot or the first noise, what did you do and what did you see?

Mr. BAKER - Well, to me, it sounded high and I immediately kind of looked up, and I had a feeling that it came from the building, either right in front of me or of the one across to the right of it.

Mr. BELIN - What would the building right in front of you be?

Mr. BAKER - It would be this Book Depository Building.

Mr. BELIN - That would be the building located on what corner of Houston and Elm?

Mr. BAKER - That would be the northwest corner.

Mr. BELIN - All right. And you thought it was either from that building or the building located where?

Mr. BAKER - On the northeast corner.

Mr. BELIN - All right. Did you see or hear or do anything else after you heard the first noise?

Mr. BAKER - Yes, sir. As I was looking up, all these pigeons began to fly up to the top of the buildings here and I saw those come up and start flying around.

Mr. BELIN - From what building, if you know, do you think those pigeons came from?

Mr. BAKER - I wasn't sure, but I am pretty sure they came from the building right on the northwest corner.

Mr. BELIN - Then what did you see or do?

Mr. BAKER - Well, I immediately revved that motorcycle up and was going up there to see if I could help anybody or see what was going on because I couldn't see around this bend.

Mr. BELIN - Well, between the time you revved up the motorcycle had you heard any more shots?

Mr. BAKER - Yes, sir; I heard--now before I revved up this motorcycle, I heard the, you know, the two extra shots, the three shots.

Mr. BELIN - Do you have any time estimate as to the spacing of any of these shots?

Mr. BAKER - It seemed to me like they just went bang, bang, bang; they were pretty well even to me.

Mr. BELIN - They were pretty well even.

Anything else between the time of the first shot and the time of the last shot that you did up to the time or saw--

Mr. BAKER - No, sir; except I was looking up and I could tell it was high and I was looking up there and I saw those pigeons flying around there.

Mr. BELIN - Did you notice anything in either of those two buildings either on the northeast or northwest corner of Houston and Elm?

Mr. BAKER - No, sir; I didn't.

Mr. BELIN - Were you looking at any of those windows?

Mr. BAKER - I kind of glanced over them, but I couldn't see anything.

Mr. BELIN - How many shots did you hear?

Mr. BAKER - Three.

Mr. BELIN - All right. After the third shot, then, what did you do?

Mr. BAKER - Well, I revved that motorcycle up and I went down to the corner which would be approximately 180 to 200 feet from the point where we had first stated, you know, that we heard the shots.

Mr. BELIN - What distance did you state? What we did on Friday afternoon, we paced off from the point you thought you heard the first shot to the point at which you parked the motorcycle, and this paced off to how much?

Mr. BAKER - From 180 to 200 feet.

Mr. BELIN - That is where you parked the motorcycle?

Mr. BAKER - Yes.

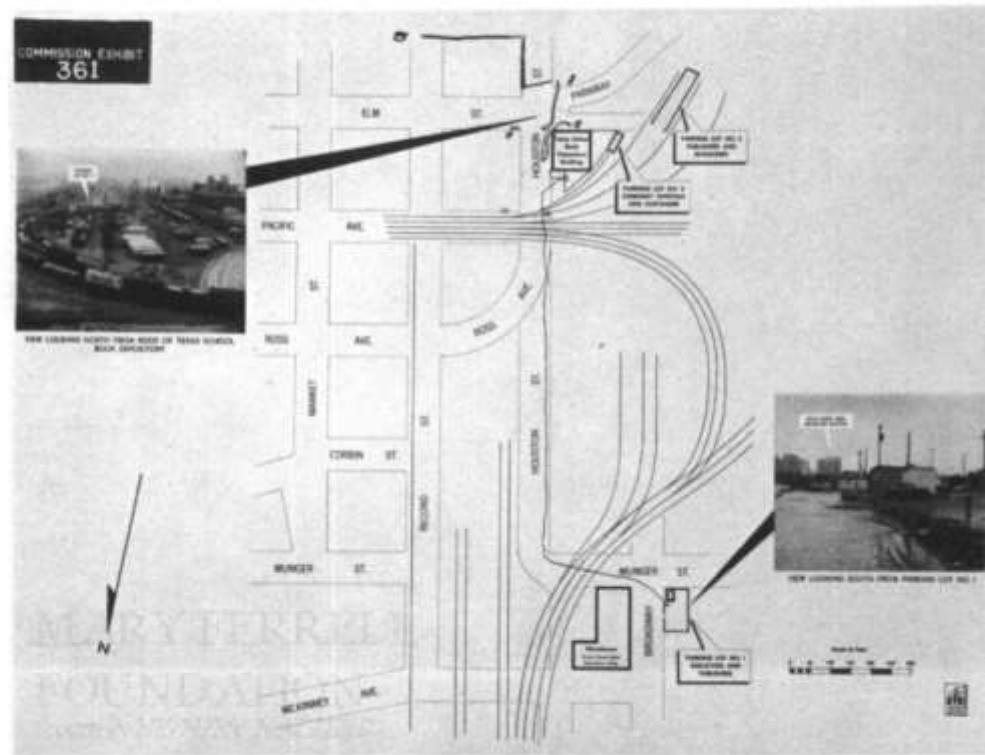
Mr. BELIN - All right.

I wonder if we could go on this plat, Officer Baker, and first if you could put on here with this pen, and I have turned it upside down.

With Exhibit 361, show us the spot at which you stopped your motorcycle approximately and put a "B" on it, if you would.



COMMISSION EXHIBIT 360



COMMISSION EXHIBIT 361

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Mr. BAKER - Somewhere at this position here, which is approximately 10 feet from this signal light here on the northwest corner of Elm and Houston.

Mr. BELIN - All right.

You have put a dot on Exhibit 361 with the line going to "B" and the dot represents that signal light, is that correct?

Mr. BAKER - That is right, sir.

Mr. BELIN - You, on Friday, March 20, parked your motorcycle where you thought it was parked on November 22 and then we paced off the distance from the nearest point of the motorcycle to the stop light and it was 10 feet, is that correct?

Mr. BAKER - That is correct, sir.

Mr. BELIN - All right.

Now, I show you Exhibit 478 and ask you if you will, on this exhibit put an arrow with the letter "B" to this stoplight.

Mr. BAKER - Talking about this one here?

Mr. BELIN - The stoplight from which we measured the distance to the motorcycle. The arrow with the letter "B" points to the stoplight, is that correct?

Mr. BAKER - That is correct, sir.

Mr. BELIN - And you stopped your motorcycle 10 feet to the east of that stoplight, is that correct?

Mr. BAKER - That is correct, sir.

Mr. BELIN - We then paced off the distance as to approximately how far it was from the place your motorcycle was parked to the doorway of the School Book Depository Building, do you remember doing that, on March 20?

Mr. BAKER - Yes, sir.

Mr. BELIN - And it appears on Exhibit 477 that that doorway is recessed, is that correct?

Mr. BAKER - That is correct, sir.

Mr. BELIN - Do you remember how far that was from the place your motorcycle was parked to the doorway?

Mr. BAKER - Approximately 45 feet.

Mr. BELIN - This same stoplight appears as you look at Exhibit 477 to the left of the entranceway to the building, is that correct?

Mr. BAKER - That is correct, sir.

Mr. BELIN - After you parked your motorcycle, did you notice anything that was going on in the area?

Mr. BAKER - Yes, sir. As I parked here.



COMMISSION EXHIBIT 477



COMMISSION EXHIBIT 478

- Rosemary Willis, the little girl who follows the Presidential limo and is captured in the Zapruder film, starts to mention the pigeons in 1998 in an interview with [Texas Monthly!](#)
"I didn't know what it was, but I was looking for what I heard. And the pigeons immediately ascended off that roof of the school book depository building and that's what caught my eye. My eyes were searching for what I heard and I see the pigeons, you know, they're scared to death, and take off in abrupt flight."

"The first shot got my attention, like I said, the pigeons immediately ascended, and I was following the sound that I heard."

- Motor cycle officer H.B. Maclean, who rode escort of the motorcade, says in his [interview with Larry Sneed](#): *"I heard one very clear shot. Evidently I must have felt like it was coming from straight ahead because at that instant I was looking down, and when I heard the shot, threw my head up and it appeared that about 5,000 pigeons flew out from behind that building (the Texas School Book Depository) straight ahead. In fact, I thought to myself, "Somebody's shooting at the pigeons!"*

5,000 Pigeons? Right....

- George Rackley's testimony does not really help much either:

Mr. BELIN. Did you see anyone in the parade?

Mr. RACKLEY. The only thing - I told the guy, he was down there, the only thing that I saw that looked suspicious to me, there was something like a hundred pigeons flew up like you shot into them, and I noticed that, but I never heard no shots.

Mr. BELIN. Where did you see them fly from?

Mr. RACKLEY. From over the top of the building.

Mr. BELIN. Which building? The School Book Depository or over on the other side?

Mr. RACKLEY. The Trinity Building.

Mr. BELIN. Which building did they fly off of?

Mr. RACKLEY. I wasn't looking. I just seen they all flew together.

Mr. BELIN. Did it look like they were flying up from both buildings?

Mr. RACKLEY. Both buildings.

- Earle V. Brown, Dallas PD patrolman, stated in his [WC testimony](#) regarding the shots and the pigeons the following.

Mr. BROWN. Well, down in that river bottom there, there's a whole lot of pigeons this particular day, and they heard the shots before we did because I saw them flying up - must have been 50, 75 of them.

Mr. BALL. Where was the river bottom?

Mr. BROWN. You know, actually off to the - between us and the, this over pass you are talking about there's kind of a levee along there. It's really a grade of the railroad, is what it is; that's where they were and then I heard these shots and then I smelled this gun powder.

Mr. BALL. You did?

Mr. BROWN. It come on it would be maybe a couple minutes later so - at least it smelled like it to me.

Mr. BALL. What direction did the sound seem to come from?

Mr. BROWN. It came it seemed the direction of that building, that Texas ---

Mr. BALL. School Book Depository?

Mr. BROWN. School Book Depository.

Mr. BALL. Did you see any pigeons flying around the building?

Mr. BROWN. I just don't recall that; no, sir.

Mr. BALL. Which way did you look when you heard the sound?

Mr. BROWN. When I first heard that sound I looked up toward that building because actually it seemed to come from there.

Mr. BALL. Where was it you saw the pigeons rise?

Mr. BROWN. They must have been down there feeding at that time because they just seemed to all take off.

Mr. BALL. Where were they from where you were standing?

Mr. BROWN. From where I was standing they would be about half way between - no, they would be up more toward that other overpass, what they call the triple underpass.

Mr. BALL. The triple underpass?

Mr. BROWN. Yea.

Mr. BALL. You were about 100 yards from the triple underpass?

Mr. BROWN. Approximately; yes.

BAKER'S DASH ON CAMERA.

Baker's dash towards the front steps of the TSBD was captured partially by Malcolm Couch and Jimmy Darnell. Here is Ed Ledoux's blend of both films based on Gerda Dunckel's GIF from 2012.



- [Malcolm Couch's testimony](#) was taken by the Warren Commission. His film footage was not entered into evidence, yet at the same time Couch's Warren Commission testimony shows how eager David Belin is in ascertaining any info regarding the front steps of the TSBD on pages [6](#), [7](#) and [8](#). I found David Belin's way of questioning outright suspicious Couch and two others were interviewed and 'dealt with' by the Commission in a two-hour window altogether.
- [James Darnell](#) was not called up to testify by the Warren Commission. He only gave a statement to the FBI. Nor was his film admitted into evidence either.

The segment of Baker's run got more exposure with the documentary "Beyond JFK, The Question of Conspiracy". Released in 1994 as part of a director's cut edition as a double VHS tape boxset. I tried to ascertain how the documentary team got this film. I emailed the producer, but received no reply.

The Darnell sequence was shown already in 1964, but obviously missed by many researchers. Perhaps they thought it was Couch. In later years, Robert Groden bundled both films together and many assumed it was the same film.

I

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BAKER'S RUN TOWARDS THE TSBD ENTRANCE.



(Thanks to Denis Morissette for this.)

- Roy Truly's [statement to the FBI on November 22 1963](#): 'He [Truly] then noticed a Dallas City Police officer wearing a motorcycle helmet and boots running toward the entrance of the depository building and he accompanied the officer into the front of the building.'

Roy Truly's statement to the [DPD November 23 1963](#): *I saw an officer break through the crowd and go into our building.*

Truly's [statement to the FBI on November 23 1963](#): *He saw a police officer in uniform approaching the building and realized he probably knew nothing of the building and therefore Truly ran into the building with him.*

His [Secret Service statement from December 8 1963](#): "I heard three shots fired and moments later a man who I believed to be a motor cycle policeman came running up the entrance of the building and I accompanied him inside."

Truly's Warren Commission testimony:

Mr. TRULY. But as I came back here, and everybody was screaming and hollering, just moments later, 'I saw a young motorcycle policeman run up to the building, up the steps to the entrance of our building. He ran right by me. And he was pushing people out of the way. He pushed a number of people out of the way before he got to me. I saw him coming through, I believe. As he ran up the stairway, I mean up the steps, I was almost to the steps, I ran up and caught up with him.'

The Darnell film shows that Baker had a clear run for most of his dash, even though he is seen emerging from a group of people it does not show any pushing.

In [CE3035 Truly's FBI statement taken on September 23 1964](#) he says: "I entered the building with a Dallas police officer after some shots had been heard coming from the general vicinity"

- Marrion Baker's first affidavit on [November 22 1963](#): I decided the shots had come from the building on the north East corner of Elm and Houston This building is used by the Board Of Education for book storage. I jumped off my motor and ran inside the building.

Baker's [November 29 FBI statement](#) comes in [two versions](#), both by SA Vincent Drain (unsigned by Baker btw):

M.L. Baker, patrolman, Dallas Police Department, Dallas, Texas that he went into the building of the Texas School Book Depository shortly after President Kennedy had been shot on November 22 1963.

Baker testified in front of the Warren Commission ([whose testimony went 5 times off the record btw](#)) the following:

Mr. BAKER. As those shots rang out, why they started running, you know, every direction, just trying to get back out of the way.

Mr. DULLES. For the record, by this area right here, you have that little peninsula between the Elm Street extension and the building?

Mr. BAKER. That is right. This little street runs down in front of the building down here to the property of the railroad tracks and this is all a parkway.

Mr. DULLES. Yes. I just wanted to get it for the record.

Mr. BELIN. You then ran into the Building, is that correct?

Mr. BAKER. That is correct, sir.

In his [FBI statement from September 23 1964](#) Baker states: "I had entered the building, in an effort to determine if the shots might have come from the building"

In Larry Sneed's [No More Silence](#) (p. 124) Baker states: "*I remember one woman standing on the corner screaming Oh they shot that man! Oh they shot that man! I didn't know what man they shot. I was assuming. So I ran into the building and at that time it seemed like everybody else was too.*"

Gary Savage's book ["First Day Evidence"](#) where Baker (named officer Y) states: "So I headed there, got off my motor and entered the building (TSBD). It took a while because of the crowd, they had started moving in every direction. The man who said he was the building superintendent and was outside and met me at the door and went in with me."

In [The Girl On The Stairs](#), by Barry Ernest, Truly who is interviewed in 1968 is asked (P.67):

"How quickly did officer Baker enter the building?" I asked. "Very quickly," Truly responded. "We were actually pushing people out of the way."



Killing Kennedy Documentary reenactment.

Bob Prudhomme had a good hunch in the middle of 2015 when he was questioning whether Baker actually ascended the steps at the very end of the Darnell film. The subject was discussed at [ROKC as well in a thread called 'Baker's Run'](#) by Stan Dane. The camera does not stay on Baker long enough to see him actually go up on the stairs.

If you watch the Darnell film in normal speed, then one were easily to assume that he goes directly towards the front steps.



However, the GIF by Chris Davidson below shows that he goes past the front by veering to the right of the steps and not directly up to them! See also how Baker blazes past Truly who turns around his right (centre of image in black jacket and hat).



When you think he is actually stepping up the stairs he is only about to step up to the curb of the side walk as seen below and is at least 10 feet away from the bottom step of the TSBD stairs.

The logical route for someone to go up those steps would be on the left hand side (West) of the steps. As people were making their way up there on the right hand side of the West area on those stairs, as on the right side of the handrail, which was then positioned in the centre, the people

on those steps were standing still and blocking entry through the East side, for anyone wishing to go up.



But a photo interpretation is just not good enough, is it?

- Carolyn Walther told Barry Ernest in the late 60's over the phone that she "heard four shots, and right after the last shot I saw this policeman drop his motorcycle and immediately run into the Depository" ([The Girl On The Stairs P.82](#)). Baker's bike wasn't dropped, it was standing and there is no mention of this in her [FBI report from December 4 1963](#). She only reports: "She stopped a moment and listened to the police radio on a motorcycle, then returned to the building, across the street where she works."
- [Bob Jackson's WC testimony](#) has two different observations when it comes to motorcycle policemen. One of them concerns Baker.

Representative Ford – After the third shot and as the car hesitated, did you see any law enforcement officials move in any concentrated or concerted direction?

Mr. JACKSON – I saw at least one, there may have been more, run up the School Depository steps, toward the door. That is one of the things I saw in this confusion.

Representative Ford – Was this separate from the policeman on the motorcycle?

Mr. JACKSON – Yes, sir Yes. I should have said that a while ago. There was a policeman who moved toward the door of the Depository. But to the best of my knowledge there was no concentrated movement toward any one spot. It looked like general confusion to me, and of course, I stayed in the car.

- [Peggy Joyce Hawkins.](#)

In her [FBI statement](#): She stated that she stayed behind the retaining wall until she realized that there would be no more shots and then walked back to the front of the TSBD building. She said that a motorcycle police officer was in front of the building at this time and that she heard over his radio some remarks about the railroad yards near the building.

Motorcycle police officer and his radio! The message regarding the railroad yards near the building was from Dallas Police Chief Jesse Curry who transmitted this message while leading the motorcade, and the limo was speeding up and overtaking his car, shortly after the fatal head shot. According to the radio transcript at 12:31.

Marrion Baker parked his bike on Elm St. in front of the TSBD...



Marrion Baker's bike in the Malcolm Couch film.

- Bill Shelley, Oswald's supervisor, plays a pivotal role in this whole thing as well. He is seen in the Couch and also in the Darnell films where he alongside Billy Lovelady has just left the steps of the TSBD and are making their way towards the rail road yard.



Bill Shelley and Billy Lovelady in the Couch film. ROKC Scan of a still image from the Richard E. Sprague Collection at The National Archives. The set of 5 different sharpening enhancements at the top of this image were done by me.

In his [first handwritten and typed up DPD statement in the afternoon of Nov. 22nd](#), he states: "*I heard what sounded like three shots. I couldn't tell where they were coming from. I ran across the street to the corner of the park and ran into a girl crying and she said the President had been shot. This girl's name is Gloria Calverv.*"

In [Bill Shelley's FBI statement from March 18th 1964](#), he states: "*Immediately following the shooting Billy N. Lovelady and I accompanied some police officers to the railroad yards just west of the building and returned through the west side door of the building about ten minutes later.*"

[Bill Shelley in his Warren Commission testimony](#), who tells the W.C. that Baker and Truly were making their way for the TSBD entrance *after* they left for the railroad yards, but there are some major issues with this.



Bill Shelley after having just left the TSBD and escorting Danny Garcia and Bonnie Ray Williams to the police station after the assassination. Screengrab of CNN The 60's The JFK Assassination-B.K.

Mr. BALL - What happened; what did you do then?

Mr. SHELLEY - I didn't do anything for a minute. This contradicts his primary DPD statement and his FBI statement, and more importantly Lovelady and Shelley in the Couch and Darnell films-B.K.

Mr. BALL - What seemed to be the direction or source of the sound?:?

Mr. SHELLEY - Sounded like it came from the west.

Mr. BALL - It sounded like it came from the west?

Mr. SHELLEY - Yes.

Mr. BALL - Then what happened?

Mr. SHELLEY - Gloria Calvary from South-Western Publishing Co. ran back up there crying and said "The President has been shot" and Billy Lovelady and myself took off across the street to that little, old island and we stopped there for a minute. This also directly contradicts Shelley's primary DPD statement and his FBI statement shortly before his WC testimony-B.K.

Mr. BALL - Across the street, you mean directly south?

Mr. SHELLEY - Yes, slightly to the right, you know where the light is there?

Mr. BALL - Yes.

Mr. SHELLEY - That little, old side street runs in front of our building and Elm Street.

Mr. BALL - It dead ends?

Mr. SHELLEY - There's concrete between the two streets.

Mr. BALL - Elm Street dead ends there just beyond the building, doesn't it?

Mr. SHELLEY - Well, that's also Elm that goes under the triple underpass.

Mr. BALL - That is Elm that goes under the triple underpass?

Mr. SHELLEY - Yes.

Mr. BALL - You went to the concrete between the two Elm Streets?

Mr. SHELLEY - Yes, where they split.

Mr. BALL - You went out there and then what did you do?

Mr. SHELLEY - Well, officers started running down to the railroad yards and Billy and I walked down that way.

Mr. BALL - How did you get down that way; what course did you take?

Mr. SHELLEY - We walked down the middle of the little street.

Mr. BALL - The dead-end street?

Mr. SHELLEY - Yes.

Mr. BALL - Did you see Truly, Mr. Truly and an officer go into the building?

Mr. SHELLEY - Yeah, we saw them right at the front of the building while we were on the island. This contradicts Baker and Truly so called storming in. As seen in the Couch film Lovelady and Shelley are still making their way to the island while Baker is flying past in front of them.

Mr. BALL - While you were out there before you walked to the railroad yards?

Mr. SHELLEY - Yes.

Mr. BALL - Do you have any idea how long it was from the time you heard those three sounds or three noises until you saw Truly and Baker going into the building?

Mr. SHELLEY - It would have to be 3 or 4 minutes I would say because this girl that ran back up there was down near where the car was when the President was hit. *This also directly contradicts Shelley's primary DPD statement and his FBI statement shortly before his WC testimony and so does the next answer-B.K.*

Mr. BALL - She ran back up to the door and you had still remained standing there?

Mr. SHELLEY - Yes.

Mr. BALL - Going to watch the rest of the parade were you?

Mr. SHELLEY - Yes.

Mr. BALL - The Vice President hadn't gone by, had he, by your place?

Mr. SHELLEY - I don't know. I didn't recognize him. I did recognize Mr. Kennedy and his suntan I

had been hearing about.

Mr. BALL - How did you happen to see Truly?

Mr. SHELLEY - We ran out on the island while some of the people that were out watching it from our building were walking back and we turned around and we saw an officer and Truly.

Mr. BALL - And Truly?

Mr. SHELLEY - Yes.

Mr. BALL - Did you see them go into the building?

Mr. SHELLEY - No; we didn't watch that long but they were at the first step like they were fixin' to go in.

Quite a disturbing fact that is that Shelley did not speak the truth by stating they stayed on the steps much longer whereas they left immediately after the shooting had stopped.

- Billy Lovelady, a co-worker of Lee Oswald, and who was captured in the Altgens 6 photograph lies about this as well during his brief [Warren Commission testimony](#). The Couch film shows them being completely unaware of Baker running towards the steps yet he claimed not to have been far away, from when it happened. And on top of that puts the timing of them leaving the steps at 3 minutes after the shooting when 10 seconds is much closer to the truth.

Lovelady can be seen lowering himself on the steps in the [Robin Unger GIF of the Wiegman film](#). This sequence, which is before the third shot was fired! Lovelady overall had a curious mind, which I derive from his positioning on those steps as the motorcade was approaching and going away from the TSBD.

In addition, I have discovered that Shelley (underneath No. 3) moved more central, gradually, to follow Lovelady (No. 2) in an enlargement of the Wiegman film. This image is just before the shooting had ended. In case you are wondering who is below No. 1, that is Prayer Man who is Lee Oswald. More about this in part 4.



Bill Shelley (No. 3) and Billy Lovelady (No. 2) in the Wiegman film. ROKC Scan of a still image from the Richard E. Sprague Collection at The National Archives.

Lovelady is at the DPD from 13:30 (one hour after the assassination). He sees Oswald being brought in, and has his affidavit taken. His second affidavit, which is about Oswald is recorded that very same evening.

But then Billy Lovelady states in the [FBI report by Robert M. Barrett](#) from the same day as his affidavit to the DPD: "*immediately after hearing the shots he and Shelly started running towards the Presidential car, but it sped away west on Elm Street under the triple underpass. He and Shelley then returned to the Texas School Book Depository Building*".

And then Lovelady is describing Officer Smith running west towards the railroad yards on the 23rd in [The Houston Post](#). Not Baker, but Smith! A major pointer towards the fact that Lovelady did not even spot Baker running towards the front steps of the T.S.B.D.



Lovelady also mentions in document [CE 1381](#) the following: "I recall that following the shooting, I ran toward the spot where President Kennedy's car had stopped William Shelley and myself stayed in that area for approximately five minutes when we then re-entered the Depository building by the side door located on the west side of the building".

As with Shelley's WC testimony, Lovelady's becomes more colourful.

Mr. BALL - You heard the shots. And how long after that was it before Gloria Calvary came up?

Mr. LOVELADY - Oh, approximately 3 minutes, I would say.

Mr. BALL - Three minutes is a long time.

Mr. LOVELADY - Yes, it's---I say approximately; I can't say because I don't have a watch; it could.

Mr. BALL - Had people started to run?

Mr. LOVELADY - Well, I couldn't say because she came up to us and we was talking to her, wasn't

looking that direction at that time, but when we came off the steps--see, that entrance, you have a blind side when you go down the steps.

Mr. BALL - Right after you talked to Gloria, did you leave the steps and go toward the tracks?

Mr. LOVELADY - Yes.

Mr. BALL - Did you run or walk?

Mr. LOVELADY - Medium trotting or fast walk.

Mr. BALL - A fast walk?

Mr. LOVELADY - Yes.

Mr. BALL - How did you happen to turn around and see Truly and the policeman go into the building?

Mr. LOVELADY - Somebody hollered and I looked.

Mr. BALL - You turned around and looked?

Mr. LOVELADY - Yes.

Compare that with the Gerda Dunckel GIFS, which are close-ups of the Malcolm Couch film, which show that both Shelley and Lovelady are completely unaware of Baker's actions.





In addition, I wrote extensively in a [blogpost](#) about this. Where there are more images available about both individuals.

In Lovelady's HSCA interview a nice 'revelation' is saved to the very last, at 29:20, he says that it took 20-25 minutes before he got back in the building, so while captured by [Martin](#) and [Hughes](#) he still had not regained entry back into the building, which makes you wonder how he got back in through the side of the TSBDs along with Shelley?

TWO

EVENING TIMES, CUMBERLAND, MD., TUESDAY, DECEMBER 1, 1963

Pictured Man Is Not Killer

DALLAS (UPI)—An Associated Press photograph of President Kennedy's shooting arrived just yesterday and showed that it seemed to allow a man resembling Lee Harvey Oswald shooting at ground level behind the man in the picture to be seen.

Oswald was accused of slaying the President near a south entrance to the Texas School Book Depository Building where he was employed.

The picture taken by Associated Press photographer James Alinder showed a portion of the entrance to the building at the moment the President was shot.

Comment on the resemblance came from two parts of this country and abroad.

If the man in the picture actually had been Oswald, it would seem to prove that he was not the assassin because the assassin is known to have had time to reach the street entrance.

However, R. E. Truly, superintendent of the book depository building, insisted the man in

Bataan Angel Expires At 91 In California

SAN DIEGO (UPI)—The Angel of Bataan is dead. Nancy Bell Norton, who was buried in 1945 with the Medal of Freedom around her neck, died Saturday morning. She was 91 years old.

Mrs. Norton, a school teacher in San Diego, California, when World War II began, had volunteered for her aid to American prisoners.

FBI Report

(Continued from Page 12)
about the subject.

PICTURE: AN ASSASSIN WHO INTERESTED — THIS

Billy Lovelady HSCA Interview-part 2.

In the Odessa American newspaper from April 1964, a find by Steve Roe, Roy Bode, then a 17-year-old student, is interviewing Roy Truly.

In this interview, he makes mention of Howard Brennan, that he ran across the street and had a chat with Baker and Truly about a shooter on the fourth floor. Brennan's credibility as a witness isn't very good, but his whole segment, as mentioned by Roy Truly contradicts Baker's and Truly's story about them going up the stairs and running like hell into the TSBD. Then it also says that Baker and Truly run into Oswald as he was calmly leaving the depository's cafeteria. Then Truly tries to correct an alleged statement he had made to cover his rear. Last thing the conservative bigot, Roy Truly wants is being known as a commie sympathiser.

There is also story of Oswald's mother, Marguerite Oswald, walking into the TSBD with Altgens 6 in her hands and insisting it was her son.

For those that are not aware, Altgens 6 shows Billy Lovelady sticking his head out on the front steps of the TSBD trying to look down Elm, just after JFK is shot in the throat.

PAGE TWO

THE ODESSA AMERICAN

* *

Andrews Student Granted Interview---

Man Who Employed Assassin Back To Normal

(EDITOR'S NOTE: Roy Bode, 16-year-old student at Andrews High School, interviewed Roy Truly during a recent trip to Dallas. Bode is a member of the staff of the high school newspaper in Andrews.)

By ROY BODE
DALLAS — Roy Truly, su-

School Book Depository and the hopelessly involved in some-
man who hired accused assassin Lee Harvey Oswald "be-
cause Oswald was desperately in need of help" appeared before the Warren Commission in Washington only days ago.

An educated man dressed in an immaculate business suit,
Truly is one of hundreds who
awoke one morning last No-
vember and found themselves

— something you read about but never think possible.

"Things are just now getting back to normal here. The doors are being kept locked to keep out curiosity seekers. Things were a madhouse after the assassination. You couldn't even operate like a business. Reporters, the curious, and police all swooped down on the place," Truly said.

• • •

BUSINESS GOES ON as usual now. The air conditioner hums as it sits out the heavy city air and replaces it with cool refrigerated air. A few sounds of the city mixed with voices from a distant store room sift from Truly's office. The Hertz sign atop the five-story structure flashes the time of day toward the triple underpass near the spot where the President was shot.

The school book depository is just another big city warehouse.

The man who runs this building finds his life entangled in the aftermath of the assassination. He was caught in the middle of it — just because he was at work when it happened and because he was the man in charge of the building from

which those fatal shots were fired.

• • •

"About the only thing remain-
ing to be seen is the Warren
Commission's final report of its
official findings. They have

some field workers in Dallas
now," he said. "Their Dallas
workers interviewed a dozen of
our men who were on duty
when the President was shot."

• • •

TRULY FLEW to Washington
with a construction worker, who
has a new ulcer, and a police-
man. All testified before the
Commission.

The worker developed his ulcer after seeing John F. Kennedy murdered. Truly says he was the only actual eye-witness
to the slaying.

"The man was standing on
the wall of a monument near
Elm Street. He looked toward
the building and saw the killer
aiming the rifle. The shots were

fired and he ran across the
street and where a policeman and I
were standing," Truly said.

"He yelled to us that the man
was on the fourth floor and told
us what kind of clothes he was
wearing. I understand he later
identified Oswald as the killer
at police headquarters."

• • •

Truly said that after the
man pointed out the killer he
(Truly) and the policeman ran

upstairs to the second floor.

They bumped into Oswald there

as he was calmly leaving the
depository's cafeteria.

• • •

THE POLICEMAN put his

"OSWALD WAS a quiet, hard

gun on him and asked me who worker — the kind you never

he was," Truly continued. "I suspect of anything. He was

misquoted by the press on just

mentally unbalanced.

my reply. I did not say 'He's'

"I hired two men the day I

all right, he works here." I said hired Oswald, I put Oswald

"He works here." There's a lot downtown and I put the other

fellow in the suburban ware-
house. This gave Oswald a good
opportunity to kill someone. It
was just fate.

"I thought Oswald was living
with his family and supporting
them with his job here. I didn't
know he had an apartment in
town," he explained.

"I'm looking forward to the
Commission's report. They will
probably just sum up what we
already know but they'll make
it official. I expect them to
conclude it was a lone wolf job
and that Dallas is in no way
responsible," he said.

It was terrible and we will
hear about it and find out new
things about it for the next sev-
eral years," Truly concluded.

"It was a nightmare."

FCC---

Continued from Page 1

White House family will re-
gain stock control.

Two relay companies are
seeking FCC approval to bring
programs into Austin competition
with KTBC-TV, which has
the pick of network shows.
Texas Broadcasting has an op-
portunity to buy half the stock of
Capital Cable of Austin, Inc., one
of the two relay companies.

Twice the FCC has ordered
public disclosure of the private
option agreement between Texas
Broadcasting and Capital Cable
and twice Capital Cable has re-
fused.

In its order, the FCC said the
ownership matter has been
brought into focus by a pending
proposal to transfer control of
H&B Microwave Corp. to Video
Independent Theaters, Inc.

It said Video is a wholly own-

We out-grew our building
at 2002 Kermit Hwy.!

Odessa
Hotel Supply
HAS MOVED TO
East 4th and Hancock

Same Phone Number:

FE 2-6162

The Odessa (Tex.) American
Telephone, FE 2-6162 and LO 2-1460.
Subscription rates: \$1.00 per month, \$12.00
advance per month in the City of
Odessa and Ector County, \$16 per
week in Midland, \$20 per week in
Plainview, \$22 per week in Amarillo,
\$25 per week in Abilene, \$28 per week
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\$32 per week in Amarillo, \$35 per week
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WHO SAW BAKER ACTUALLY GOING UP THE STAIRS OF THE TSBD?



Baker, Truly, Frazier and Molina

- Buell Wesley Frazier, who stood on the landing on the top of the stairs did not:

Mr. BALL – Did you see anybody after that come into the Building while you were there?

Mr. FRAZIER – You mean somebody other than that didn't work there?

Mr. BALL – A police officer.

Mr. FRAZIER – No, sir; I stood there a few minutes, you know, and some people who worked there; you know normally started to go back into the Building because a lot of us didn't eat our lunch, and so we stared back into the Building and it wasn't but just a few minutes that there were a lot of police officers and so forth all over the Building there.

Mr. BALL – Then you went back into the Building, did you?

Mr. FRAZIER – Right.

Mr. BALL – And before you went back into the Building no police officer came up the steps and into the building?

Mr. FRAZIER – Not that I know. They could walk by the way and I was standing there talking to somebody else and didn't see it.

- Joe Molina who stood there as well, did not either:

Mr. BALL. Did you see Mr. Truly go into the building?

Mr. MOLINA. Yes.

Mr. BALL. Where were you when you saw him go into the building?

Mr. MOLINA. I was right in the entrance.

Mr. BALL. Did you see a police officer with him?

Mr. MOLINA. I didn't see a police officer. I don't recall seeing a police officer but I did see him go inside.

Mr. BALL. Did you see a white-helmeted police officer any time there in the entrance?

Mr. MOLINA. Well, of course, there might have been one after they secured the building, you know.

Mr. BALL. No, I mean when Truly went in; did you see Truly actually go into the building?

Mr. MOLINA. I saw him go in.

Mr. BALL. Where were you standing?

Mr. MOLINA. Right at the front door; right at the front door.

Mr. BALL. Outside the front door?

Mr. MOLINA. Yes, outside the front door I was standing; the door was right behind me.

Mr. BALL. Were you standing on the steps?

Mr. MOLINA. Yes, on the uppermost step.

Mr. BALL. You actually saw Truly go in?

Mr. MOLINA. Yeah.

Mr. BALL. You were still standing there?

Mr. MOLINA. Yes.

Mr. BALL. How long was it after you heard the shots?

Mr. MOLINA. Oh, I would venture to say maybe 20 or 30 seconds afterwards.

Molina repeats this during his [HSCA testimony in 1978](#):

Q: Now at the time you were standing on the front door of the Texas School Book Depository, did anyone come out of that building?

A: No.

Q: Shortly after the shooting?

A: No. There was nobody that came out of the building, there was somebody that went in to the building.

Q: Was that a person standing on the front steps also?

A: No, it was — it was Roy Truly who was the supervisor, you know Mr. Shelley's supervisor. Roy Truly. He is the only person that I can recall that went into the building while I was standing there.

This by itself is rather odd, since we see people on the west side of the stairs going up.

- [Pauline Sanders](#) one of Truly's secretaries who apparently stood close to Molina on the steps of the TSBD. But she has not been identified in the Weigman nor the Darnell films so far. She mentions in her [FBI affidavit of November 24 1963](#): "She said in a matter of 10 seconds a uniform police officer in a white helmet ran into the building, but she did not observe him any further and could not state where he went in the building"

There is no mention of Truly at all. Sanders' statement overall, and that of Mrs. Robert Reid (both secretaries of Roy Truly) have to be taken with a huge grain of salt. [One example I have already pointed out regarding their conversations with O.V. Campbell](#). The ladies recanted almost exactly the same conversation they had had with Ochus Campbell, only for Reid to twist the story as Sanders had put down in her statement.

TRULY, BAKER AND THE VESTIBULE.

- Marrion Baker's first affidavit states: "As I entered the door I saw several people standing around. I asked these people where the stairs were. A man stepped forward and stated he was the building manager and that he would show me where the stairs were."

Baker's Warren Commission testimony:

Mr. BELIN. What did you see and what did you do as you ran into the building?

Mr. BAKER. As I entered this building, there was, it seems to me like there was outside doors and then there is a little lobby.

Mr. BELIN. All right.

Mr. BAKER. And then there are some inner doors and another door you have to go through, a swinging door type.

As I entered this lobby there were people going in as I entered. And I asked, I just spoke out and asked where the stairs or elevator was, and this man, Mr. Truly, spoke up and says, it seems to me like he says, "I am a building manager. Follow me, officer, and I will show you." So we immediately went out through the second set of doors, and we ran into the swinging door.

Mr. BELIN. All right. Now, during the course of running into the swinging door, did you bump into the back of Mr. Truly?

Mr. BAKER. Yes, sir; I did.

In Larry Sneed's No More Silence (p 124) Baker states: "Most of them that were standing in front of it were going into the Texas School Book Depository building. When I got there I asked which way were the stairs or the elevator, and this man stepped up and said, Officer come on! I'm the building supervisor."

- Roy Truly

Statement to the FBI on November 22 1963: *He then noticed a Dallas City Police Officer wearing a motorcycle helmet and boots running towards the entrance of the Depository building and he accompanied the officer into the front of the building. They saw no one there and he accompanied the officer immediately up the stairs to the second floor of the building.*

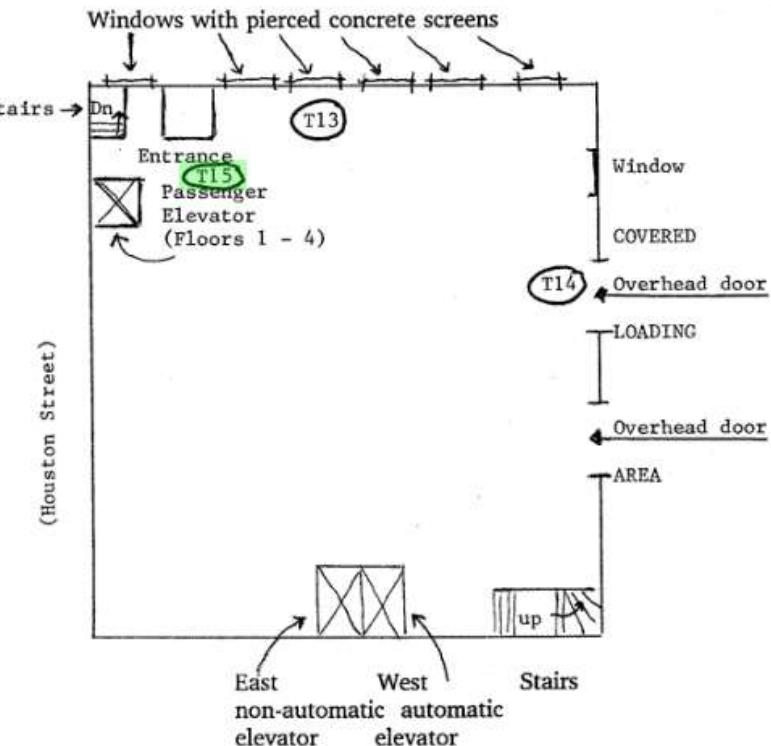
The 'they saw no one there' is rather peculiar as a few TSBD employees were making their way back inside before Baker and Truly, such as Otis Williams.

But also the people who were already making their way up those stairs as seen in the Darnell film.

Add on the statement from Baker as mentioned above and one ought to be quite suspicious of this phrase by Truly. It is more of an indicator of trying to hide something or someone.

TEXAS SCHOOL BOOK DEPOSITORY at 12:30 p.m. on November 22, 1963

First Floor (16:958; 22:12)
(Elm Street extension)



- T13 Eddie Piper (6:382;385; 7:388; 22:668; 26:544; 19:499) residence: 3402 Munger; 56 yrs. old (CD 206:13) 5' 10", 140#, mustache (CD 789:5) (Westphal Memo; Police Report; Comm. Test. Comm. Ref.) Black TSBD janitor standing at second window to the right (west) of the front door. Eating lunch and near SW corner of 1st floor looking out window. (CD 789:4) Could not see motorcade because of people standing on the sidewalks.
- T14 Troy Eugene West (6:356,361,362; 22:676,679) Black, 57 yrs old, 5'9½", 155#, mustache (CD 789:6) 5314 Colonial (CD 5:373) TSBD mail wrapper sitting by the middle overhead door with his back to the elevators and looking toward the south building wall (Elm Street side). Fixing coffee. (CD 789:6) Has seen no one and knows nothing. On 3/18/64 says was alone, walking toward front of building when people rushed in. Left at 2:00 p.m. (22:676) (Not on Westphal Memo; Conn. Test. Comm. Ref.)
- T15 Roy Edward Lewis (22:661; 24:259) residence: 5906 Woodville, 2903 South Blvd. (Westphal Memo; Pol. Rep. Comm. Ref.) Black TSBD employee standing by himself just inside the front entrance. 17 years old. Left at 1:15 p.m.

Mary Ferrell Chronologies - November 22, 1963, Book 1-17.

And then there was Roy Edward Lewis, whose position was marked as inside the vestibule, behind the glass, which he stated in his March 1964 FBI statement. This puts even more strain on the "They saw no one there" remark; actually, it makes it even more suspicious. One has to wonder why Truly tried to make it look like nothing special was happening in that vestibule.

Nor is there anything about Troy West (T14) and Eddie Piper (T13) who were in the shipping dept. just after the swinging doors of the vestibule going into the shipping area. In addition, Truly is contradicting Marrion Baker's W.C. testimony when it comes to the people inside the vestibule.

Secret Service statement from December 8 1963: "He asked me something about the location of the stairway and I accompanied him to the rear of the building."

Truly's Warren Commission testimony:

Mr. TRULY. I believe I caught up with him inside the lobby of the building, or possibly the front steps. I don't remember that close. But I remember it occurred to me that this man wants on top of the building. He doesn't know the plan of the floor. And that is that, just popped in my mind, and I ran in with him.

In his Warren Commission regarding the stairs in the front lobby he states:

Mr. BELIN. Let me ask you this, Mr. Truly. I note on Exhibit 362 right where you came in there appears to be some stairs there. Why didn't you go up those stairs, instead of running to the back?

Mr. TRULY. Those stairs only reached to the second floor, and they wouldn't have any way of getting up to the top without going to the back stairway.

Mr. BELIN. All right.

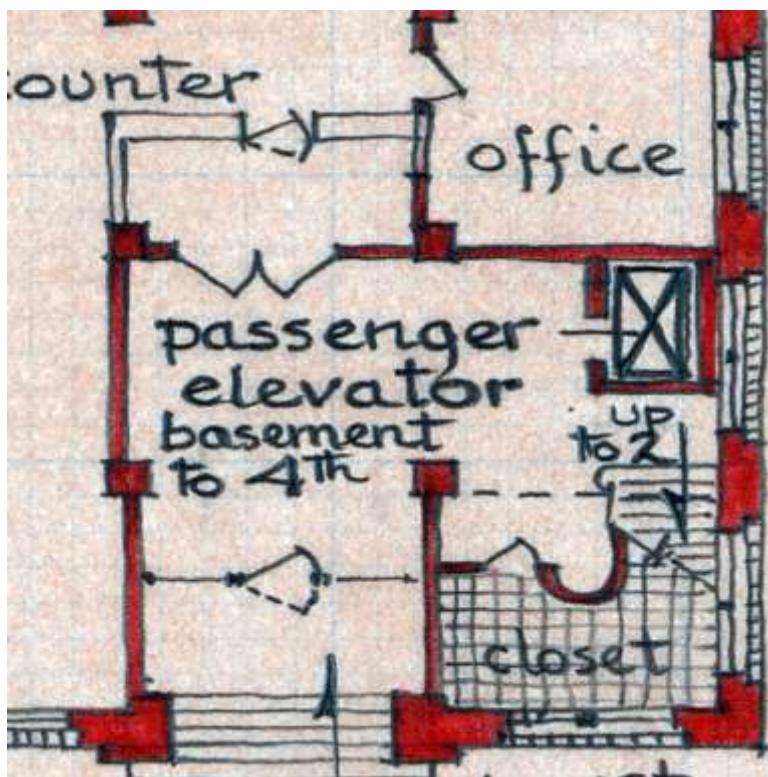
Mr. TRULY. So this is the logical stairway that goes all the way to the seventh floor.

Mr. BELIN. And you are pointing to the stairway in what would be the northwest corner?

Mr. TRULY. That is right.

There must have been some sort of exchange between him and Baker telling him this lift would only go to the fourth floor, and the stairs to the second floor. Meaning he would have been longer inside that vestibule instead of making everyone believe they were storming through.

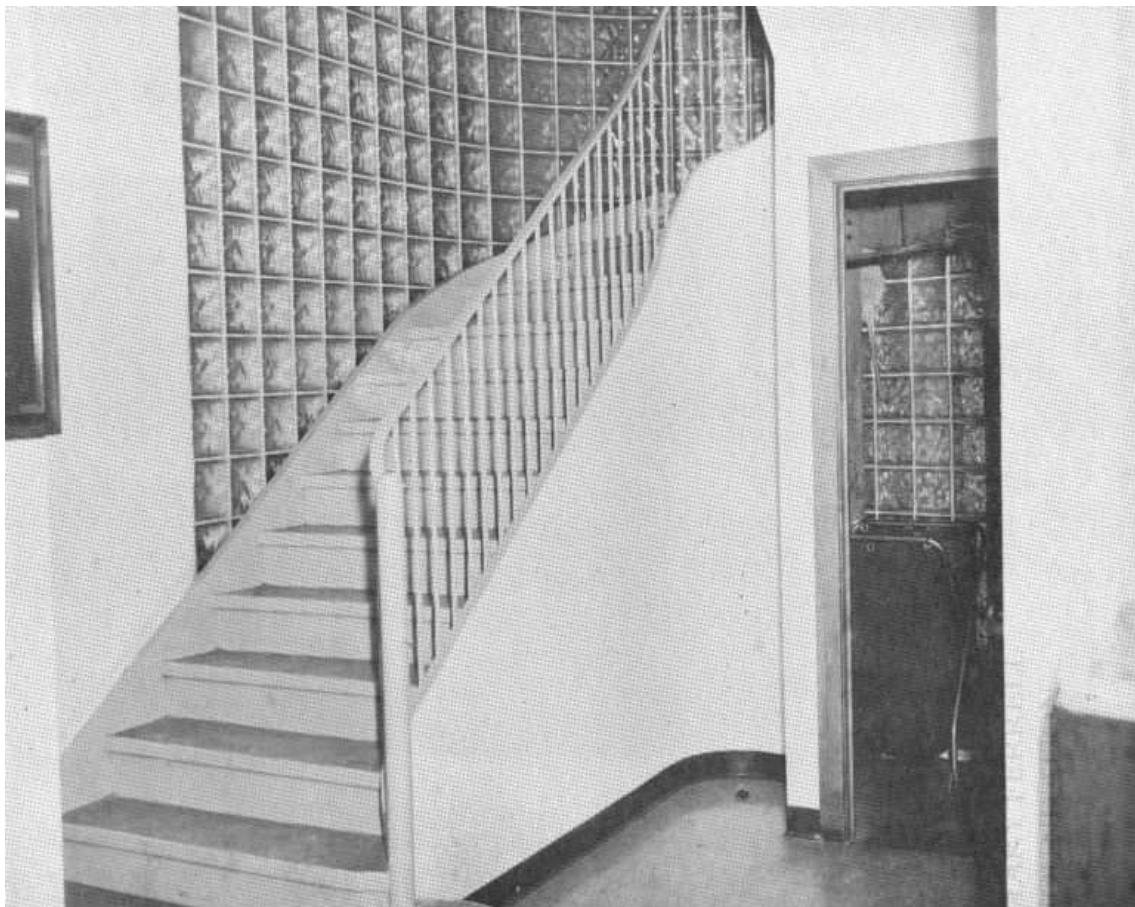
There have been statements from TSBD employees who stated that the power to all the elevators was off when they tried to go up.



Close-up vestibule TSBD. By Robert Cutler. Thanks to Baylor Uni for the high res scan.

Truly states in Barry Ernest's [The Girl On The Stairs](#) (P.67) after being asked: "And once you two were inside the building, how quickly did you move from the front entrance to the elevators and up the stairs to the second floor?"

"We were hustling, that's for sure. I led the way 'cause I knew the layout, but we were moving fast. Much faster than the time tests we did for the Warren commission."



Commission Document 496 – FBI Booklet Entitled "Texas School Book Depository. Stairs in vestibule leading to second floor from [MFF](#)

• • • •

THE FIRST FLOOR OF THE WAREHOUSE.

- Marrion Baker stated in his W.C. testimony the following:

Mr. BAKER. We finally backed up and got through that little swinging door there and we kind of all ran, not real fast but, you know, a good trot, to the back of the Building, I was following him.

- Roy Truly

In his W.C. testimony, he stated "As we got in the lobby, almost on the inside of the first floor, this policeman asked me where the stairway is. And I said, "This way", and I ran diagonally across to the northwest corner of the building."

- Eddie Piper states in his first part of his Warren Commission testimony:

Mr. PIPER. I heard one shot, and then the next shot went off-the one that shot him and I got on up and went on back, back where they make coffee at the end of the counter where I could see what happened and before I could get there, the third shot went off, and I see the people all running and in a few minutes someone came in the building, and I looked up and it was the boss man and a policeman or someone.



And later when Piper is 'dragged' back in to testify some more about this particular matter.

Mr. BALL. You mentioned you saw Truly?

Mr. PIPER. I don't know whether it was a policeman or FBI or who it was, but another fellow was with him.

Mr. BALL. And where were you?

Mr. PIPER. Standing right there where they make coffee.

Coffee area 1st floor TSBD

Mr. BALL. What did they do?

Mr. PIPER. He ran in and yelled, "Where is the elevator?" And I said, "I don't know, sir, Mr. Truly." They take off and went on up the stairway and that's all I know about that.

But Piper is called in again to 'strengthen' Baker and Truly's entry and only for this is he hauled back in!

Mr. BALL. And the first people that you saw on the floor after the shooting was who?

Mr. PIPER. Mr. Truly and some fellow---I really don't know who it was; like I say, it was some fellow that was with Mr. Truly.

Mr. BALL. Some fellow; how was he dressed?

Mr. PIPER. Oh, I don't know.

Mr. BALL. Was he an officer?

Mr. PIPER. Yes; I believe he was an officer.

Mr. BALL. A police officer?

Mr. PIPER. Yes; a police officer.

Mr. BALL. Did he have a white helmet on?

Mr. PIPER. No; I don't think so. I didn't pay any attention to it. I was already excited over the shooting or something when he came running into the building.

Mr. BALL. And what did Truly and this--some fellow do?

Mr. PIPER. Well, Mr. Truly and this fellow run up the steps. He just hollered for the elevator and I said, "I don't know where it is at," and I'm still standing over there by that table and he ran up on up the steps with this police officer--him and another fellow and I was standing there and the people began swarming out and around--different ones coming in, but it was where nobody could come out.

Mr. BALL. They were the first ones to go up the steps?

Mr. PIPER. That's right.

- Troy West, did not know much overall or better yet he kept his mouth shut during his Warren Commission testimony.



Mr. BELIN - Who was the first person or persons that you saw coming through there while you were eating your lunch?

Mr. WEST - Well, that was the police.

Mr. BELIN - A police officer?

Mr. WEST - Yes, sir.

Mr. BELIN - Anyone else?

Mr. WEST - I guess it was a bunch of them, I guess, FBI men, and just a crowded of them coming in there.

Mr. BELIN - Did you see Roy Truly coming in at all that time? Do you know Mr. Truly?

Mr. WEST - Yes, sir; that is the boss, the superintendent.

Mr. BELIN - Did you see him, do you remember, while you were eating your lunch, come in the building?

Mr. WEST - Yes, sir; I think he came in with the police.

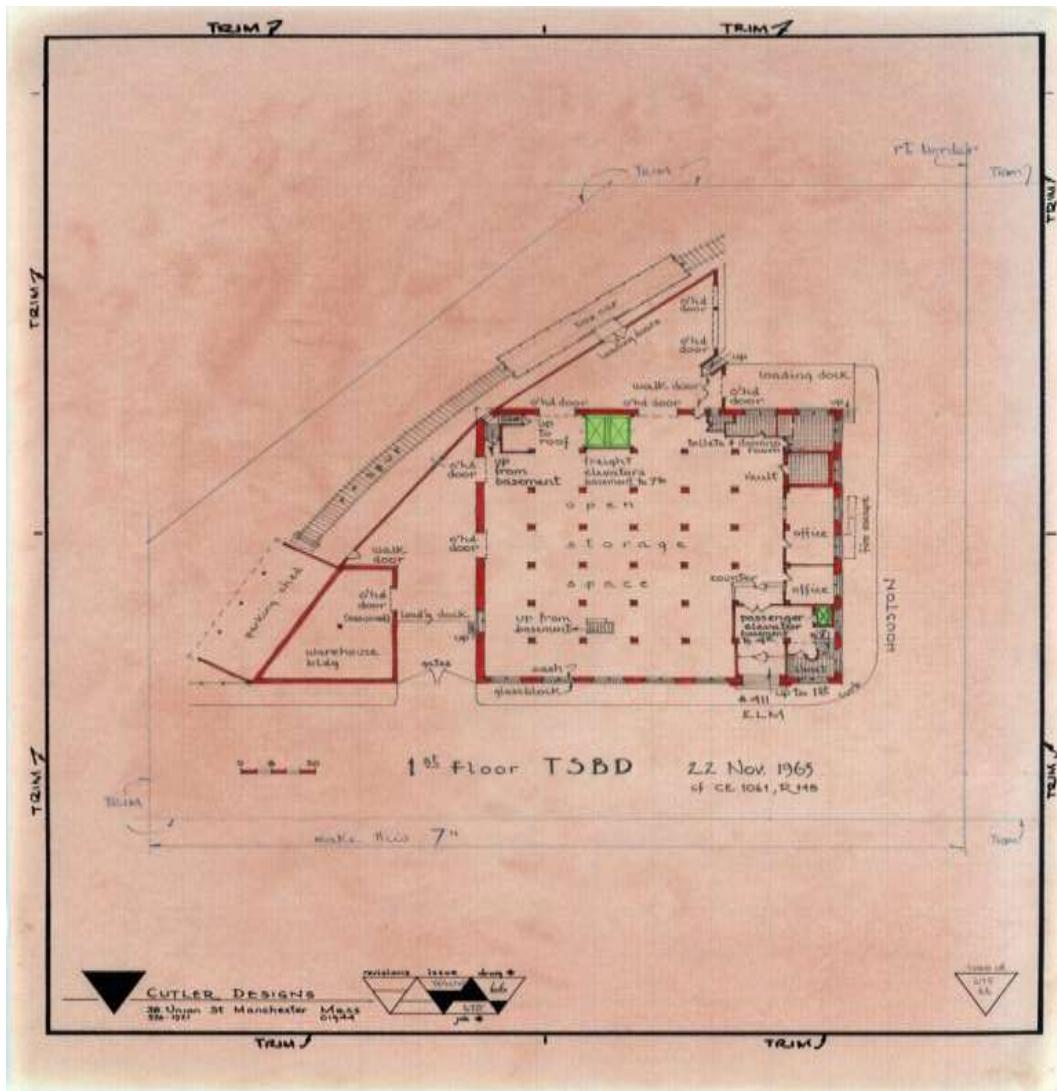
Mr. BELIN - Was he one of the first people in, or did other people come in ahead of him, if you remember?

Mr. WEST - Really, I just don't know.

THE STAIRS AND THE ELEVATORS.

There are three elevators in the building: in the vestibule there are stairs and one elevator, which would only go up to the fourth floor, in the vestibule in the front of the building and there are two freight elevators (East and West) in the back. The stairs were in the North West corner of the TSBD building. The elevators are marked in green on the Robert Cutler drawing below.

As mentioned earlier some employees stated that the power to the elevators was cut while the motorcade passed and right after the assassination.



Lifts on 1st floor TSBD in green. Robert Cutler drawing of the first floor of the TSBD. Courtesy of Baylor Uni.

- Roy Truly's statement to the [FBI on November 22](#) makes no mention of any elevators at all. His [DPD statement on November 23](#) doesn't mention a lot about this either. Besides: "The officer and I went through the shipping department to the freight elevator. We then started up the stairway." No mention of any lifts being stuck on the 5th floor at all.

His statement to the [FBI on November 23 1963](#):

"They stopped at the freight elevators and, observing that these elevators were not on the first floor they ran up the stairway after he showed the officer where the stairway was.

His [Secret Service statement from December 8 1964](#) 'We paused momentarily by the freight elevator but since neither were on this floor we ran up the back stairway up to the second floor."

Truly's Warren Commission testimony:

Mr. BELIN. Now, you got to the elevator, and what did you do then?

Mr. TRULY. I looked up. This is two elevators in the same well. This elevator over here.

Mr. BELIN. You are pointing to the west one?

Mr. TRULY. I am pointing to the west one. This elevator was on the fifth floor. Also, the east elevator, as far as I can tell, both of them were on the fifth floor at that time. This elevator will come down if the gates are down, and you push a button.

Representative FORD. Which elevator is that?

Mr. TRULY. The west one. But the east one will not come down unless you get on it and bring it down. You cannot call it if the gates are down.

Representative FORD. That is the east elevator?

Mr. TRULY. The east elevator?

There is a button and a little bell here. I pressed

Mr. BELIN. You might put a "B" on Exhibit 362 by the elevator for "button."

Mr. TRULY. That is right on this surface. There is a little button. I pressed the button and the elevator didn't move. I called upstairs, "Turn loose the elevator."

Mr. BELIN. When you say call up, in what kind of a voice did you call?

Mr. TRULY. Real loud. I suppose in an excited voice. But loud enough that anyone could have heard me if they had not been over stacking or making a little noise. But I rang the bell and pushed this button.

Mr. BELIN. What did you call?

Mr. TRULY. I said, "Turn loose the elevator." Those boys understand that language.

Mr. BELIN. What does that mean?

Mr. TRULY. That means if they have the gates up, they go pull the gates down, and when you press the button, you can pull it down.

Mr. BELIN. And how many times did you yell that?

Mr. TRULY. Two times.

Mr. BELIN. After you had first pushed the button?

Mr. TRULY. That is right. I had pressed the button twice I believe, and called up for the elevator twice.

Mr. BELIN. Then what did you do? First of all, did the elevator come down?

Mr. TRULY. It did not.

Mr. BELIN. All right. Then what did you do?

Mr. TRULY. I went up on a run up the stairway.

In his FBI statement from September 23 1964 ([CE 3035](#)) it becomes mega generic, one wonders whether Truly is showing fatigue rehashing the same ol' story over and over again as he states the following: "The officer and I proceeded to the stairway located in the northwest corner of the Texas School Book Depository building in order to proceed to the upper part of the building to see if we could see who had fired the shots" This is without a doubt the shortest description of this event. The steps, vestibule and the elevator elements are absent.

[Leo Sauvage interviewed Truly:](#) "I told them, as I just told you, that it was a very short time," Roy Truly answered.

In the Dallas Morning News of November 27 1978 (see next page) Roy Truly is quoted by Earl Golz: "Truly now contends that no one couldn't have ridden down from the 6th floor after the assassination in one of two freight elevators because "they were both up on the fifth floor with the gates up when we (Truly and Baker) passed them up there." This contradicts Jack Dougherty's movements after the shooting. Dougherty was described by Truly as not

Depotory chief disputes evidence of filmed images

NOV 27 1978
BY EARL GOLZ

The manager of the Texas School Book Depository said Sunday that any stranger filmed in a 6th-floor window of the depository building six minutes before the John F. Kennedy assassination "would have no way of getting out of the building unless he flew off the top of the building."

Roy S. Truly said he and Dallas policeman Marrion Baker would have seen any strangers leaving the building as they rushed up the stairs to the

Film heartens assassination researchers; hundreds visit site of assassination. Page A4.

seventh floor less than five minutes after the last shot was fired at President Kennedy. None of the 19 depository employees questioned in 1963 said they saw a stranger in the building near the time of the assassination.

Truly said moving images filmed by amateur movie photographer Charles

L. Bronson in the 6th-floor window — which the Warren Commission determined to be Oswald's sniper perch — six minutes before the assassination

ROBERT GRODEN
Convinced
movie shows
2 figures.



were "maybe reflections or shadows moving or something like that."

The Dallas News found Bronson and obtained the film for analysis several weeks ago after its existence was revealed in an FBI memo recently declassified. The FBI had discarded the film four days after the assassination after erroneously reporting the depository building could not be seen in the footage.

Robert J. Groden of Hope Lawn, N.J., a staff consultant on photographic evidence for the House Assassinations Committee, studied the film and enhanced the window images before concluding two human figures were filmed by Bronson in the 6th-floor window.

"That's really ridiculous," Truly said of the images in the film. "There's just no way that could happen ... There's just nothing there. You know, everybody knew where Oswald was. We (Truly and Baker) saw him."

If Oswald alone fired the shots from the 6th-floor window, he managed to get to the 2nd-floor lunchroom in less than two minutes without being seen until Truly and Baker encountered him on their way up the stairs.

Truly contends no one could have ridden down from the sixth floor after the assassination in one of two freight elevators because "they were both up on the fifth floor with the gates up when we (Truly and Baker) passed them up there."

However, a third elevator for passengers was available for use at the time between the fourth and first floors.

Truly said Oswald was not short of breath and was "fairly composed" when he and Baker met him on the second floor two minutes after the assassination.

"He didn't have to hurry," Truly asserted. "He just walked down the stairway from the sixth to the second floor."

The secretary to the vice president of the depository, Carolyn Arnold, said last week that she had seen Oswald in the same 2nd-floor lunchroom as she left the building at about 12:25 p.m. to watch the presidential motorcade. Her departure from the building would have been five minutes before the assassination at about the time Bronson inadvertently filmed the window images.

Mrs. Arnold, now Carolyn Johnston of Stephenville, Texas, was surprised to learn last week that FBI agents did not mention her lunchroom sighting of Oswald when they wrote reports of their interviews with her in 1963 and 1964.

Another depository employee, Bonnie Ray Williams, had testified he was on the sixth floor eating lunch until about 12:20 p.m. the day of the assassination and saw no one there. Williams would have left the sixth floor to go to the fifth floor about four minutes before Bronson's filming.

Neither Oswald's mother nor brother were excited about the Bronson film disclosure when asked for a comment Sunday.

"I am so sick and tired of all of this," Marguerite Oswald said from her Fort Worth home. "There's supposed to be images back in the bushes and this and that. And nothing has materialized."

"I don't know, they see things that are not there. Really and truly, it's really getting to me."

Robert Oswald said from his home in Wichita Falls he will "just wait and see until I get something firm. I don't want to make any comments."

Jesse Curry, Dallas police chief at the time of the assassination, said he doesn't "really have any thoughts about it. I haven't got anything to say about it at all."

Curry, however, told Tony Summers last December in an interview for the British Broadcasting Corp. that he See "IDON'T" on Page A4.

Marrion Baker's [DPD statement from November 22 1963](#): "I followed the man to the rear of the building and he said let's take the elevator. The elevator was hung several floors up so we used the stairs instead."

Baker's Warren Commission testimony:

Mr. Baker. I would say, the southeast corner of the Building there where we entered it, and we went across it to the northwest corner which is in the rear, back there.

Mr. BELIN. All right.

Mr. BAKER. And he was trying to get that service elevator down there.

Mr. BELIN. All right. What did you see Mr. Truly do?

Mr. BAKER. He ran over there and pushed the button to get it down.

Mr. BELIN. Did the elevator come down after he pushed the button?

Mr. BAKER. No, sir; it didn't.

Mr. BELIN. Then what did he do?

Mr. BAKER. He hollered for it, said, "Bring that elevator down here."

Mr. BELIN. How many times did he holler, to the best of your recollection?

Mr. BAKER. It seemed like he did it twice.

Mr. BELIN. All right.

Then what did he do?

Mr. BAKER. I said let's take the stairs... and later:

(Discussion off the record.)

BK: This obviously contradicts his Nov 22nd affidavit where he stated that Truly said that. It is rather peculiar that the discussion goes off the record at this specific moment.

Mr. BELIN. On the record.

Officer Baker, when you related your story earlier you said that as you ran back on the first floor you first ran to the elevator shaft, is that correct?

Mr. BAKER. That is right, sir.

Mr. BELIN. And you stopped at the east or the west elevator door?

Mr. BAKER. That would be the west.

Mr. BELIN. All right. This was on the first floor, and did you look up the elevator shaft at that time?

Mr. BAKER. Yes, sir; at that time, I did.

Mr. BELIN. This was while Mr. Truly was calling for the elevator?

Mr. BAKER. Yes, sir.

Mr. BELIN. Was there any kind of a gate between you and the elevator shaft?

Mr. BAKER. Yes, sir; there was.

Mr. BELIN. Wood or metal, do you remember?

Mr. BAKER. It is wood.

Mr. BELIN. What did you see when you looked up the elevator shaft?

Mr. BAKER. At that time, I thought there was just one elevator there, you know, one big freight elevator, and to me they looked like they were up there, I didn't know how many floors in that building but you could see them up there, it looked like just at that time, I thought it was just one, when I looked up there, and it looked to me anywhere from three to four floors up.

Mr. BELIN. Was either elevator moving at the time or—pardon me, was there any elevator moving at the time you saw and looked up the shaft?

Mr. BAKER. No, sir.

Mr. BELIN. Did you hear any elevator moving?

Mr. BAKER. No, sir.

Mr. BELIN. Mr. Truly pushed the button, I believe you said.

Mr. BAKER. That is right, sir.

Mr. BELIN. When he pushed the button did any elevator start moving?

Mr. BAKER. No, sir.

Mr. BELIN. When you looked up the elevator shaft did it appear as if there was one elevator covering the complete shaft or did it appear there was one elevator that you saw covering half of the shaft?

Mr. BAKER. Like I say, I thought it was one elevator there and it was covering the whole deal up there so to me it appeared to be one.

Mr. BELIN. It didn't appear to be two elevators on different floors?

Mr. BAKER. No, sir.

Mr. BELIN. All right. Now, you got up to floor number two at the time and you did that with the stairs.

Mr. BAKER. Yes, sir.

Mr. BELIN. At the time you got up there was there any elevator on floor number two that you can remember, if you can remember? Maybe you cannot remember, I don't know.

Mr. BAKER. Evidently now, I didn't look, evidently it wasn't because it seemed to me like the next floor up Mr. Truly said let's take the elevator.

Mr. BELIN. At some higher floor after that?

Mr. BAKER. Yes, sir.

Here Baker gives the game away, as Truly stated they got the elevator on the fifth floor. Baker states they get the lift the next floor up. If that is the fifth floor, then Baker's recollection, as per his original statement on the 22nd, of his encounter on the third or fourth floor is bolstered with this admission.

In Larry Sneed's No More Silence (p 124) Baker states: "So he led us into the back, and we tried to get the elevators, the freight elevators. For some reason he couldn't get them down so he said Come on, we'll take the stairway! So we started up the stairwell at the back." In his WC testimony Baker stated *he had said* "let's take the stairs."

In the direct aftermath the stairs and the elevators are being used by a few TSBD employees. If Truly and Baker went up as fast as they claimed they did, then they should have encountered other employees while doing so. Or someone should have heard someone on those creaky and noisy stairs. The reason the office and the lunchroom were shielded by a small enclosed space, referred to as a vestibule in the Warren Commission hearings, with its self-closing door was to keep the noise of those stairs out of the office and the lunch room.

- Jack Edwin Dougherty, hears a loud bang, takes the West elevator down to the first floor of the TSBD he then sees Eddie Piper, and asks him what has happened. His description of this 'event' during his W.C. testimony goes as follows:

Mr. BALL. Tell me this – when you heard that explosion of whatever it was that loud noise, where were you on the fifth floor-tell me exactly where you were?

Mr. DOUGHERTY. Well, I was about 10 feet from the west elevator-the west side of the elevator.

Mr. BALL. That's the elevator that uses the push button; is that right?

Mr. DOUGHERTY. Yes.

Mr. BALL. And what were you doing?

Mr. DOUGHERTY. I was getting some stock.

Mr. BALL. And what did you do then?

Mr. DOUGHERTY. Well, I came on back downstairs.

Mr. BALL. How did you come downstairs?

Mr. DOUGHERTY. I used that push button elevator on the west side.

Mr. BALL. Did you hear Mr. Truly yell anything up the elevator shaft?

Mr. DOUGHERTY. I didn't hear anybody yell.

It has to be said that Dougherty appeared to be very confused during his testimony and that he was wrong a few times when it came to timings. Whether this was deliberate remains to be seen, and he was described as someone who wasn't that bright, yet had the responsibility to appear early in the morning to look after various equipment before all the other office workers started their work.

- Troy West, who could have been an excellent witness, again did not divulge anything of value.

Mr. BELIN – That is okay if you don't remember. That is all I want you to say if you don't remember. Did you hear anyone yelling to let the elevator loose or anything like that?

Mr. WEST – I can't remember.

Mr. BELIN – Were you working when you were eating your lunch? Were you facing the elevator or not when you were eating your lunch? Were you facing any on the elevators back there?

Mr. WEST – No, sir; I was always – I mean I would always be with my back kind of, you know, towards the elevators and facing the front side over on the side.

Mr. BELIN – The Elm Street side?

Mr. WEST – Toward Elm Street side.

Mr. BELIN – So you don't know whether anyone was using the elevators?

Mr. WEST – No, sir; I don't.

- [Marvin Johnson](#)'s statement made no mention of elevators.
- [Sandra Styles](#), told Sean Murphy in email correspondence between them that [Victoria Adams](#) had relayed to her that she saw the elevator cables move during their descent on the back stairs. When asked if she could she give any more detail on Victoria's observation about the elevator cables moving?

Her answer: "*I don't remember any of that. She didn't mention it to me on the way down or up. As I recall, she only mentioned it later offhandedly, but I don't recall the circumstances as to how or exactly when it came up in conversation.*'

This could have enormous value in combination with the fact that Adams and Styles left almost right away after the shots had been fired. The only person they encountered on the first floor was a tall black man (West or Piper?). In Adam's deposition, it is said she saw Shelley and Lovelady instead, which is something she refuted in later years, she even accused the Warren Commission of inserting that part into her testimony. At the end of her W.C. testimony it shows that she waived her right to go over her testimony again, yet the [Martha Joe Stroud](#) letter confirmed she did go over her statement and applied some corrections.

- [Otis Williams](#) made his way back into the building almost immediately after the shots had been fired, he is seen in Altgens 6 and in the Wiegman film, but in the Darnell film he is absent from being on the stairs. As per his statements, he used the back stairs to make his way up to the fourth floor to get a better view from which he then descended to the second floor and was noticed by Geneva Hine entering the office on the second floor as part of a group of people. He must have ascended the stairs after Adams and Styles came down and left the building via the back, and he saw no sign of Baker and Truly either!
- [Dorothy Ann Garner](#): not until 1999 did she come into 'play' with the [Martha J. Stroud document](#) found by Barry Ernest at NARA where it states: *Miss Garner, Miss Adams' supervisor, stated this morning, that after Miss Adams went downstairs she (Miss Garner) saw Truly and the policeman come up.* Dorothy Garner's interview is nowhere to be found, there simply is no record of it.

It is overall shocking that Sandra Styles, Elsie Dorman and Dorothy Garner were not called up to testify and corroborate Victoria Adams' story. But that would make Oswald's descent from the sixth floor a near impossibility with just their statements.

The whole elevator mess is also discussed internally by the WC. In this memo, over the next three pages, from Norman Redlich, after Roy Truly has given his testimony, it is overall interesting that the W.C. are not 100% satisfied with the testimonies and explanations given and are even considering a second person being part of a plot to assassinate The President.

Thanks to Malcolm Blunt for letting me make copies with my phone.

RELEASED PER F.L.-102-526(JFK ACT)
NASA *Sh* DATE 4-01-10

March 25, 1964

MEMORANDUM

TO: Messrs. Ball, Belin, Craig
FROM: Norman Redlich
SUBJECT: The Mystery of the West Elevator

This memorandum results from a discussion between Mr. Belin and myself on March 24, following Roy Truly's testimony.

Roy Truly has testified that when he and Patrolman Baker ran to the rear of the first floor, neither elevator was there. Truly pressed the button for the west elevator and shouted up the shaft asking that the elevator be released. It was necessary to do this since the elevator would not work if the gate was open. Once the gate was closed the elevator would come if the button was pressed. Truly did not try to get the east elevator, because this operates only by hand and can be run only by a person who is in it.

Truly claims that he looked up the shaft and saw that both elevators were together on the same floor.

As part of this picture we should also remember that approximately 15 minutes before the assassination Jarman and Norman took the west elevator up to the fifth floor.

Truly and Baker started climbing the stairs no more than two or three minutes after the assassination. (Mr. Belin timed it at less than two minutes.) At each landing Truly and Baker looked to see whether an elevator was present and they did not see one. They certainly would have noticed the west elevator because this was most directly in line with their vision at each landing.

It was only when they reached the fifth floor that they saw an elevator, but, surprisingly enough, it was the east elevator which they saw. The west elevator was not present on the fifth floor where Truly thought he had seen it from below, and where it could have been expected to be found since Jarman and Norman had taken it there to have their lunch.

RELEASED PER F.L.-102-526(JFK ACT)
NARA *Th* DATE 4-01-10

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Truly testified further that he and Baker took the east elevator to the seventh floor. The west elevator was not on the seventh floor when they reached that floor. He cannot say that the west elevator was not on the sixth floor at this time.

Truly and Baker then looked around on the roof and took the east elevator back down from the seventh floor. On the way down he noticed that the west elevator was on the fifth floor again.

There are several alternative explanations for the movements of the west elevator.

First, let us assume that Truly was correct in his first observation that the east and west elevators were both on the fifth floors of approximately two minutes after the assassination. This means that by the time Truly and Baker reached the fifth floor, it was gone. We know that someone would have had to close the gate on this elevator during this period, because Truly was unable to get the elevator by pressing the button when he was on the first floor. This person then might have taken the elevator up the sixth floor while Truly and Baker were running up the stairs. At this moment, however, we have Jarman, Williams and Norman who say that they didn't hear any elevator. Moreover, they have never admitted that anyone else was on the floor.

It is also possible that someone got on the elevator on the fifth floor at this time and headed down while Truly and Baker were running up the stairs. Here again, Jarman, Norman, and Williams didn't hear anyone and it is quite unlikely that Truly and Baker would not have noticed the elevator moving as they reached each landing.

While it is possible, therefore, that a worker moved the west elevator either up or down from the fifth floor during this period, we don't know the name of such a worker and we have the problem of Jarman, Williams and Norman who have to be questioned again as to whether they heard anyone on the floor and whether they heard the elevator move.

The second possible assumption is that the elevator was not on the fifth floor at all, but was on the sixth floor with the gate open at the time that Truly rang for it on the first floor. This would mean that someone on the sixth floor would have had to close the gate and take the

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elevator down--either directly to the fifth floor where Truly saw it after he was on the roof, or to some lower floor and then back up to the fifth floor. In either case, it would mean that someone got on the west elevator on the sixth floor just a very short time after Oswald left the floor via the stairway. Significantly, none of the investigations appears to have turned up anyone who admits to being on the west elevator at this time.

Truly thinks that Dougherty was working there at this time. I know that Messrs. Bell and Belin plan to question Dougherty, who would have to explain why he was up there working so soon after the shots were fired. A previous memorandum on Dougherty, written by Mr. Eisenberg, raises questions about Dougherty which should be looked into on the next trip to Dallas.

If Oswald was not acting alone, it is very likely that an employee of the TMBB building was his accomplice. It is also possible that an employee of the TMBB might have information and for some reason be afraid to come forward. Through persistent questioning on such matters as the elevator locations we might be able to locate the person or persons who may know more than they are telling.

I have discussed this matter with Mr. Belin and he shares my feeling that this matter will be the subject of questioning when Messrs. Bell and Belin travel to Dallas again.

DID TRULY RUN AHEAD OF BAKER UP THE STAIRS?

The readers ought to ask themselves, whether it would make sense that with a possible gunman coming down and a police officer behind him with his gun drawn Roy Truly would run ahead and could be caught in the line of fire?

- Marrion Baker makes only the briefest mention of this part in his Warren Commission testimony: "Mr. Truly had come up to my side here" while he confronted Oswald. Other than that there is nothing about this in any of his statements.
- Roy Truly on the other hand has plenty to tell, but not at first:

In his first handwritten statement there is no mention of him being ahead at all. Nor is there anything in his typed up version from November 23.

Neither is there anything about this in his FBI statement from November 22 1963.

His FBI statement from November 23 1963 does not make any mention of this either.

In his Secret Service statement of December 8 1963 he states: "I had started to go up the stairway to the third floor when I noticed that the officer was not following, and I heard him say something. I then went back and found that he was standing near the entrance of the lunchroom". Sixteen days after the assassination! He was standing near the entrance of the lunch room! In this report there is the first mention that Truly was making his way up to the 3rd floor already. The Secret Service agents (Arthur Blake, William Carter and Elmer Moore) interviewed various TSBD employees and this is where various statements were falsified with insertions of scenarios that contradicted initial statements. Harold Norman, James Jarman and Bonnie Ray Williams also 'made' statements that directly contradicted their previous affidavits. More about this in the third paper 'The TSBD'

In Truly's Warren Commission testimony, it becomes rather colourful.

Mr. BELIN. All right. Then what did you do?

Mr. TRULY. I went up on a run up the stairway.

Mr. BELIN. Okay. And where was this officer at that time?

Mr. TRULY. This officer was right behind me and coming up the stairway. By the time I reached the second floor, the officer was a little further behind me than he was on the first floor, I assume—I know.

Mr. BELIN. Was he a few feet behind you then?

Mr. TRULY. He was a few feet. It is hard for me to tell. I ran right on around to my left, started to continue on up the stairway to the third floor, and on up.

Mr. BELIN. All right. Number 23, the arrow points to the door that has the glass in it.

Now, as you raced around, how far did you start up the stairs towards the third floor there?

Mr. TRULY. I suppose I was up two or three steps before I realized the officer wasn't following me.

Mr. BELIN. Then what did you do?

Mr. TRULY. I came back to the second floor landing.

Defying common sense, with Truly going ahead of the armed Baker facing a possible assassin on his way down. Truly makes an interesting admission in the very same W.C. testimony:

Mr. BELIN. Did you have any conversation with the officer that you can remember? About where you thought the shots came from?

Mr. TRULY. Yes. When sometime in the course, I believe, after we reached the roof, the officer looked down over the boxcars and the railroad tracks and the crowd below. Then he looked around the edge of the roof for any evidence of anybody being there. And then looked up at the runways and the big sign on the roof. He saw nothing. He came over. And some time about then I said, "Officer, I think" let's back up. I believe the officer told me as we walked down into the seventh floor, "Be careful, this man will blow your head off."

The timing of this remark is just way off; it is something that would have been said whilst on the way up, not after about ten minutes of having gone through the building already!

In his interview with Truly, Barry Ernest states in *The Girl On The Stairs*:

Truly told me he was ahead of the policeman by "several feet" when on his way up to the third floor, he noticed Baker was no longer behind him. Returning to the second floor landing, Truly found Baker in the lunchroom (P.67).

However, Roy Truly cannot keep up this version of events, as he should. He did some interviews after the assassination, in the very same week when his Secret Service statement was taken and this lie was created.

One of which was with Leo Sauvage, a NY correspondent for French newspaper *Le Figaro* who wrote [The Oswald Affair](#), but there are other papers who report the same contradiction.

In the [December 7 1963 issue of the Detroit Free Press](#) Truly is quoted as saying: "The policeman ran up the stairs ahead of me and when I arrived on the second floor he had his pistol out and was confronting Lee Oswald in the doorway of a little lunchroom"

The [National Guardian of March 24 1964](#) which quotes *The Oswald Affair* by Leo Sauvage and contains his interview with Truly (from December 1963): "We ran to the freight elevators in the back of the building because the front elevators do not go beyond the fourth floor, but the two freight cars had both been left somewhere up in the top floors and we took the stairs, the officer ahead of me. When I reached the second-floor landing, the officer was already at the open door of the lunchroom, some twenty or twenty-five feet away. No, I couldn't tell you exactly how much time it took, all this, but it wasn't long..."

Two newspaper stories; interviews and quotes in early Dec. 1963. That very same week he did have a chat with the Secret Service and changed the story around.

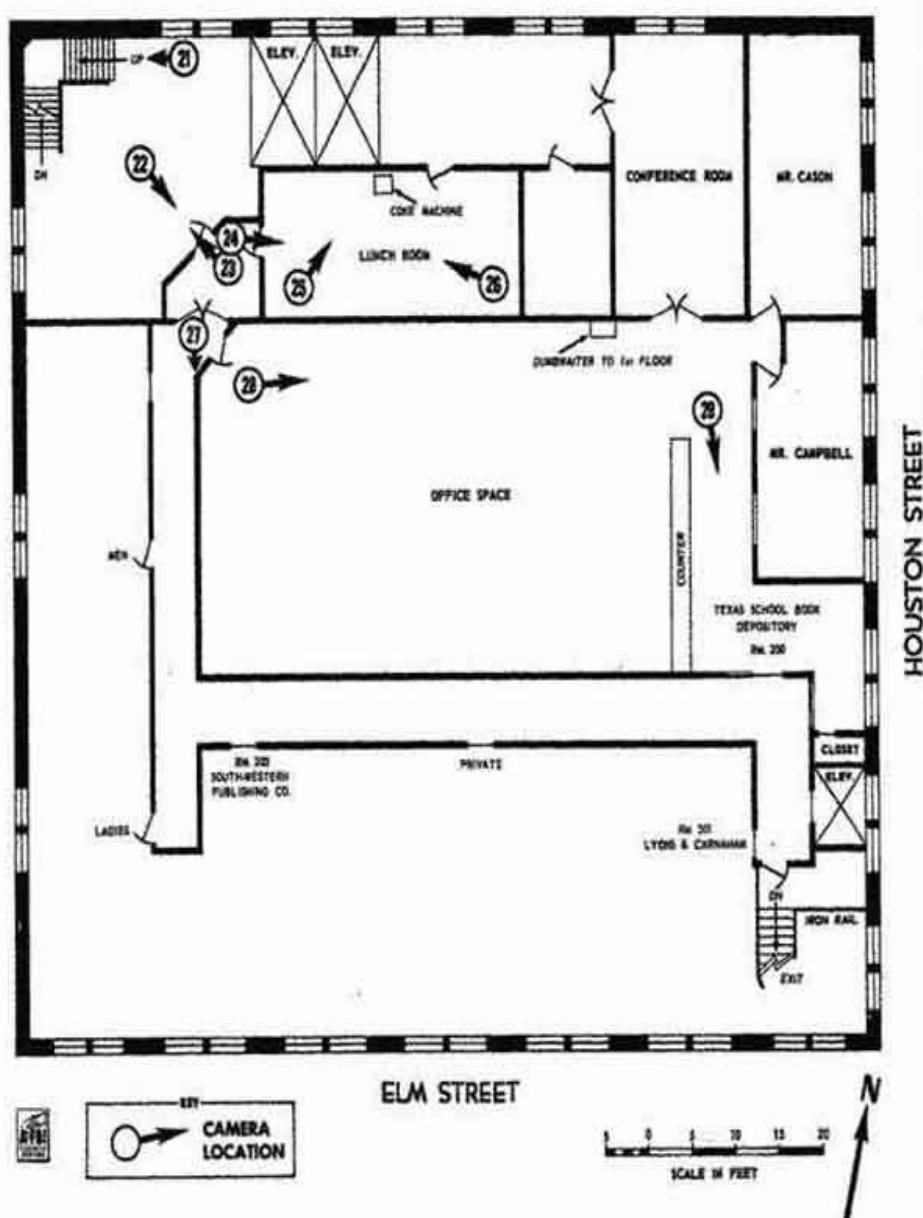
Which begs the question that if Baker went ahead of Truly why change the story around? Could it be to isolate Baker's and Oswald's encounter at first? If Truly had only said, he saw the glimpse too...

.....

THE SECOND FLOOR LUNCH ROOM ENCOUNTER.

I will start by submitting a floor plan and various photographs (from Mary Ferrell) that show the second floor landing and the lunch room, to familiarise yourself with its surroundings. The reader should be aware that these photographs were taken with a wide-angle lens and everything appears to be larger and more spacious than it actually is in reality. The photographs' numbers correspond with the positions and directions marked on the floor plan. What the reader ought to observe is that the door with the-closing mechanism (shots 22 on the floor plan), is at roughly a 45-degree angle. This angle limits a person's view; it prevents him/her from looking inside the lunch room; unless they move further away from the spot where one would arrive just on top of the stairs and on the landing. They would need to go to where the boxes are located, to obtain a view inside the lunch room.

**TEXAS SCHOOL BOOK DEPOSITORY
DIAGRAM OF SECOND FLOOR**



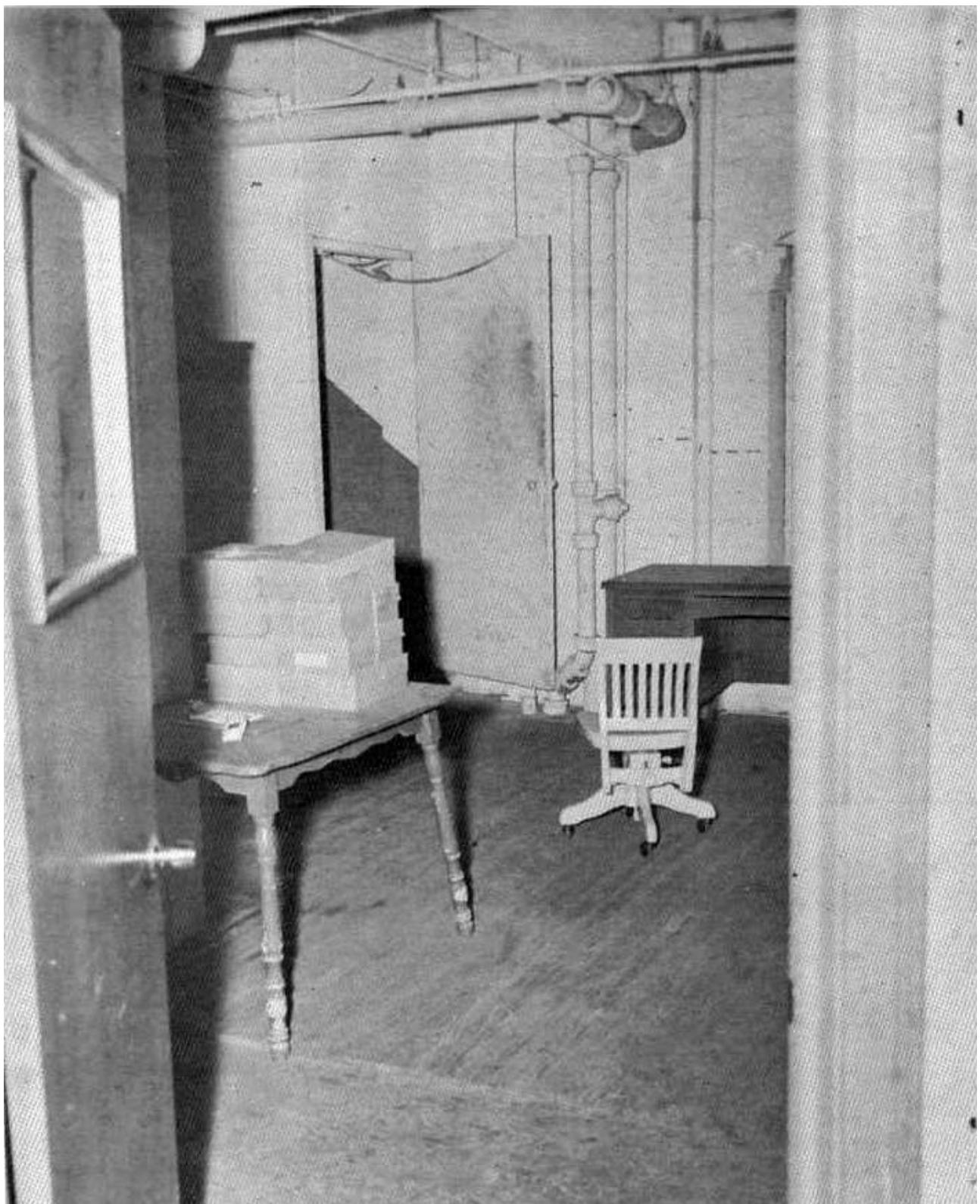


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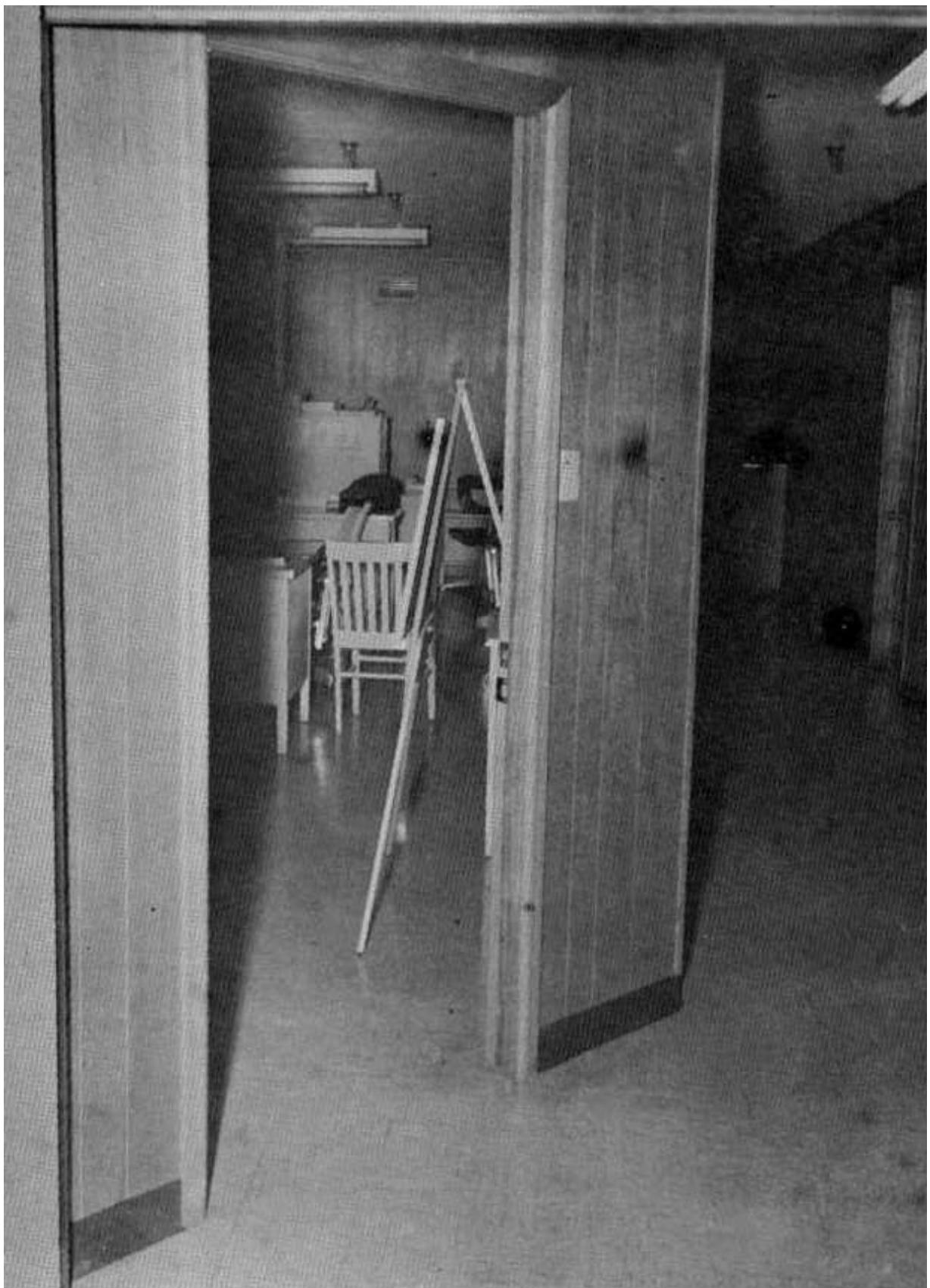


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Baker and Truly wanted to get to the roof as fast as possible and therefore would not have strayed far from the stairwells. They would have turned left almost immediately they arrived on the landing, something Truly actually did, since he was already a few steps ahead towards the third floor (photos 21A/B/C). Note also the boxes in the same set of pictures 22 A/B/C on the right, and also the shot from inside the lunch room (25A). Looking out you just see the boxes

through the window. From a physical point, it would have been impossible to see anyone inside the lunch room.

The only possible movement through that window would be to spot someone going from right to left, meaning he would have come from the corridor that would lead to the front stairs and elevator. The door, was closed when Baker caught the glimpse, and when Truly arrived it was closed as well!



There are a few issues with the documentation:

- Marrion Baker

1. In his [first affidavit on November 22](#), he mentions an encounter on the '3rd or 4th floor'. He makes no mention of a lunchroom, instead describing the encounter in an open area. It states 'a man walking away from the stairway'. It is hard to believe Baker lost his sense of direction and mixed up the third or fourth floor with the second floor lunch room area.
2. [Baker's statement is typed up](#) and signed by him. He had plenty of time to think it over when signing the typed up statement and therefore confirming his first handwritten report.
3. In that first statement, Baker describes the person he apprehended as follows: 30 years old, 5.9" and 165 pounds. Lee Harvey Oswald was 24 years old, 5.9" and weighed 131 pounds. The description Baker gave roughly matches not only Howard Brennan's; the so called star witness, but also Arnold Rowland's description of the man he sees on the 6th floor. Besides, who in their right mind would give Oswald 30 years of age?
4. Lee Oswald is in full view of Baker while Marvin Johnson takes his statement, at no time in his statement does Baker point him out as the man he encountered on the 3rd/4th floor.
5. Baker's Warren Commission testimony:

Mr. BELIN – When you started up the stairs what was your intention at that?

Mr. BAKER – My intention was to go all the way to the top where I thought the shots had come from, to see if I could find something there, you know, to indicate that.

Mr. BELIN – And did you go all the way up to the top of the stairs right away?

Mr. BAKER – No, sir; we didn't.

Mr. BAKER – What happened?

Mr. BAKER – As I came out to the second floor there, Mr. Truly was ahead of me, and as I come out I was kind of scanning, you know, the rooms, and I caught a glimpse of this man walking

away from this—I happened to see him through this window in this door. I don't know how come I saw him, but I had a glimpse of him coming down there.

Mr. DULLES — Where was he coming from, do you know?

Mr. BAKER — No, sir. All I seen of him was a glimpse of him go away from me.

Mr. BELIN — What did you do then?

Mr. BAKER — I ran on over there

Representative BOGGS - You mean where he was?

Mr. BAKER — Yes, sir. There is a door there with a glass, it seemed to me like about a 2 by 2, something like that, and then there is another door which is 6 foot on over there, and there is a hallway over there and a hallway entering into a lunch room, and when I got to where I could see him, he was walking away from me about 20 feet away from me in the lunch room.

Mr. BELIN — What did you do?

Mr. BAKER — I hollered at him at that time and said, "Come here." He turned and walked right straight back to me.

Representative BOGGS. And he came up to you, did he say anything to you?

Mr. BAKER. Let me start over. I assumed that I was suspicious of everybody because I had my pistol out.

Representative BOGGS. Right.

Mr. BAKER. And as soon as I saw him, I caught a glimpse of him and I ran over there and opened that door and hollered at him.

Representative BOGGS. Right.

Mr. DULLES. He had not seen you up to that point probably?

Mr. BAKER. I don't know whether he had or not.

Representative BOGGS. He came up to you?

Mr. BAKER. Yes, sir; and when I hollered at him he turned around and walked back to me.

Representative BOGGS. Right close to you?

Mr. BAKER. And we were right here at this position 24, right here in this doorway.

Mr. BELIN. And you saw something move through a door which is marked as what number on Exhibit 497?

Mr. DULLES. Where was he when you first saw him?

Mr. BAKER. At this doorway right here, this 23.

Mr. BELIN. At 23.

As mentioned previously the door is at a rough 45-degree angle, which prevents anyone seeing much inside the space between the lunchroom and the landing.

But, what is more troublesome, is that the door was closed before Baker went in, and when Truly came back down it was closed as well.

Baker said he glimpsed someone behind the window moving and then caught up with him. While that person, allegedly Oswald was inside the lunchroom. This glimpse was never mentioned before. According to Roy Truly, only just a few days before Baker was giving his testimony for the Warren Commission in Washington. That is mid-March 1964, 3 1/2 months after the Big Event, the glimpse starts to appear in this scenario.

Mr. DULLES. May I ask you a question? Do you know why it was that the officer didn't follow you up the stairs, but instead was distracted, as it were, and went with Lee Harvey Oswald into the lunch room?

Mr. TRULY. I never knew until a day or two ago that he said he saw a movement, saw a man going away from him.

Mr. DULLES. As he was going up the stairs?

Mr. TRULY. As he got to the second floor landing. While I was going around, he saw a movement.

Mr. DULLES. And he followed that?

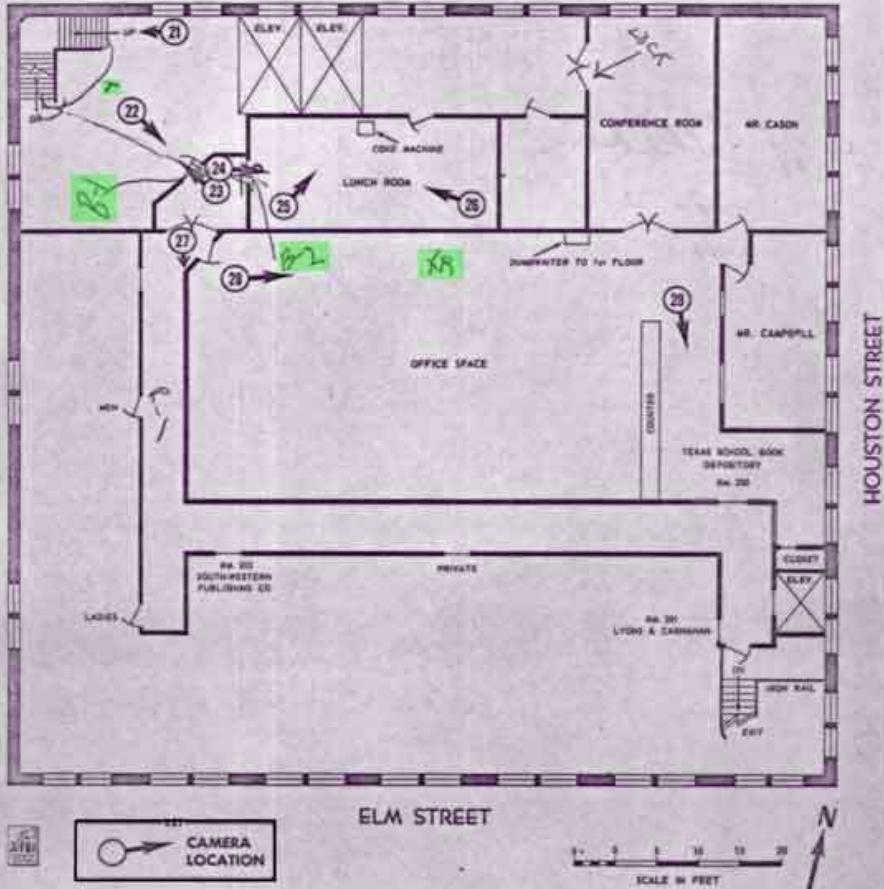
Mr. TRULY. That is right.

Representative FORD. He saw a movement in the lunch room or a man go into the lunch room?

Mr. TRULY. He saw the back of a man inside the door — I suppose door No. 23. But that isn't my statement. I didn't learn about that, you see, until the other day.

TEXAS SCHOOL BOOK DEPOSITORY
DIAGRAM OF SECOND FLOOR

C



COMMISSION EXHIBIT 497

B1 = Baker's first position.

B2 = Baker's 2nd position when confronting Oswald.

T = route Truly took.

XR = Mrs Reid's position when encountering Oswald.

212

Warren Commission, Volume XVII: CE 497 – Diagram of the 2nd floor with position markings of Baker, Truly and Reid.

W.C. Attorney Belin not once asked Baker during his W.C. testimony, if the person he caught a "glimpse" of through the window of the door on the second floor landing was the same person (Oswald) he stopped and questioned in the lunchroom seconds later. Nor did he ever ask about the discrepancies in floors and the lack of a lunchroom description between his first affidavit and the ones after that!

Truly had walked past already and was making his way up the steps towards the third floor and the door was shut. The door had a self-closing mechanism (photos 22A/B/C), and was not a pneumatic door as stated during the W.C. hearings (just as it was not a vestibule between the landing and the lunchroom either).

In 1968 Barry Ernest did a rough timing of how long the door would take before it was firmly shut, and it took 3 seconds to do so ([The Girl On The Stairs](#) P.70). The door was the very same door as per the conversation Ernest had with Truly then. If you look at the Secret Service re-

enactment video, on page 116, it takes up 5 seconds for someone to open the door and pass through it and have it closed behind to open and have it closed behind him. So where was Oswald coming from? If the door was closed and Baker saw a glimpse, then Oswald must have come from the first floor! And this is what a lot of researchers subscribe to as a possibility of Oswald being on the second floor for a coke after the shooting.

Had Oswald come from the sixth floor, then there would be no way to know why Oswald did, for a speedy escape, not walk down the corridor leading to the front of the TSBD, instead of going into the second Floor lunch room if he was there. An escaping assassin, calm as a cucumber, who goes for a coke instead! Nor is there a logical answer as to why Oswald would, after allegedly shooting J.F.K., be visible behind the glass window of the 'vestibule' door when Baker appeared, and the door being shut?

6. On September 23 1964 the day before the Warren Report is handed to LBJ (so that means the whole thing is already printed up!), [Baker gives an affidavit to the FBI](#).

SA Richard Burnett of the FBI writes down this statement; and there appear to be two corrections in it with Baker's initials above them. "Third floor" and "drinking a coke" have been stricken through. These two corrections are made because Baker was dictating and after a review, those two bits were stricken through and initialled by Baker. This is not just some honest mistake, but another screw-up from Baker. This affidavit and Roy Truly's are being rushed back to Washington to make sure they are part of the Report! The document below is a recent find by ROKC at the National Archives.

Reference copy, JFK Collection: NSCA (RG 233)

F B I
Date: 9/23/64

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL REGISTERED (Priority)

TO: DIRECTOR, FBI (105-82555)
ATTENTION: ASSISTANT DIRECTOR, WASH.
FROM: SAC, DALLAS (100-10461)
RE: LEE HARVEY OSWALD, aka.
IS - R - CUBA

Re telephone call 8:30 a.m., CST, 9/23/64,
between Inspector JAMES R. MALLEY and Dallas: SAC J. GORDON
SHANKELIN in the matter regarding the President's Commission's
request that signed statements be obtained from ROY S.
TRUELY, Texas School Book Depository, and MARRION L. BAKER,
Dallas Police Department.

R. S. TRUELY and Officer BAKER were to be questioned
as to whether either had seen any individual, except OSWALD,
in the lunchroom of the Texas School Book Depository
building shortly after the assassination of President
KENNEDY on November 22, 1963.

Enclosed herewith are the signed statements of
ROY S. TRUELY and MARRION L. BAKER obtained in 9/23/64 at
Dallas, Texas.

3 - Bureau (Enc. 2) (RM)
2 - Dallas
RJB/jtf
(5)

REF #: 105-82555-4962

Approved: 60 SEP 30 1964 Special Agent in Charge

Cover letter to have the FBI statements by Roy Truly and Marrion Baker being sent back to Washington a.s.a.p.

ROKC scan from the National Archives.

But the real question is why would the FBI need another statement from Baker and Truly, after his Warren Commission testimony and the day before the Warren Report is handed to LBJ? The [typed up version of this report](#) does not show these corrections of course!

7. In Larry Sneed's [No More Silence](#) (pages 124 & 125) Baker states: "Mr. Truly was ahead of me. As he had turned the corner and started on around toward the third floor stairwell, I happened to look over in front of me, and about twenty feet away there was a doorway with a small glass. I caught a movement behind the glass, so I went over, opened up the door, and saw this man standing approximately twenty feet in this next room. At that time, I didn't know if it was a coffee room or what. By this time, I had drawn my pistol on the first flight of stairs. I called to him Hey, you! and he started to turning around toward me. He didn't have time to respond, it was momentary. He didn't have time to say anything and I didn't have time to observe him. About that time, Mr. Truly was beside me, I asked him if this man worked for him or if he knew him, and he said yes, he works for me."
 8. In his [HSCA testimony](#), Baker is quoted as: "I hollered to him. He turned and faced me. Then Mr. Truly came back. I said does this man work here? He said yes."
- [Marvin Johnson](#) who takes Baker's statement writes in his report "[On about the 4th floor Officer Baker apprehended a man that was walking away from the stairway on that floor.](#) Officer Baker then started to search the man" Actual physical contact not reported in any other affidavit or testimony by anyone else. In addition Johnson states in [that very same affidavit](#): "*When patrolman ML Baker identified Lee Harvey Oswald as the man that stopped in the Texas School Book Depository building, Patrolman Baker was in the Homicide Bureau and giving an affidavit and Oswald was brought into the room to talk to some Secret Service men. When Baker saw Oswald he stated: That is the man I stopped on the fourth floor of the Depository*". There is no evidence of any of this, since it is absent from Baker's handwritten and typed up DPD statement. Moreover, Marvin Johnson refers to the 4th floor, which is one of the floors Baker referred to in his primary statement. He also asserts to Baker recognizing Oswald from a line-up. Baker contradicted this when Allen Dulles of the Warren Commission asked him if he saw Lee Oswald in the DPD police line-up, Baker answered: "*I never did have a chance to see him in the line-up. I saw him when I went to give the affidavit.*" Marvin Johnson was typing up a nice lil' fairy tale. Also to consider: if Baker had recognised him there and then, Will Fritz would have known about this right away and it would show in any of the interrogations reports.
 - [Stavis Ellis](#), Baker's commander said during an [interview for the Garrison investigation](#): "The second part of the conversation was about one of MAJOR ELLIS's fellow motorcycle officers This officer (as told by ELLIS) stated he was directly under the building when the shots were fired They locked the main entrance and after the supervisor arrived he started up the stairs The building was the Book Depository Upon going up the stairs he and the supervisor encountered someone on either the third or fourth floor. This person was drinking water from the water cooler – he did not stop because the supervisor advised the officer that the man was an employee MAJOR ELLIS stated this officer later identified the man by the water cooler as LEE HARVEY OSWALD! This is a summation of the conversation."

However, this is not the only time Stavis Ellis comments on Baker's actions on that day. In Larry Sneed's [No More Silence](#) he says that on the second floor they encountered Oswald having a coke. And in a [telephone interview with Denis Morissette in 1992](#) he says:

1. Baker found Oswald on the floor below from where the shooting started. Which would be the 5th floor.
2. Oswald was drinking a coca cola and eating a bar of candy when Baker found him.
3. Marrion Baker should have sealed the building instead.

Major Stavis Ellis cannot be relied upon when it comes to his statements about the encounter with Oswald, he gives a different location/scenario on all three occasions. The first account for the Garrison investigation is most telling. Nevertheless, he is right in condemning Baker for not sealing the building. Or perhaps that is what Baker did after all, yet no one bothered to mention he did.

- Jesse Curry was quoted in The New York Times of Nov 24th 1963: "The first officer to reach the six-storey building, Lieutenant Curry said, "found Oswald among other persons in a lunchroom."

POLICE TELL STORY OF SWIFT CAPTURE

Big Force on Dallas Parade Route Able to Move Fast

By DONALD JANSON
Associate to The New York Times

DALLAS, Nov. 23—Police Chief Jesse E. Curry reconstructed today the swift steps that led to the apprehension of Lee H. Oswald.

Moments after the fatal shot was fired at President Kennedy at 12:30 P. M. yesterday, Chief Curry said, he radioed instructions that the Texas School Book Depository Building be surrounded and searched. Oswald, who worked in the building, has been charged with the assassination of the President.

The chief was riding in a car 40 feet ahead of the limousine carrying Mr. and Mrs. Kennedy and Gov. and Mrs. John B. Connally Jr. of Texas. The motorcade was on its way to the Trade Mart where the President was to have spoken at a luncheon.

Chief Curry said he could tell from the sound of the three shots that they had come from the book company building near downtown Dallas.

The department of 500 officers from his 130-man force along the route made fast action possible in the manhunt.

The first officer to reach the six-story building, Lieut. Curry said, found Oswald among other persons in a lunchroom. He said the building manager identified Oswald as an employee of the book-distribution concern that used the building. Oswald was not questioned then.

When the main force of investigating officers reached the building Oswald had left.

The police had found on the sixth floor the rifle they believed was the assassination weapon.

An elevator operator, the chief said, recalled having taken Oswald to the top floor before the motorcade passed by.

Soon after a description had been broadcast, Patrolman J. D. Tippit saw a man who seemed to answer it. The man was on a sidewalk in suburban Oak Cliff, about two miles from the textbook depository building.

When Mr. Tippit got out of the car to question the suspect he was shot and killed with a revolver, Mr. Curry said. A

citizen used the squad car radio to report this at 1:18 P. M., about 50 minutes after the President was shot. Policemen then converged on the area.

The killer of Patrolman Tippit fled on foot, witnesses said. A police search of surrounding buildings yielded nothing. Then a call from Julie Postal, cashier of the Texas Theater six blocks from the patrolman was slain, reported that an agitated man had entered the movie house.

Chief Curry said six officers searched the theater and found Oswald on the main floor in the third row from the back.

When Patrolman M. N. McDonald approached him, he sprang up, the police reported, and shot:

"This is it!"

He reached for a revolver in his shirt, but was disarmed after a scuffle.

In the scuffle, Oswald received a black eye and a cut on his forehead.

He pulled the trigger before the gun was wrested from him, but the gun did not fire. The arrest came about 90 minutes after the assassination.

Accused of Murder

At police headquarters, Oswald was questioned for five hours, then arraigned in the murder of Patrolman Tippit at 7:15.

The interrogation, directed by Capt. Will Fritz, head of the Dallas Homicide Bureau, continued until midnight. At 1:30 A.M. today Oswald was arraigned on charges of murdering the President. He denied both charges. The questioning of Oswald was resumed this morning.

The police sent the confiscated revolver and the Italian-made military rifle found in the book depository building to the Federal Bureau of Investigation's crime laboratory in Washington.

Fingerprints and other evidence also were flown there late yesterday, Chief Curry said.

In the search of the book company's building, the police found the rifle hidden among stacks of books and boxes.

The police also found three shells and an unspent bullet, a soft-drink bottle, an empty cigarette package, a piece of partly-eaten fried chicken, and a sack with chicken bones.

Chief Curry said a palm print on a matchbook box at the window checked with prints of Oswald's palm taken later at police headquarters.

The manhunt and investigation were aided from the beginning, he said, by the F.B.I. and state highway patrolmen and Dallas County sheriff's officers.

- Will Fritz's typed report from December 23 states: "We also found out that this man had been stopped by officer M.L. Baker while coming down the stairs. Mr. Baker says that he stopped this man on the third or the fourth floor of the stairway, but as Mr. Truly identified the man as one of his employees, he was released. This very same report falsely claims that Oswald's working area was mostly on the second floor!

J. W. Fritts

December 23, 1963

Page 2

6. While we were still searching the building, Mr. Moy L. Truly, 1032 "ads" Drive, reported to us that one of his men was missing, a Lee Harvey Oswald, whose address was 2515 N. 9th Street, Irving, Texas. We also found that this man had been stopped by Officer W. L. Baker while coming down the stairs. Mr. Baker says that he stopped this man on the third or fourth floor on the stairway, but as Mr. Truly identified him as one of the employees, he was released. After seeing that this man was apparently running, two of the detectives and myself left the building and came to the office for an identification check and other information, and soon found that he was the same man who had shot Officer Tippit.

7. A bullet taken from the stretcher used to carry the Governor into the hospital and fragments of a bullet taken from Governor Connally's body were turned over to the F. B. I. who made an examination and, as shown in our report from there, these were fired from this same rifle.

8. One sport shirt that Oswald was wearing at the time of his arrest was sent to the F. B. I. Crime Lab along with a blanket that Mrs. Lee Oswald said the gun had been wrapped in while being kept in the garage at the home of Mrs. Ruth Paine in Irving. The F. B. I. examination shows that parts of each of these materials could have been the ones that they recovered from the gun.

9. Mrs. Harvey Lee Oswald identified the rifle as resembling the one she had seen in the garage in Irving.

10. During the search of the garage at Mrs. Paine's home in Irving where Oswald had stored some of his possessions, officers recovered two pictures of Lee Harvey Oswald posing with a gun that looked identical to the gun found and wearing a pistol resembling the pistol used to kill Officer Tippit. We were able to find by checking Oswald's former addresses where this picture was made in a back yard at 211 W. Neelay.

Will Fritz's typed report from Dec 23rd 1963.

- Roy Truly's Statement to the DPD dated November 23rd, 1963: "We hit the second floor landing the officer stuck his head into the lunch room area where there are coke and candy machines. Lee Oswald was in there. The officer had his gun on Oswald, and asked me if he was an employee. I answered yes."

In Truly's November 22 FBI statement: ...and he accompanied the officer immediately up the stairs to the second floor of the building, where the officer noticed a door and stepped through the door, gun in hand, and observed OSWALD in a snack bar there, apparently alone. This snack bar has no windows or doors, facing the outside of the building, but is located almost in the

center of the building. The officer pointed to OSWALD and asked if OSWALD was an employee of the company, and he, TRULY, assured the officer that OSWALD was an employee.

Truly's FBI statement from November 23 1963 says: 'As they reached the second floor landing, the officer opened a door to a small lunch room next to the business office on that floor, and stuck his gun in the door.' LEE OSWALD was in the lunch room. The officer asked him if he was an employee, to which OSWALD replied that he was. TRULY and the officer gave this no further consideration, inasmuch as OSWALD was an employee, and they ran up to the fifth floor"

Oswald replied.....

Truly's Secret Service statement from December 4 1963 states "I had started to go up the stairway to the third floor when I noticed that the officer was not following and I heard him say something I then went back and found that he was standing near the entrance to the lunch room and he had drawn his weapon Just inside the lunch room door Lee Oswald was standing and the officer was facing him At that time the officer asked me if this man worked here to which I replied "yes".

Roy Truly's W.C. testimony:

Mr. BELIN. What did you see?

Mr. TRULY. I saw the officer almost directly in the doorway of the lunch room facing Lee Harvey Oswald.

Mr. BELIN. And where was Lee Harvey Oswald at the time you saw him?

Mr. TRULY. He was at the front of the lunch room, not very far inside he was just inside the lunch room door.

Mr. BELIN. All right.

Mr. TRULY. 2 or 3 feet, possibly.

Mr. BELIN. Could you put an "O" where you saw Lee Harvey Oswald?

All right.

You have put an "O" on Exhibit 497 (CE 497 has a small 'O' near the lunch room door entrance which contradicts Oswald's position in CE 1110, see above-B.K.)

What did you see or hear the officer say or do?

Mr. TRULY. When I reached there, the officer had his gun pointing at Oswald. The officer turned this way and said, "This man work here?" And I said, "Yes."

Mr. BELIN. And then what happened?

Mr. TRULY. Then we left Lee Harvey Oswald immediately and continued to run up the stairways until we reached the fifth floor.

Mr. BELIN. All right. Let me ask you this now. How far was the officer's gun from Lee Harvey Oswald when he asked the question?

Mr. TRULY. It would be hard for me to say, but it seemed to me like it was almost touching him.

Mr. BELIN. What portion of his body?

Mr. TRULY. Towards the middle portion of his body.

Mr. BELIN. Could you see Lee Harvey Oswald's hands?

Mr. TRULY. Yes.

Mr. BELIN. Could you see?

Mr. TRULY. I am sure I could, yes. I could see most of him, because I was looking in the room on an angle, and they were this way.

Mr. BELIN. When you say you were looking in the room on an angle...

Mr. TRULY. What I mean--this door offsets the lunch room door.

Mr. BELIN. By this door, you mean door No. 23 is at an angle to door No. 24?

Mr. TRULY. Yes. One this way and the other one is this way.

Mr. BELIN. All right. Could you see whether or not Lee Harvey Oswald had anything in either hand?

Mr. TRULY. I noticed nothing in either hand.

Mr. BELIN. Did you see both of his hands?

Mr. TRULY. I am sure I did. I could be wrong, but I am almost sure. I did.

Mr. BELIN. About how long did Officer Baker stand there with Lee Harvey Oswald after you saw them?

Mr. TRULY. He left him immediately after I told him, after he asked me, does this man work here. I said, yes. The officer left him immediately.

Mr. BELIN. Did you hear Lee Harvey Oswald say anything?

Mr. TRULY. Not a thing.

Mr. BELIN. Did you see any expression on his face? Or weren't you paying attention?

Mr. TRULY. He didn't seem to be excited or overly afraid or anything. He might have been a bit startled, like I might have been if somebody confronted me. But I cannot recall any change in expression of any kind on his face.

If the door was shut (and it took 3 seconds to close), then how did Truly know Baker was inside the so called 'vestibule' on the second floor? Baker was only a few feet behind him, but whilst going up two short flights of stairs, from the first to the second floor, quite a distance had been created between the pair of them. Then for Baker to catch a glimpse, open the door, go inside and confront Oswald, while Truly is already a few steps on the way up towards the third floor, and the door being shut when Truly opened it.

- Victoria Adams was asked by Barry Ernest whether she happen to notice any activity in or around that lunchroom when she passed by on November 22?

"I don't recall noticing anything or anyone on the second floor," she said. "But, remember, I wasn't looking for anything in the building. My intent was to get outside as quickly as possible. I can't answer whether anyone could have been in the lunch room. If they were, they should have been the ones doing the noticing. I mean, here were people running out of the building. For all anyone else knew, we could have been the ones who did it. Do you know what I mean?" (P.252)

From a physical point of view, already it seems highly unlikely that the second floor lunch room encounter actually happened.



Here is Roy Truly being interviewed by CBS continuing his fairy tale.

Oswald himself never said he was in the second-floor lunchroom during or after the shooting.

In Captain Will Fritz's report it says: '*I asked him what part of the building he was in at the time the President was shot, and he said that he was having his lunch about that time on the first floor.*'

In the joint Bookhout-Hosty report: 'Oswald stated that he went to lunch at approximately noon and he claimed he ate his lunch on the first floor in the lunchroom; however he went to the second floor where the Coca-Cola machine was located and obtained a bottle of Coca-Cola for his lunch. Oswald claimed to be on the first floor when President John F. Kennedy passed this building.'

Oswald said he was on the first floor having his lunch when President John F. Kennedy passed by the Texas School Book Depository.

So 75-90 seconds after the shooting Baker burst into the second-floor lunchroom pointing a gun to Oswald's stomach, yet Oswald tells the police that he was on the first floor during the shooting! If this does not have alarm bells going off then I do not know what does.

And why did he do this? Because it was his alibi. Oswald got the coke to have with his lunch, which he ate in the Domino Room and then made his way forward to the front when the commotion of the arriving motorcade drew his attention.



Here is the second floor lunchroom encounter from [Executive Action](#). 'Truly' looks like a Car Mechanic.

Here are some of the first public reports of a lunchroom altercation; it is from [Jack White's archive at Baylor in a document called "Escape"](#). This document shows a timeline of press releases and reports during and after the assassination.

- 11/23/63 Dallas - The first suspicion of the slim, black-haired man was by a policeman who saw Oswald in the building lunchroom. The officer pulled a gun on Oswald, but when the manager said Oswald worked there, he was allowed to go. AP, 1:50 p.m., CST, Peggy Simpson.
- 11/24/63 Dallas - Oswald was found by police on the second floor of the building shortly after the shooting, calmly opening a soft drink. The policemen drew a gun on him and asked the manager if he knew Oswald. The manager said Oswald was an employee and the police left. Another policeman let Oswald out the front door of the building after confirming again that he was an employee. AP, 7:58 p.m. CST.

- 11/24/63** Dallas, [11/23] - The first officer to reach the six-story building, Lieutenant Curry said, found Oswald among other persons in a lunchroom. *New York Times*, Donald Jansen.
- 12/7/63** Dallas - The assassin dashed to the opposite corner of the building and tossed the rifle behind a stack of boxed basic readers. Then he ran down the rear staircase, stopping at the second floor. *AP*, 9:39 p.m., Jules Loh.
- 1/2/64** ... Chief Curry, for instance, in one of his numerous interviews, said on Saturday that Lee Oswald was in the lunchroom -- "among others." But those "others" were never mentioned again. And on Saturday night, when the chief of the Dallas Homicide squad, Captain Will Fritz, indicated that the crime was solved as far as he was concerned.-..."it's a cinch" --he mentioned the fact that Oswald was in the building to support his belief. But Oswald was not alone in the building. ...*The Reporter, Oswald in Dallas: A Few Loose Ends*, Leo Sauvage, p. 24.
- 2/21/64** Truly and a policeman ran into the building to the elevators but found they were not running. [Later it was determined that an elevator gate had been left open on a floor above.] *Life*, p. 80
- 2/21/64** Oswald came out of the lunchroom a few moments later with a Coke in his hand. A woman switchboard operator saw him and said, "Wasn't that terrible, the President being shot?" Oswald muttered something, which she didn't understand. He walked through the office, down the steps to the first floor and out the front door. It was about 12:35. *Life*, p. 80

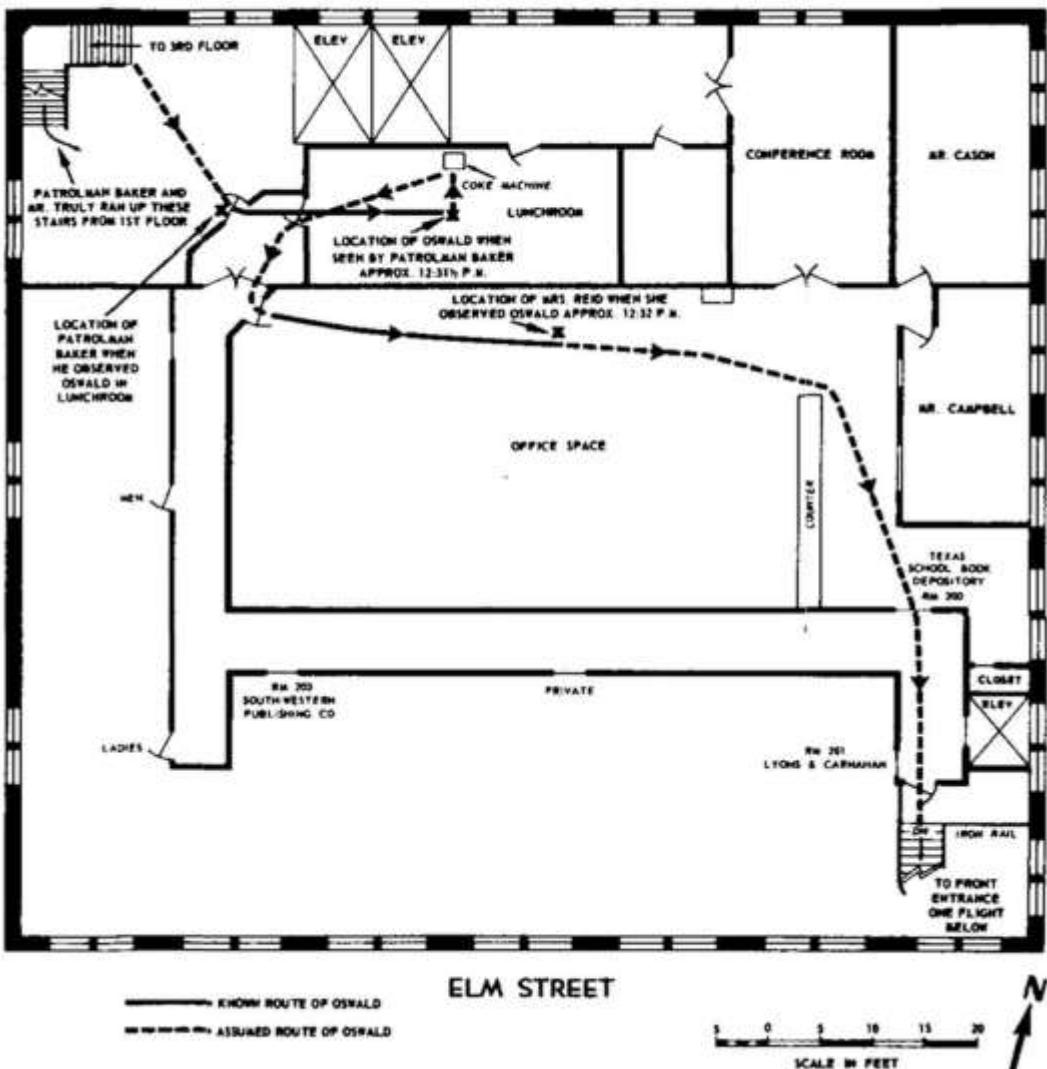
As far as the info was publicly available it took more than 24 hours before the first report of a lunch room encounter was published and the day after there is even talk of two encounters, with the first encounter to be with more than one police officer.



By Stan Dane.

OSWALD'S LOCATION DURING THE SO CALLED 2ND FLOOR LUNCH ROOM ENCOUNTER AND JUST AFTER.

TEXAS SCHOOL BOOK DEPOSITORY DIAGRAM OF SECOND FLOOR



COMMISSION EXHIBIT No. 1118

Route and positions of Oswald, Truly and Baker on the 2nd floor of the TSBD.

Above you can see Commission Exhibit No.1118 showing Oswald's alleged route and encounters with Baker & Truly and later on with Mrs. Robert Reid.

- Roy Truly in his [first statement for the DPD \(November 23\)](#) and the FBI ([November 22/23](#)) just mentions Oswald being inside the lunch room, he gives no specifics.

In the [Secret Service report of December 4 1963](#) Truly states: "Just inside the lunch room door, Lee Oswald was standing and the officer was facing him." This contradicts with Baker's WC testimony.

In the [NYHT of November 27](#) Truly says: "On the second floor, he stuck his head into a snack bar we have and saw Oswald sitting at one of the tables."

In his Warren Commission testimony, he states:

TRULY (talking about the vestibule door): I think I opened it. I opened the door back and leaned in this way.

BELIN: What did you see?

TRULY: I saw the officer almost directly in the doorway *facing* Lee Harvey Oswald.

BELIN: And where was Lee Harvey Oswald at the time you saw him?

TRULY: He was at the front of the lunch room, not very far inside, he was just inside the lunch room door.

BELIN: All right.

TRULY: 2 or 3 feet, possibly. I could see most of him, because I was looking in the room at an angle, and they were this way... I noticed nothing in either hand...

- [Marrion Baker's handwritten statement of November 22](#) he says: "as we reached the third or fourth floor. I saw a man walking away from the stairway."

In Baker's W.C. testimony, the following exchanges happen:

Mr. BELIN – Where were you at the time you hollered?

Mr. BAKER – I was standing in the hallway between this door and the second door, right at the edge of the second door.

Mr. BELIN – He walked back toward you then?

Mr. BAKER – Yes, sir.

Mr. BELIN – I hand you what has been marked Commission Exhibit 497 which appears to be a diagram of the second floor of the School Book Depository, and you will notice on this diagram there are circles with arrows. I want you to state, if you will, what number or the arrow approximates the point at which you were standing when you told him to "Come here". Is there a number on there at all or not?

Mr. BAKER – This 24 would be the position where I was standing.

Mr. BELIN – The arrow which is represented by No. 24, is that correct?

Mr. BAKER – That is correct.

Mr. BELIN – On Exhibit 497. When you first saw him in which direction was he walking?

Mr. BAKER – He was walking east.

Mr. BELIN – Was his back was away from you, or not, as you first saw him?

Mr. BAKER – As I first caught that glimpse of him, or as I saw him, really saw him?

Mr. BELIN – As you really saw him.

Mr. BAKER – He was walking away from me with his back toward me.

Mr. DULLES – Can I suggest if you will do this, put on there where the officer was and where Lee Oswald was, or the man who turned out to be Lee Oswald, and which direction he was walking in. I think that is quite important.

Mr. BELIN – Yes, sir. We are going to get to that with one more question, if I can, sir. When you saw him, he then turned around, is that correct, and then walked back toward you?

Mr. BAKER – Yes, sir.

Representative BOGGS - He came up to you?

Mr. BAKER – Yes, sir; and when I hollered at him he turned around and walked back to me.

Representative BOGGS - Right close to you?

Mr. BAKER – And we were right here at this position 24, right here in this doorway.

Mr. DULLES – Could you tell us anything more about his appearance, what he was doing, get an impression of the man at all? Did he seem to be hurrying, anything of that kind?

Mr. BAKER – Evidently he was hurrying because at this point here, I was running, and I ran on over here to this door.

Mr. BELIN – What door number on that?

Mr. BAKER – This would be 23.

Mr. BELIN – All right.

Mr. BAKER – And at that position there he was already down here some 20 feet away from me.

Mr. BELIN – How close was your gun to him if it wasn't the face whatever part of the body it was?

Mr. BAKER – About as far from me to you.

Mr. BELIN – That would be about how far?

Mr. BAKER – Approximately 3 feet.

In his [HSCA testimony](#) he stated he saw: "an old boy walking away!"

In [On Trial Lee Harvey Oswald](#), Baker indicates on the floor plan (starting at 02:09 in the video below) where he stood, just on top of the landing, when he saw movement behind the window. He opened the door, went in and called back Oswald with "Come Here". Mr. Truly was

at his side! Vince Bugliosi then rattles off some standard questions and the defense makes an even bigger mockery of questioning Baker.



- Otis Williams stated in "No More Silence": "I didn't see Oswald on the day of the assassination. "He apparently walked back through the office, but I didn't see him."
- In the [Philadelphia Sunday Bulletin of December 1](#) it says: Oswald was standing near a coke machine. "Do you work here?" shouted the police man at Oswald thrusting his gun at him.
The coke machine was not located near the entrance of the lunch room it was half-way down, but it's the "Do you work here?" that is different since all other accounts point to Baker asking Truly and not Oswald. Philadelphia Sunday Bulletin December 1 1963
- The Washington Post of December 1 1963 states: "As they made their way to a back stairway, the policeman saw Oswald standing beside a drinks machine sipping from a Coke bottle."
- In The Washington Evening Star of November 29 1963 it says: "Mr. Truly said that the policeman had his gun on Oswald as the youth leaned against the counter and said does this man work here?" Washington Evening Star November 29 1963
- Mrs. Robert Reid, who was also a secretary (clerical supervisor) of Roy Truly. Her name pops up at first in [Roy Truly's handwritten DPD affidavit from November 23](#) I personally find Roy Truly's actions that day very suspicious and find the addition of Reid's name rather telling. [Reid stated that she encountered Lee Oswald just after the so called lunch room encounter.](#)



Mrs. Robert Reid and Lee Harvey Oswald after the so-called second floor lunchroom encounter in J.F.K. The Movie.-W.B.

But there are a few issues that are quite key with Mrs. Reid's observations:

1. Oswald wore a white t-shirt, whereas Baker stated he wore long sleeved brownish shirt.
2. Oswald had a coke (which was inserted at the top in her handwritten statement on November 24), but appears as well in the November 26 FBI affidavit. It was Oswald who mentioned to Fritz he had gotten a coke from the second floor lunchroom, but Reid's D.P.D. affidavit is the very first mention of a coke in Oswald's hands. She also tells the same story in her Secret Service report from December 4 1964. However, it is absent in the Secret Service report from January 8 1964.
3. If she was so certain the shots came from above her, why on earth did she go back inside as fast as she said she had? The gunman was still in the building!

Then Reid's hearsay is also written down in Pauline Sanders' FBI statement from Nov. 24th, on page 2, as she had a telephone conversation with Sanders and this is declared as gospel. But what is most damning, is that the office Mrs. Reid saw Oswald walk through was occupied by someone else at that time, someone who stayed behind in the office, while everyone else had left to watch the motorcade. Her name was Geneva Hine.

- Geneva Hine

Geneva Hine stayed behind in the second floor office. She noticed that the phone lines and the power was shut down while the motorcade passed the building. After the shooting, she went into the corridor to knock on a few doors of neighboring offices and got no reply from anyone (even though she heard someone on the other side of the door speaking on the phone). She then went back into the office and said as per her Warren Commission testimony that she saw Reid come back into the office as part of a group.

Hine's FBI statement from Nov 23rd states:

1. She was alone in the office between 12:25 and 12:35 (Oswald was supposed to have left one minute after the encounter which allegedly happened two minutes after the shooting! So that is gone in three minutes!)
2. She was aware of who Oswald was, not knowing his name though, but that he would come to the 2nd floor to get change for the Coke machine from one of the other employees and that she did NOT see him on Nov. 22nd!
3. The first person to arrive in the offices was a police man, who told her not to leave.

During Hine's Warren Commission, testimony at the end Joseph Ball tries to sow a few seeds of doubt into the Q&A. One ought to ask themselves whether under questioning you would trip up your supervisor? Would you be willing to sit quite close in the office to someone you had basically called a liar in court? Would your job still be safe?

Mr. BALL. When you came back in did you see Mrs. Reid?

Miss HINE. No, sir; I don't believe there was a soul in the office when I came back in right then.

Mr. BALL. Did you see anybody else go in through there?

Miss HINE. No, sir; after I answered the telephone then there was about four or five people that came in.

Mr. BALL. Was there anybody in that room when you came back in and went to the telephone?

Miss HINE. No, sir; not to my knowledge.

Mr. BALL. Did you see Mrs. Reid come back in?

Miss HINE. Yes, sir; I think I felt sure that I did. I thought that there were five or six that came in together. I thought she was one of those.

Mr. BALL. Mrs. Reid told us she came in alone and when she came in she didn't see anybody there.

Miss HINE. Well, it could be that she did, sir. I was talking on the phones and then came the policemen and then came the press. Everybody was wanting an outside line and then our vice president came in and he said "The next one that was clear, I have to have it and so I was busy with the phone.

Mr. BALL. From the time you walked into the room you became immediately busy with the phone?

Miss HINE. Yes, sir; sure was.

Mr. BALL. Did you see Oswald come in?

Miss HINE. My back would have been to the door he was supposed to have come in at.

Mr. BALL. Were you facing the door he is supposed to have left by?

Miss HINE. Yes, sir.

Mr. BALL. Do you recall seeing him?

Miss HINE. No, sir.

Mr. BALL. Do you have any definite recollection of Mrs. Reid coming in?

Miss HINE. No, sir; I only saw four or five people that came by and they all came and were all talking about how terrible it was.

Mr. BALL. Do you remember their names?

Miss HINE. Yes, sir.

Mr. BALL. Who were they?

Miss HINE. Mr. Williams, Mr. Molina (spelling), Miss Martha Reid, Mrs. Reid, Mrs. Sarah Stanton, and Mr. Campbell; that's all I recall, sir.

There is enough to doubt Mrs. R. Reid's story.

How could Geneva Hine have missed both Reid and Oswald when she was at that front desk where she was occupying the phones? Where Reid is supposed to have come in and Oswald to have gone out, have an exchange and not being noticed by Geneva Hine? Though Hine was able to name every one of the group of people that came in much later.



Commission Document 496 – FBI Booklet Entitled "Texas School Book Depository: main entrance to office space

Hine said that Ochus Campbell, Joe Molina, Sarah Stanton, Martha Reid, Otis Williams and Mrs. R. Reid came back in at the same time. Joe Molina testified at the HSCA that Campbell and he were downstairs when Forrest Sorrels came in and wanted the building sealed. That puts, from a timing perspective at least, heavy strain on Reid's statement.

- Sarah Stanton is throwing a spanner in the Reid story as well. In her [FBI affidavit from Nov 24th](#) it is stated that she went immediately after the assassination up to the second floor office, where Hine and allegedly Reid were as well. How can this be? It would nullify Reid's testimony even more. Stanton is recognised by Hine coming into the office as part of a group of TSBD employees mentioned earlier.

Altogether, it seems more than likely that Mrs. R. Reid gave a false statement and backed Truly up with a fairy tale of a story.

DID LEE OSWALD HAVE A COKE DURING THE ENCOUNTER?



JFK, 1991. Warner Brothers.

- Marrion Baker makes no mention of any Coke in his affidavits from November 1963. In his Warren Commission Testimony Baker says:

Mr. BELIN. Was he carrying anything in his hands?

Mr. BAKER. He had nothing at that time.

Mr. BELIN - All right. I see a coke machine off on the left. When you saw Oswald after you got to this doorway inside the lunchroom, had he gone as far as the coke machine?

Mr. BAKER - I didn't notice the coke machine or any item in the room there All I was looking at was the man, and he seemed to be approximately 20 feet down there from me.

His [September 23 1964 FBI Statement](#) states at first, that he was having a Coke, but this gets stricken through and initialed by Baker. In the [Typed Report](#) (and [HERE](#) also) the stricken through bits are obviously missing. Baker never mentioned a coke before, ever!

- Roy Truly during his W.C. testimony:

Mr. DULLES. Did he have a coke?

Mr. TRULY. No, sir.

Mr. DULLES. No drink?

Mr. TRULY. No drink at all. Just standing there.

Truly is also interviewed by Barry Ernest in 1968, on page 68 in *The Girl On The Stairs* Ernest mentions the following exchange:

"Was Oswald holding a bottle of coke or did he have anything in his hands?"

"I know this is important," Truly said. "but I can't recall one way or the other. He may have been or he may not have been. I just don't know."

- Albert Jenner, a former senior WC counsel, said that when Baker saw Oswald in the lunch room, Oswald was holding a Coke in his hand. Said Jenner, during a radio program on

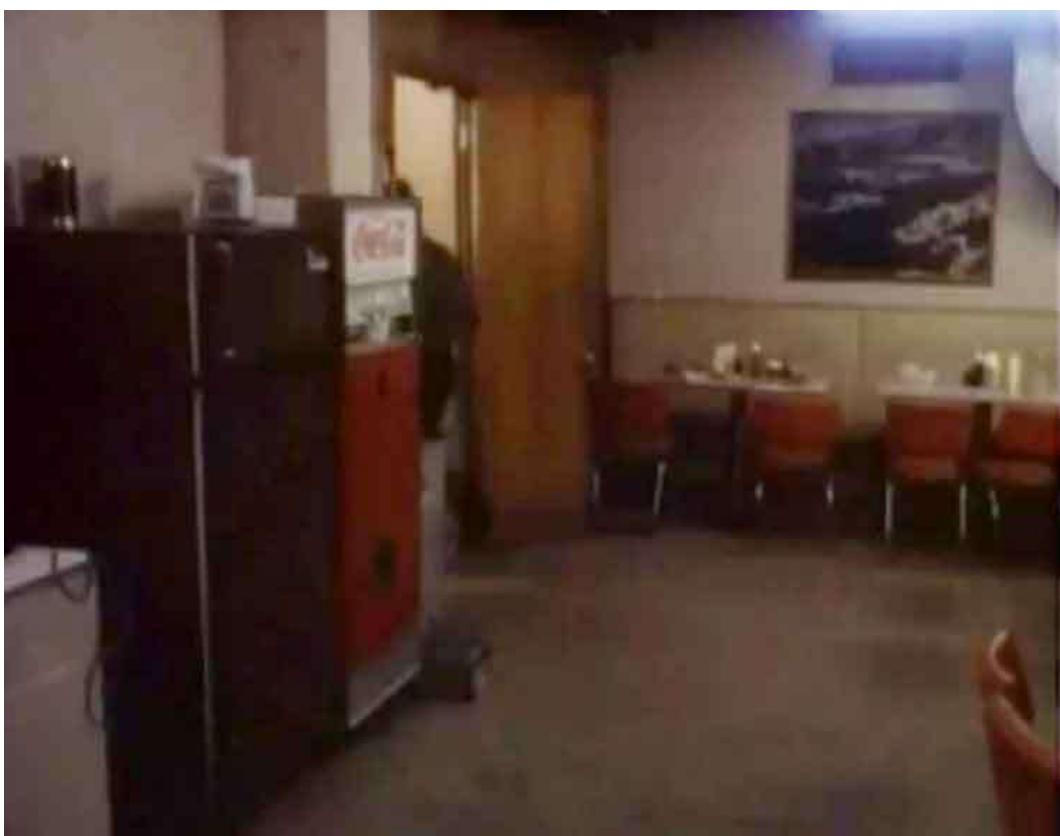
December 23 1966: "the first man this policeman saw, was Oswald with a bottle of Coke" (17:226)."

- Mrs. R. Reid's handwritten statement from Nov 23rd has "He had a coke in his hand" inserted at the top of the page. There is of course no trace of this "insertion" in her typed up statement, it is fitted in.

During her Warren Commission testimony:

Mrs. REID. Well, I kept walking and I looked up and Oswald was coming in the back door of the office. I met him by the time I passed my desk several feet and I told him, I said, "Oh, the President has been shot, but maybe they didn't hit him."

He mumbled something to me, I kept walking, he did, too. I didn't pay any attention to what he said because I had no thoughts of anything of him having any connection with it at all because he was very calm. He had gotten a coke and was holding it in his hands and I guess the reason it impressed me seeing him in there I thought it was a little strange that one of -the warehouse boys would be up in the office at the time, not that he had done anything wrong. The only time I had seen him in the office was to come and get change and he already had his coke in his hand so he didn't come for change and I dismissed him. I didn't think anything else.



- Otis Williams in No More Silence (page 118): *Mrs. Reid said she spoke to him and told him that the President had been shot, and he didn't respond. He just kept walking out. I'm told that Oswald was seen after Truly and the officer came in the lunch room. He and the officer thought the shots had come from the roof, and as they were going up steps, the officer saw Oswald with a Coke and said, "Who's that?" Truly responded, "Oh, he works here," and they went on".*

- Leo Sauvage in the [Lowell Sun from December 26 1963](#). Already displayed near the top of this essay "At that moment we are told officially Oswald was already in the lunchroom with a Coca-Cola bottle in his hand. This means that, assuming he was the assassin, he had to cross the floor from the window where the shots were fired to the opposite side of the building in order to reach the staircase (after concealing the rifle behind some packing boxes), run down four flights of stairs, walk to the lunch room, put a dime in the vending machine and open the bottle. Truly and the policeman did not report that Oswald was panting nor show other signs of having been running."
- Stavis Ellis in No More Silence (p 151): "That's when they encountered Oswald drinking a coke on the second floor." In 1992 while talking to Denis Morissette he said that "Oswald was drinking a coca cola and eating a bar of candy when Baker found him."

The article on the next page from The Medicine Hat News, is a diligent piece. It brings up Baker's handwritten FBI Sept. '64 report.

Did Lee Harvey Oswald have an alibi?

NEWS staff writer Gordon Pollard has completed another article on the Kennedy assassination in which he discusses Lee Harvey Oswald's alibi.

Associated Press photographer James Algens was standing about 30 feet from the Presidential limousine when John Kennedy received his fatal head wound and only seconds later took the now famous photograph of the motorcade which shows in the background the entrance of the Texas School Book Depository.

The controversy concerning this picture centers on the blurred image of a mysterious per-

son standing in the Depository doorway. This figure bears striking resemblance to Lee Harvey Oswald but officials have stated that the person in the picture is really Billy Lovelady, another employee of the Depository.

In a recent conversation with James Algens in Dallas, the veteran photographer told me that neither he nor any of his colleagues has been able to take a picture of Billy Lovelady.

"It seems very strange," he observed, "for I really can't think of any reason why Mr. Lovelady should refuse to allow even one photo of himself to be taken."

"If I were in his position, I

Gordon Pollard

would certainly have some pictures taken to settle the matter for once and for all."

Mr. Algens noted also that a newspaper photographer was sent from Fort Worth to take a picture of Lovelady but was arrested by the police and told to leave the city at once.

But perhaps the most startling aspect of the famous Algens photo has received the least attention: the question of the clothing worn by the figure in the doorway.

The man at the entrance appears to be wearing a white undershirt and a dark shirt or jacket. At the time of the as-

sination Lovelady was clad in a shirt with black and white vertical stripes which was buttoned to the neck. But at the time of his arrest Oswald was wearing a dark blue shirt over a white T-shirt.

Only moments after James Algens had taken this picture, Motorcycle Officer Marion Baker and Depository Superintendent Roy Truly entered the Depository and ran up one flight of stairs to the second floor lunchroom where they saw Oswald standing calmly.

This confrontation raises one of the most crucial questions in the entire Kennedy assassination controversy: could Oswald have run from the southeast corner window on the sixth floor to the lunchroom on the second floor in time for the meeting with Baker and Truly?

The Warren Commission conducted two tests. In the first Baker reached the second floor landing in one minute, 30 seconds and in the second he ran the course in one minute, 15 seconds. Secret Service Agent John Howlett covered the distance from the sixth floor to the lunchroom in one minute, 18 seconds the first time and in one minute, 14 seconds in the second test.

Therefore, taking the longest time of Howlett — Oswald (one minute, 18 seconds) and the shortest time of Baker (one minute, 15 seconds), Oswald would have arrived three seconds after Baker.

In other words, the Warren Commission itself concedes that Oswald had an alibi according to the fundamental principle of American law that any uncertainty or ambiguity be interpreted to the advantage of the accused.

Even if we take the shortest time of Howlett — Oswald (one minute, 14 seconds) and the longest time of Baker (one minute, 30 seconds), Oswald is only 16 seconds away from his alibi.

It is important to note also that the tests carried out by Agent Howlett did not allow for the time required to clean and hide the rifle nor did they provide for the delayed mechanical closing of the lunchroom door.

What is especially peculiar, however, is the mystery of the vanishing bottle of Coke. The Warren Report maintains that Oswald had nothing in his hands when seen in the lunchroom although both Baker and Truly stated at first that he was holding a bottle of Coke. Both police

Captain Fritz and FBI Agent James Bookhout reported that Oswald himself mentioned that Coke during his interrogation.

Commission Exhibit No. 397 on page 679 of Volume XXVI of the Commission's Hearings and Exhibits is a photocopy of a handwritten deposition made by Marion Baker who writes: "On the second floor where the lunch room is located, I saw a man standing in the lunchroom, drinking a Coke." Though still clearly legible, the words "drinking a Coke" have been crossed out.

If Oswald was indeed drinking a bottle of Coke, his alibi would be almost uncontested and, even without the Coke, it seems very probable.

During questioning on the night of the assassination, Oswald told FBI Agent Bookhout that he was having lunch in the second floor lunchroom immediately before the shooting and had noticed two men walking by in the hallway. He recalled that one of them was "Junior." James "Junior" Jarman testified that he had indeed walked past the lunchroom at the time mentioned by Oswald.

This would seem to leave open three possibilities: (1) that Oswald was on the sixth floor but made an amazing guess that out of 99 workers in the Depository Jarman would be passing the lunchroom at that particular time; (2) that Oswald was on the sixth floor but was capable of looking through four solid walls and consequently observed Jarman's movements; or (3) that Oswald was not on the sixth floor but was instead having lunch on the second where he noticed Jarman in the hallway.

Perhaps the most crucial single item of evidence in determining Oswald's innocence or guilt, however, is a photograph taken during the shooting by an eyewitness named Mary Ann Moorman.

This photo was taken just after the first shot had been fired and showed in the background the Texas School Book Depository. Deputy Sheriff John Wiseman who took the photo from Mrs. Moorman admitted that the background in the picture included the southeast corner window on the sixth floor of the Depository.

But this photograph has been suppressed without any explanation being offered and Mary Ann Moorman was not called as a witness by the Warren Commission.

Medicine Hat News May 3, 1967.

Nov. 23rd Special Agents James P. Hosty and James W. Bookhout produce a report based upon the previous day's interrogation of Lee Harvey Oswald. The coke gets a mention here:

Oswald stated that he went to lunch at approximately noon and he claimed he ate his lunch on the first floor in the lunchroom; however he went to the second floor where the Coca-Cola machine was located and obtained a bottle of Coca-Cola for his lunch. Oswald claimed to be on the first floor when President John F. Kennedy passed this building.

On the 24th, after Oswald's death, Bookhout comes with his solo report and in more detail on the issue of the Coke:

Oswald stated that on November 22, 1963, at the time of the search of the Texas School Book Depository building by Dallas police officers, he was on the second floor of said building, having just purchased a Coca-Cola from the soft-drink machine, at which time a police officer came into the room with pistol drawn and asked him if he worked there. Mr. Truly was present and verified that he was an employee and the police officer thereafter left the room and continued through the building. Oswald stated that he took this Coke down to the first floor and stood around and had lunch in the employees' lunch room.

The Fritz notes make a mention as well.

*Claims 2nd Floor Coke when off came in /
to 1st fl had lunch /*

And in Fritz's interrogation report

"I asked him what part of the building he was in at the time the President was shot, and he said that he was having his lunch about that time on the first floor. Mr. Truly had told me that one of the police officers had stopped this man immediately after the shooting somewhere near the back stairway, so I asked Oswald where he was when the police officer stopped him. He said he was on the second floor drinking a coca cola when the officer came in."

Fritz's WC testimony:

Mr. BALL. At that time didn't you know that one of your officers, Baker, had seen Oswald on the second floor?

Mr. FRITZ. They told me about that down at the bookstore; I believe Mr. Truly or someone told me about it, told me they had met him--I think he told me, person who told me about, I believe told me that they met him on the stairway, but our investigation shows that he actually saw him in a lunchroom, a little lunchroom where they were eating, and he held his gun on this man and Mr. Truly told him that he worked there, and the officer let him go.

Mr. BALL. Did you question Oswald about that?

Mr. FRITZ. Yes, sir; I asked him about that and he knew that the officer stopped him all right.

Mr. BALL. Did you ask him what he was doing in the lunchroom?

Mr. FRITZ. He said he was having his lunch. He had a cheese sandwich and a Coca-Cola.

Mr. BALL. Did he tell you he was up there to get a Coca-Cola?

Mr. FRITZ. He said he had a Coca-Cola.

Harry Dean Holmes, who was part of the last interrogation of Oswald, writes in his Dec. 17th report.

However, when Holmes is asked explicitly about a Coke during his WC testimony, he vaguely recalls something apropos:

Mr. BELIN. By the way, where did this policeman stop him when he was coming down the stairs at the Book Depository on the day of the shooting?

Mr. HOLMES. He said it was in the vestibule.

Mr. BELIN. He said he was in the vestibule.

Mr. HOLMES. Or approaching the door to the vestibule. He was just coming, apparently, and I have never been in there myself. Apparently, there is two sets of doors, and he had come out to this front part.

Mr. BELIN. Did he state it was on what floor?

Mr. HOLMES. First floor. The front entrance to the first floor.

Mr. BELIN. Did he say anything about a Coca Cola or anything like that, if you remember?

Mr. HOLMES. Seems like he said he was drinking a Coca Cola, standing there by the Coca Cola machine drinking a Coca Cola.

Mr. BELIN. Anything else?

Mr. HOLMES. Nothing more than what I have already told you on it.

And later

Mr. HOLMES. He said when lunchtime came he was working in one of the upper floors with a Negro. The Negro said, "Come on and let's eat lunch together." Apparently both of them having a sack lunch. And he said, "You go ahead, send the elevator back up to me and I will come down just as soon as I am finished." And he didn't say what he was doing. There was a commotion outside, which he later rushed downstairs to go out to see what was going on. He didn't say whether he took the stairs down. He didn't say whether he took the elevator down. But he went downstairs, and as he went out the front, it seems as though he did have a coke with him, or he stopped at the coke machine, or somebody else was trying to get a coke, but there was a coke involved. He mentioned something about a coke.



Here is a video of the second floor lunchroom encounter from The Trial of Lee Oswald TV Series.

A Backfire Noise

AT THE MOMENT the shots were fired, Roy S. Truly, director and superintendent of the Texas School Book Depository, was on his way to lunch with another company executive and they decided to look on as the President drove by.

"I heard what I thought was a backfire noise," Truly said. "Then I heard someone yell, 'Someone up there has a gun!'"

"That's my building!" Truly shouted back. "I work in there."

He was quickly joined by a policeman, and they ran up the steps together, the officer with gun drawn. The two men scrambled up the stairs to the second floor. As they made their way to a back stairway, the policeman saw Oswald standing beside a soft drink machine, sipping from a Coke bottle.

The officer ran toward Oswald and held the revolver at close range. "He's all right. He's one of my employes," assured Truly. The two men then continued on their way. Later, the employer described Oswald's demeanor in this incident as "cool as a cucumber—although he seemed a little bothered by the gun."

Oswald walked past a girl clerk who exclaimed, "Oh my land! the President has been shot!"

Washington Post Dec 1st 1963. ROKC Scan.

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WHAT WAS OSWALD WEARING?

- Marrion Baker

In his first D.P.D. affidavit from November 22 1963 Baker states that the man he had encountered on the third or fourth floor was wearing a light brown jacket.

In his [W.C. testimony](#) he said: "At that particular time I was looking at his face, and it seemed to me like he had a light-brown jacket on and maybe he was wearing some white looking shirt.

- Roy Truly

In his [Secret Service Report from December 4 1963](#) he states: *To the best of my knowledge when the police officer and I encountered Oswald in the lunch room on the second floor right after the shooting Oswald was wearing light colored clothing and probably a tee shirt.*

- Mrs. Robert Reid states in her handwritten statement of [November 23 1963 for the D.P.D.](#) That Oswald was wearing a white t-shirt.

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WHERE DID BAKER AND TRULY GO AFTER THE ENCOUNTER.

- Roy Truly

In his [FBI Statement from November 22 1963](#) it states: "He and the officer then proceeded onto the roof of the building, where the officer conducted a thorough search but found nothing. They then searched the 7th floor of the building and by this time many officers were swarming through the building and he returned to the first floor of the building."

Roy Truly in his [first statement for the DPD \(November 23\)](#): "We then went up the stairs to the fifth floor. Where we fund the elevator open. We took the elevator to the 7th floor and out on to the roof. We searched roof and a small room and also checked the landings. We could lookout to the tracks and the street below. We could not find anything. We started down on the elevator. The officer took a hurried look on a couple floors on the way down.

His [Secret Service Statement from December 8 1963](#) states: "The officer and I then proceeded to the stairway and continued on up to about the fifth floor where I noticed a freight elevator. We rode the freight elevator up to the seventh floor and ran up a little stair way to a small penthouse which had a door opening on to the roof. We made a quick examination of the roof-top area and the officer over the lot below. We stopped momentarily on the other floors for a quick look and then returned to the first floor."

Truly's W.C. testimony:

Mr. BELIN. Now, Mr. Truly, did you notice when you got to the third floor-first of all. On the second floor, was there any elevator there?

Mr. TRULY. No, sir.

Mr. BELIN. What about the third floor?

Mr. TRULY. No, sir.

Mr. BELIN. Fourth floor?

Mr. TRULY. No, I am sure not.

Mr. BELIN. What about the fifth floor?

Mr. TRULY. When we reached the fifth floor, the east elevator was on that floor.

Mr. BELIN. What about the west elevator? Was that on the fifth floor?

Mr. TRULY. No, sir. I am sure it wasn't, or I could not have seen the east elevator.

Mr. BELIN. All right.

Mr. TRULY. I am almost positive that it wasn't there.

Mr. DULLES. You said you released the elevator and let it go down?

Mr. TRULY. No; the east elevator was the one on the fifth floor.

Mr. BELIN. Now, Exhibit 487 appears to be a diagram of the fifth floor. As I understand it, you might mark on that diagram the way you went from the stairs over to the east elevator.

Mr. TRULY. Well, I started around towards the stairway, and then I noted that this east elevator was there. So I told the officer, "Come on, here is an elevator," and then we ran down to the east side, and got on the east elevator.

Mr. BELIN. Could you put the letter "T" at the end of that line, please?

All right. Now, where did you go with the east elevator, to what floor?

Mr. TRULY. We rode the east elevator to the seventh floor.

Mr. BELIN. Did you stop at the sixth floor at all?

Mr. TRULY. No, sir.

Mr. BELIN. What did you do when you got to the seventh floor?

Mr. TRULY. We ran up a little stairway that leads out through a little penthouse on to the roof.

Mr. BELIN. What did you do on the roof?

Mr. TRULY. We ran immediately to the west side of the building. There is a wall around the building that you cannot see over without getting your foot between the mortar of the stones and, or some such toehold. We did that and looked over the ground and the railroad tracks below. There we saw many officers and a lot of spectators, people running up and down.

Mr. BELIN. Did the officer say to you why he wanted to go up to the roof?

Mr. TRULY. No. At that time, he didn't.

Mr. BELIN. Did he ever prior to meeting you again on March 20th tell you why he wanted to go on the roof?

Mr. TRULY. No, sir.

Mr. BELIN. Where did you think the shots came from?

Mr. TRULY. I thought the shots came from the vicinity of the railroad or the WPA project, behind the WPA project west of the building.

Mr. BELIN. Did you have any conversation with the officer that you can remember? About where you thought the shots came from?

Mr. TRULY. Yes. When some time in the course, I believe, after we reached the roof, the officer looked down over the boxcars and the railroad tracks and the crowd below. Then he looked around the edge of the roof for any evidence of anybody being there. And then looked up at the runways and the big sign on the roof. He saw nothing. He came over. And some time about then I said, "Officer, I think, 'let's back up."

- Marrion Baker according to the story he and Truly told the WC, the Oswald confrontation happened on the second floor. The two men then ran up three floors and there Truly noticed that the East elevator was available. They took that elevator up to the seventh floor. The West elevator was not mentioned, but do remember that Jack Dougherty took the West elevator down after the shooting!

Baker's WC testimony however paints a different picture:

Mr. Belin. All right. After going up the stairways, do you know what numbered floor it was—I will ask you this, did you take the stairway all the way to the top?

Mr. Baker. No, sir; we caught that elevator, it seemed like we went up either one or two floors, and Mr. Truly said "Let's take the elevator, here it is."

This as I pointed out earlier, coincides nicely with the apprehension of someone on the third or fourth floor as Baker had originally written in his very first affidavit.

During his [HSCA testimony](#) Baker said: "I turned away and went up two more flights of stairs with Mr. Truly, Then we took the elevator to the top. We didn't see anybody." Which creates an issue, since the lifts were on the fifth floor, and the lunch room encounter was on the second.

In Larry Snead's [No More Silence](#) (p 125) Baker says: "When we went about on the roof, I saw immediately there was no way anyone could shoot from the rooftop because the ledge around it was too high. You'd have to stand up on top of the edge to be seen. There was also an old neon sign up there, so we climbed up on that sign, but there was no way you could shoot straight. We also checked an old motor house that covered a motor or something, but I wasn't very big and there was nothing in it. You could see that no shots could have come from up there just as soon as you got up there and looked around. I then went to the edge and kind of raised myself up to get up high enough to look over. Most of the people had gone by that time, and very few were moving around. Really, I didn't pay any attention to those people down there. There were very few, and it looked to me like I saw some police officers going somewhere around those tracks. So, after several minutes on the roof, we turned around and came back down."

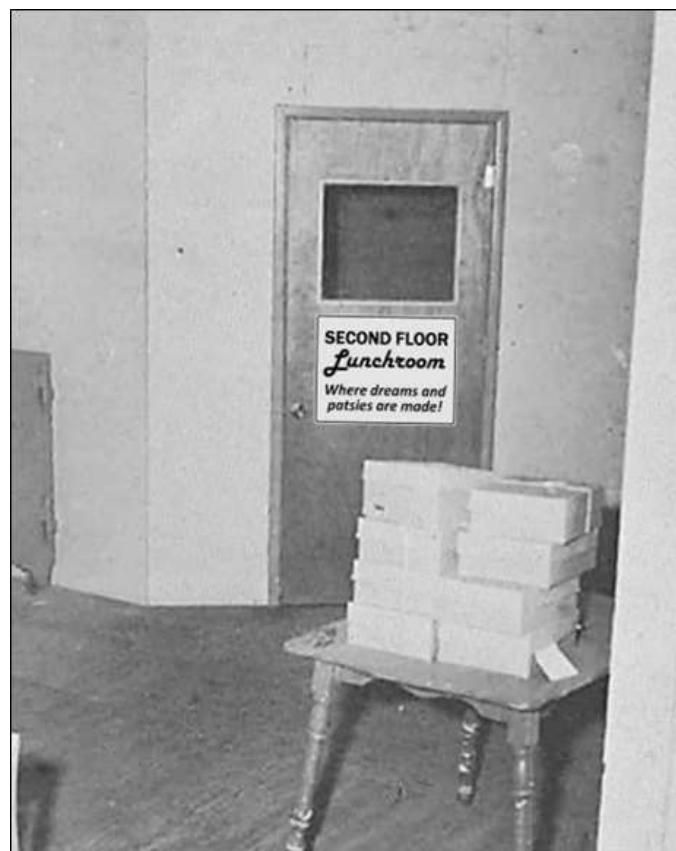
In Gary Savage's book ['First Day Evidence'](#) Baker states: "We couldn't get anyone to send the freight elevator down. In giving the place a quick check. I found nothing that seemed out of the ordinary, so I started back to see what had happened. Not knowing for sure what had happened. I was limited in what I could legally do."

- Dorothy Garner in the [Martha J Stroud Document](#) clearly stated she saw Truly and the policeman come up after the girls had descended the stairs.
- Stavis Ellis said in a 1992 interview with Denis Morissette that" Baker did not go on the roof."

In the video below you will see Baker and Truly filmed by Alyea. This shows that Baker was economical with the truth during his WC testimony, as he stated that when he got down from the elevator, he left Truly there and made his way outside to get on his bike and go immediately to Parkland.



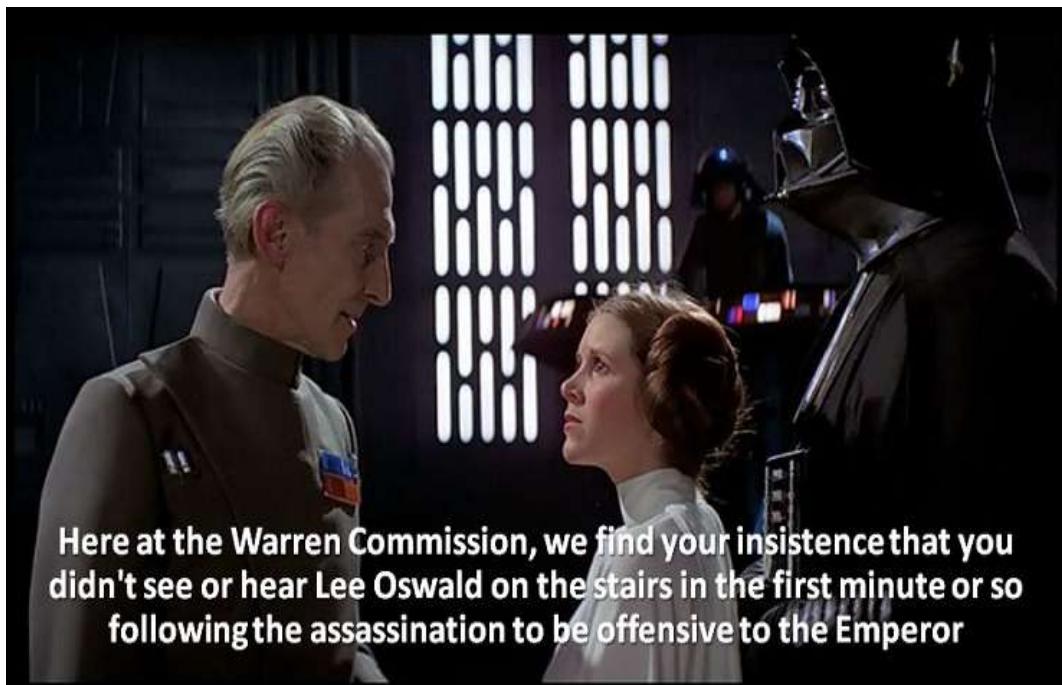
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By: Stan Dane

IF THE 2ND FLOOR LUNCH ROOM ENCOUNTER DID NOT HAPPEN, THEN WAS OSWALD ENCOUNTERED SOMEWHERE ELSE?

Some of the researchers think Oswald walked up the stairs inside the first floor vestibule, to go through the corridor on the second floor, passed the door, moving from right to left, and got his coke. It is possible, but the news reports and statements, which come in various guises and show Oswald was encountered on the first floor instead, while trying to leave the building. It is even possible that Baker never saw Oswald until he was brought in while Baker had his affidavit taken by Marvin Johnson.



By Stan Dane

Bob Considine of the Hearst Press, for example, was told that Oswald had been questioned inside the building "almost before the smoke from the assassin's gun had disappeared." That hardly sounds like an encounter on the second floor does it? It points more to an altercation on the first floor as Oswald had stated as to where he was. Various newspapers made reference to this so called first floor encounter instead of the second floor lunch room encounter.

- *Roy Truly was overheard by Kent Biffle who reported in the November 23 edition of the Dallas Morning News: "In a storage room on the first floor, the officer, gun drawn, spotted Oswald. Does this man work here? The officer reportedly asked Truly. Truly, who said he had interviewed and had hired Oswald a couple of months earlier reportedly told the policeman that Oswald was a worker."*

Suspected Killer Defected

Lee Harvey Oswald, charged with murdering the President and Dallas.

A Dallas policeman, defected to Russia in 1959,

In 1962 he returned to the U.S.

In August this year he passed out pro-Castro leaflets on a New Orleans street.

On Sept. 26 President Kennedy

announced plans for a trip to Dallas.

A few days later Oswald got a job in the Texas School Book Depository Building, overlooking the motorcade route.

On Oct. 14 he rented a room in Dallas.

Friday Oswald was seen by R. S. Truly and a Dallas policeman

in the book firm building just after a barrage of shots from the sixth floor struck President John

Kennedy and Gov. John Connally. O. V. Campbell, vice-president

of the firm, said he and Truly, superintendent of the firm, were standing in front of the building

at 411 Elm when the shooting started.

Campbell said he ran toward a grassy knoll west of the building where he thought the sniper had hidden.

He said Truly and an officer ran into the building.

Truly, who said he had interviewed and hired Oswald a "couple of months earlier," reportedly told the policeman that Oswald was a worker.

In a storage room on the first floor, the officer, gun drawn, spotted Oswald. "Does this man work here?" the officer reportedly asked Truly.

The policeman and Truly continued their search. Oswald later failed to report at a 1:15 p.m. roll call of employees. Truly reported this to police.

- In connection to Kent Biffle overhearing Truly he makes a mention of this in the [DMN edition from November 21 2000](#): *"Hours dragged by. The building superintendent showed up with some papers in his hand. I listened as he told detectives about Lee Oswald failing to show up at a roll call. My impression is there was an earlier roll call but it was inconclusive inasmuch as several employees were missing. This time, however, all were accounted for but Oswald. I jotted down all the Oswald information. The description and address came from company records already examined by the superintendent. The superintendent would recall later that he and a policeman met Oswald as they charged into the building after the shots were fired."*
- Ochus Campbell, the vice president of the TSBD stated in the NYHT on November 22: *"Shortly after the shooting we raced back into the building. We had been outside watching the parade. We saw him (Oswald) in a small storage room on the ground floor. Then we noticed he was gone."* Mr. Campbell added: *"Of course he and the others were on their lunch hour but he did not have permission to leave the building and we haven't seen him since."*

Capture: 'It's All Over Now'

"It's all over now," said Lee Harvey Oswald softly.

He had just been dragged screaming from a movie theater in Dallas' Oak Cliff suburb where police say he shot a policeman and was now submissive as the dead policeman's partner brought him to headquarters for questioning in the rifle slaying of the President.

Less than three hours later the 24-year-old ex-Marine was jailed as the "prime suspect" in the assassination.

The theater is four miles from where President Kennedy was shot at Houston and Elm Sts.

Police got a call that a man answering the description of the suspected assassin had entered the Texas Theater. Patrolman J. D. Tippit and M. N. MacDonald followed. An usher told them the shabbily-dressed man had run into the theater a short time before. They spotted the slim balding, 5 foot, nine-inch man crouched near a red-lighted exit door. They yelled.

Patrolman Tippet fired once. Oswald fired once and Patrolman Tippet fell dead. Patrolman MacDonald then rushed Oswald and they struggled. Oswald was subdued. Patrolman McDonald was slashed several times across the face with a gun butt in the struggle, he said.

As Patrolman MacDonald led the red-shirted suspect from the theater, a crowd of several hundred people milled about the entrance.

Rumor had spread that President Kennedy's killer was in the movie theater. To the people outside, Oswald was Kennedy's killer. They milled about threateningly as other police were called to hold them back.

The suspect was rushed by squad car to headquarters. Dallas Police Capt. Patrick Gannaway said late yesterday that Oswald has worked for the Texas Textbook Depository at Elm and Main Sts. for about a month.

It was from the firm's sixth floor offices that the shots which killed the President are thought to have come.

Capt. Gannaway said a Mauser rifle was found on a fifth floor landing of the building, which overlooks Elm and Houston and is a scant one hundred feet from where the President was shot.

Ochus V. Campbell, vice-president of the textbook firm, said Oswald's duties were to fill orders and wrap books, and that the sixth floor of the 7-story building would have been easily accessible to Oswald.

Mr. Campbell said, "Shortly after the shooting we raced back into the building. We had been outside watching the parade. We saw him (Oswald) in a small storage room on the ground floor. Then we noticed he was gone."

Mr. Campbell added: "Of course Oswald and the others were on their lunch hour but he did not have permission to leave the building and we haven't seen him since."

Dallas police said Oswald was a chairman of a local "Fair Play for Cuba Committee."

He had come home, they said, from more than three years in the Soviet Union sometime between late fall last year, when he, his Russian wife and their child were granted exit permits, and this year. Police could not immediately account for his whereabouts for the last year.

He went to work at the textbook depository about 30 days ago.

His fellow employees speak of him as being "shabby" most of the time. They described his rather limp "red" or "brown" shirt and his rumpled trousers.

Information about Oswald's wife and child was not available, police said.

It was in Moscow on Oct. 31, two and a half weeks after he went there as a tourist, that Oswald said he wanted to become a Soviet citizen "purely for political reasons." He told reporters, "I will never return to the United States."

He said that he would not give his reasons "until after I receive my Soviet citizenship."

He apparently had flown to the Russian Capital Oct. 15 from Fort Worth, and the next day wrote to the Supreme Soviet asking for Soviet citizenship.

He told reporters he would not discuss his application because "I am afraid what I say may be distorted by the newspapers." He said at that time that the Russian authorities "might not want me to say anything." Embassy officials in Moscow said that he had recently been released from the U. S. Marine Corps and did not have a job.

As he walked away from the American Embassy in Moscow, he said "I'm through."

A year later Oswald was reported working in Russia, but there had been no word from him.

Later he was quoted as saying, "I saw my mother as a worker, always with less than we could use," but he said his childhood was happy. He said he thought his mother would not understand why he fled to Russia.

His mother was identified as Mrs. Marguerite Oswald, a widow. Her address in 1959 was 3006 Bristol Rd. Fort Worth, Tex.

He returned to Fort Worth from Russia last year. He said he spent his time in the Soviet Union working in a factory in Minsk, and left only after he became disillusioned with life under Communist rule, he said.

His change of heart came in the fall of 1962, he said, and he applied for a passport with his Russian wife and their child.

The passport was issued and the Soviet Union granted exit permits for the Oswald family.

He became a wrapper and handyman at the Texas Textbook Depository.

Police said Oswald has a brother, R. L. Oswald, living at 7313 Davenport in Fort Worth. It was his sister-in-law, Mrs. R. L. Oswald, who said in 1959: "I always thought he was an average guy but I sure don't now." Mrs. Oswald was unable to be reached yesterday.

New York police said they have no record of Oswald in any crimes here.

According to Carlos Bringuler of the Cuban Student Directory in New Orleans, Oswald was in New Orleans two months ago as the chairman of a pro-Castro "Fair Play for Cuba Committee."

Oswald and several Cubans were allegedly arrested two months ago in New Orleans for passing out pro-Communist literature.

When Oswald was in Moscow in 1959 he said it "was like getting out of prison" when he left America to seek Soviet citizenship. He was denied Soviet citizenship, but he is reported to have said that he would like to go to Cuba to join Fidel Castro.

Edward Scannell Butler III, of the Information Council of the Americas, said he once debated communism with Oswald. He did not say when or where.

A photograph in the New York offices of United Press International shows Oswald in a Moscow Hotel room on Nov. 14, 1959. He has a crew cut and looks every inch the Marine he was for three years.

The Fort Worth Star Telegram says Oswald was reported en route home from Russia June 8, 1962. The next day he was put aboard the boat with his wife and child. No information on when he arrived has been released yet.

But Lee Harvey Oswald came home to Dallas, to pack textbooks.

Yesterday his brownish-colored jacket was found in a parking lot near the theater where he is accused of shooting Patrolman Tippit. The crowd left the movie theater. But the marquee lights were still on.

The program: "Cry Battle" and "War Is Hell."

- Detective Ed Hicks is quoted in the London Free Press on November 23 and in various other newspapers saying: *As the Presidential limousine sped to the hospital the police dragnet went into action. Hicks said at just about that time, Oswald came out of the front door of the red bricked warehouse. A policeman asked him where he was going. He said he wanted to see what all the excitement was all about.*



In addition, from [Jack White's archive at Baylor in a document called "Escape"](#)

City detective Ed Hicks, after intensive investigation of the slaying, drew this picture of the hour surrounding the tragedy: "As Oswald left the building, he was stopped by Dallas police, Oswald told them he worked in the building and was going down to see what was going on." AP, 1:45 a.m. CST

- In the Washington Post of Nov 23rd Dallas Police Chief Jesse Curry is quoted: "As an officer rushed into the building Oswald rushed out. The policeman permitted him to pass after the building manager told the policeman that Oswald was an employee."

Pro-Castro Fort Worth Marxist Charged in Kennedy's Assassination

From News Dispatches

DALLAS, Nov. 22 — Lee Harvey Oswald, 24, a pro-Castro Marxist, was charged tonight in the assassination of President Kennedy.

Police Chief Jesse Curry said the one-time U.S. Marine hid on the sixth floor of a textbook warehouse where he worked and snapped off the three quick shots that killed the President and wounded Gov. John B. Connally of Texas.

Earlier in the day, Oswald was charged with murdering Dallas policeman J. D. Tippitt, 38, who attempted to stop and question the man.

Oswald was arraigned on

this charge before Justice of the Peace David Johnson and Curry said the case would be presented to the grand jury next week.

Curry told of the frenzied moments after the shooting when Oswald slipped through officers' hands as he fled the building.

Allowed to Leave Building

"He apparently got out of the building during the time we were surrounding it," Curry said. As an officer rushed into the building Oswald rushed out. The policeman permitted him to pass after the building manager told the policeman that Oswald was an employee.

"He apparently lost himself in the crowd, then," Curry added.

The building from which the gunman fired on the President is the headquarters of the Texas School Book Depository. Police said that Oswald had worked there for about six weeks as a laborer.

The firm does work for the public schools in relation to textbooks but is privately owned, police said.

Oswald, chairman of a local "Fair Play for Cuba Committee," has denied being involved in any way in the President's slaying.

"I did not kill the Presi-

dent. I did not kill anyone," Oswald said.

He admitted being an employee of the book firm, police reported. The suspect has been unable to account for his whereabouts at the time of the shooting, police said.

Policemen Shot

Shortly after the assassination, Patrolman Tippitt stopped Oswald on the strength of a lookout which had been flashed for the man. Authorities apparently became suspicious of Oswald after the first officer told them he had fled the building.

When Tippitt stopped Oswald a short distance from the scene of the shooting, the suspect drew a gun and shot the policeman, police said. Then he fled as witnesses notified police.

A short time later the cashier of a movie theater in the Oak Cliff section of Dallas, called police and told them that a man had run into the theater. The description matched that of Oswald.

The theater is located about five blocks from where Tippitt was killed.

Four policemen were dispatched to the theater. The movie was in progress, but only a dozen or so people were there. An usher led

See ARREST, A12, Col. 1



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- Nov 24th Dallas, [11/23] - The first officer to reach the six-story building, Lieutenant Curry said, found Oswald among other persons in a lunchroom. *New York Times*, Donald Jansen. From [Jack White's archive at Baylor in a document called "Escape"](#)
- In the Sydney Morning Herald of November 24 it says: *Police said that a man who was identified as Oswald walked through the door of the warehouse and was stopped by a policeman. Oswald told the policeman "I work here" and when another employee confirmed that he did, the policeman let Oswald walk away, they said.*

During the frantic search for the President's killer, police were posted at exits to the warehouse.

Police said a man, whom they identified as Oswald, walked through the door of the warehouse and was stopped by a policeman.

Oswald told the policemen that "I work here," and when another employee confirmed that he did, the policeman let Oswald walk away, they said.

Yesterday, as three shots rang out, Mr Kennedy, who had been waving and smiling to crowds lining the roadway, slumped to the floor of his car, a bullet through his neck and head.

His wife, Jacqueline, who was beside him screamed, "Oh, no."

She fell across him and cradled his head in her hands.

The 46-year-old President, who did not regain consciousness, died 35 minutes later in hospital.

The Governor of Texas, Mr John Connally, who was in the President's car, was wounded by two bullets from the sniper's high-powered rifle, fired from the fifth floor window of a nearby building.

Governor Connally, who was wounded in the chest, was in a satisfactory condition today after undergoing surgery.

The news of the President's death was conveyed to sorrowing crowds outside the hospital by two Roman Catholic priests who were at his bedside in the emergency ward.

The President, concerned about his unpopularity in the South over his Civil



WHO'S ON FIRST?

By: Stan Dane.

- Henry Wade during a press conference, which by the looks of it is published unedited in the NYT on November 26 states: "A police officer, immediately after the assassination, ran in the building and saw this man in a corner and tried to arrest him; but the manager of the building said he was an employee and it was all right. Every other employee was located but this defendant of the company. A description and name of him went out to police to look for him."

Dallas Prosecutor's News Conference

Following is the transcript of a conference held Sunday by District Attorney Nease Wade of Dallas County on the evidence against Lee H. Oswald, the accused assassin of President Kennedy, as recorded by WBC-TV:

MR. WADE: The purpose of this news conference is to detail some of the evidence against Oswald for the assassination of the President. This evidence was gathered largely by the Dallas police who did an excellent job in this, with the help of some of the Federal agents.

And I am going through the evidence piece by piece for you No. 1. (Some of this you already know; some of it you won't; I don't think that all of you do know). First, there was a number of witnesses that saw the person with the gun on the sixth floor of the bookstore building, the window — detailing the window — looking out.

Inside this window the police found a row of books, case boxes, hiding someone sitting in the window, from people on the same floor looking in, on the window were some boxes where, in the little circle around the window, by the bookcases, some boxes where, apparently the person was sitting, because he was seen from that particular window.

In this box that the defendant was sitting on, his palm prints were found and we identified him as the man who was ejected when he was found right by the box. These shells were of an odd caliber of the type and later determined, the gun, that was found on the floor.

Says Photo Were Found

The gun was hidden on this same floor behind some boxes and bookcases. It, as I think you now have been identified as having been purchased last March by Oswald, from a mail-order house, through an assumed name named Heflin, mailed to a post office box here in Dallas. On his person was a pocketbook. In his pocketbook was an identification card with the same name as the post office box on it.

Pictures were found of the defendant with this gun and a pistol on his—his—holster.

Immediately that morning—it was unusual, but that morning—a neighbor brought Oswald from Irving, Tex. He usually brought him in Monday morning, I think, but this day he went home one day earlier on Thursday night, and came back in—with this fellow—and when he came back he had a package under his arm that he said was window curtains, I believe, or window shades. The wife had said he had the gun the night before, and it was missing that morning after he left. He got out around 8 o'clock and went to the building behind some cars and went to work.

Descriptions Sent Out

A police officer, immediately after the assassination, ran in the building and saw this man in a corner and tried to arrest him, but the manager of the building said he was an employee and it was all right. Every other employee was located but this defendant and name of him was not by police to look for him.

The next we hear of him is on a bus where he got on a bus at Lamar Street, told the bus driver the President had been shot, the President. (He) told the lady—all this was verified by statements—told the lady on the bus that the President had been shot. He said, "How did he know?" He said a man back there told him. The defendant said, "Yes, he's been shot," and laughed very loud.

REPORTER: This was to a lady?

MR. WADE: A lady. He then got off the bus, he asked the bus driver to stop, got off at a stop, caught a taxicab driver, Darrell Clark—I don't have his exact place—and went to his house in Oak Cliff, changed his clothes hurriedly, and left.

As he left, three witnesses saw a police officer—Officer J.D. Tippit motion to him or, say something to him. He walked up to the car. Officer Tippit stepped out of the car and started around it. He shot him three times and killed him.

Q. Was this in front of the boarding house? A. No. It's not in front of the boarding house.

Q. Where was it? A. I don't have it exact. It's more than a block. It's a block or two.

Q. Was he on foot when Tippit saw him?

A. Yes, he was on foot. And apparently headed for the Texas Theater. He then walked across a vacant lot. Witnesses saw him eject the shells from a revolver and place — release — the gun. Someone saw him go in the Texas Theater. A search was made of that later by a number of police officers. At the time an officer of the Dallas police spotted him and advised him to come out. He struck at the officer, put the gun against his head and snapped it, but did not—the bullet did not—go off. We have the snapped bullet there. Officers—officers apprehended him at that time.

Q. Was that an attempted suicide, sir? A. Against the officer's head.

Q. Do you know why the gun?

Q. Which officer? A. McDonald was his name.

Q. Why didn't it go off?

A. It snapped. It was a misfire. Then officers subdued him—some six officers—subdued him there in the theater, and he was brought to the police station here.

Questioned on Plaintiff

Q. Mr. Wade, why didn't the gun fire? A. I missed, having on the rifle sheath.

Q. Who was he? A. He was a police officer who said he had the trigger, but he managed to put his thumb in the part before the firing pin. It didn't...

A. Well... Q. ...strike the—the bullet didn't explode. Is that...? A. I don't know whether it's that or not. I know he didn't snap the gun.

Q. You know it all I know about it.

Q. You would say it was a misfire? A. It didn't fire.

Q. Let's get the story again.

Q. What is the evidence is there? A. Let's see... His fingerprints were found on the gun, have I said that?

Q. Which gun? A. On the rifle.

Q. You didn't say that.

Paraffin Test Obtained

Q. What about the paraffin test? A. Yes, I've got paraffin test that showed he had recently fired a gun—it was on each hand.

Q. On both hands? A. Both hands.

Q. Recently fired a rifle.

Q. A gun. A. A gun.

Q. The rifle fingerprints were hit, were Oswald's? A. Yes.

Q. Were there any fingerprints...? A. Palm prints rather than fingerprints.

Q. Were there any fingerprints at the window?

Q. Palm prints on the what? A. Yes, on...

Q. On the rifle? A. Yes

Q. Where is the rifle? A. Metal.

A. Under—on part of the metal—under the gun.

Never Admitted Guilt

Q. Did he still... ever say anything about it, admit anything at all?

A. He never did admit any of the things I didn't—you see, this—I didn't do any of the interrogation.

Q. You have not listed it then as part of the evidence?

A. No, it's not listed.

Q. Did he display any animosity towards the President in any conversation with my officers?

A. He was bitter toward

all of the officers that examining him in what I've been told.

Q. Do you think he deserved it?

Q. Let's finish the...

A. We have—that's about all.

Q. How about ballistics tests?

Q. Ballistics test was

made. A. Well, I said this was the gun that...

Q. Killed the President? A. Yes.

Q. You talked with the FBI (Federal Bureau of Investigation) this morning. Did you leave the rest with the FBI? A. I want to go—I'm not at liberty—to go into the FBI report.

Mailed to Dallas

Q. Did you say the gun was mailed to a post office box in Dallas in March? A. March of this year.

Q. Was he living in Dallas then? A. Yes, I presume he was. He got it there.

Q. I see.

Q. Previously he lived in New Orleans.

Q. He said he'd only been here two months.

Q. Mr. Wade...

A. He came to Fort Worth sometime in the fall of '62, and then moved here a while, and apparently went to New Orleans for a while and came back. And when the period to that is, I'm not sure.

Q. Mr. Wade, what was the evidence that we were told was starting evidence that could not be told to the press...?

Q. Saturday morning.

Q. Saturday morning, they said it came in Saturday morning, and it could not be revealed. It was...

A. I don't know. That wasn't me that said that, I don't think.

Q. Have you given us everything that I...

Q. Do you know that he has been recognized as a traitor of Ruby's neighborhood here? A. I don't know that.

Q. Do you know of any connection between Mr. Ruby and the... the assassin? A. I know of none.

Knows Nothing About It

Q. Are you investigating reports that he may have been involved in Ruby's murder? A. I might have been implicated in something.

A. The police are making investigation of that murder. I don't know anything about that. The investigation and charges have been filed. It will be presented to the grand jury on Ruby, immediately within the next week; and it'll probably be tried around the middle of January.

Q. Did the District Attorney's office file the police investigation of the assassination of the President before sending it to Washington? A. Before.

Q. Do you think it's unusual for Jack Ruby to be in that crowd? A. I won't pass on that—unusual to be in that crowd?

Q. There are reports that he had planned to A. I haven't been here since last night, so I don't know anything about it.

Q. Mr. Wade, how do you feel about not being able to try Oswald as the killer of the President?

A. Well, we will try Ruby and ask the death penalty on him, about the same time.

Inquiry to Go On

Q. Well, how about Oswald? A. I don't want to go into the whys or whereabouts on anything.

Q. Has your office closed the investigation into the death of President Kennedy?

Q. No sir. The investigation will continue on that, with the basis, of course, that we have no concrete evidence that anyone assisted him in this. The investigation, I must say, is still on with reference to any possible accomplice or person that assisted him in it.

Q. Do you have any suspicions now that there were? A. I have no concrete evidence or suspicion at present.

Q. Thank you.

Q. Would he be willing to say, in view of all this evidence, that it is now beyond a reasonable doubt at all that Oswald was the killer of President Kennedy?

A. I would say that without any doubt he is the killer—the law says beyond a reasonable doubt, to a moral certainty, which I have—there is no question that he was the killer of President Kennedy.

Q. That case is closed in your mind? A. As far as Oswald's concerned.

- J. Edgar Hoover in a telephone conversation with L.B.J. states: "at the entrance of the building he was stopped by police officers, well he is alright, he works here, you needn't hold him. They let him go."
- In Gary Savage's book "First Day Evidence" Baker states: "Shortly after I entered the building I confronted Oswald. The man who said he was the building superintendent said that Oswald was all right, that he was an employee there. We left Oswald there, and the supervisor showed me the way upstairs.'

APPENDIX

Secret Service Agents motioned me to pull up beside the limousine, but I didn't because that would have put me a couple of feet closer to the bystanders, and that would be too dangerous. When I got to the hospital, I worked an assignment to keep people out until it was all over and we were relieved.

OFFICER "E"

It had been a long escort. We had a lot of people all the way. There were no problems, just a heavy crowd and a lot of yelling and cheering, and the motors were getting hot. When you follow the lead, you do a lot of starting and stopping, trying to hold an interval. I was glad it was almost over.

The crowd was real heavy down on the end of the downtown area, but just past Dealey Plaza it would open up and we would be on the freeway and just a few minutes from the Trade Mart. The front of the motorcade started blocking up in the crowd in those last turns coming off Main and turning onto Elm. Back on Houston, where we were, we were just about stopped and moving real slow when we could move.

A little past half way down Houston (between Main and Elm), I heard the first shot. I could tell it came from somewhere in front of me, and high. As I looked up I noticed all the pigeons flushed off the top of the building on the corner ahead of me. And in the same period I heard the second shot, and then the third one. I couldn't see just where the shots came from but I knew they were from a high-powered rifle. I hunt a lot, and had just got back from hunting. There was no mistaking that; there were three shots, that's for sure. Though I didn't see exactly where the shots came from, I knew in my own mind they probably came from the corner building as the sound was right and because of the pigeons. So I headed there, got off my motor and entered the building (the Texas Schoolbook Depository). It took a while because of the crowd; they had started moving in every direction.

The man who said he was the building superintendent was outside and met me at the door and went in with me. Shortly after I entered the building I confronted Oswald. The man who identified himself as the superintendent said that Oswald was all right, that he was employed there. We left Oswald there, and the supervisor showed me the way upstairs. We couldn't get anyone to send the freight elevator down. In giving the place a quick check, I found nothing that seemed out of the ordinary, so I started back to see what had happened. Not knowing for sure what had happened, I was limited in what I could legally do.

The investigator from Washington contacted me for my recollection of what happened, but I guess they weren't interested in what I said.

OFFICER "F"

I had just turned off Main onto Houston and stopped. I was headed north along the west curb and just a little north of Main Street. Inspector Putnam was standing near the curb not 10 feet from me. While waiting there for the press bus to complete its turn, I heard the shots. They definitely came from ahead of me, all three of them.

The motorcade was backed up almost to a stand-still. Then, people started running and falling. I looked toward where I would expect to see the President's limousine but I couldn't see it. I looked at Inspector Putnam but could tell from his expression he didn't know anything more than I did, so I took off for the front of the motorcade to see what had happened.

I passed people while I was doing this. I remember passing some of the motorcade vehicles, but I don't remember specifically who I passed. As I went down Elm Street, I noticed a motorcycle down at the curb, and an officer crawling on his hands and knees. The lead vehicles of the motorcade had already cleared the Triple Underpass, headed for the Elm Street off-ramp to Stemmons. They slowed down on the access road and I caught the lead units on the



Dallas Police Chief Jesse Curry gave a press conference on November 23 1963.

During this press conference, Curry states a few things that are very interesting:

At 5:25 - Reporter: Could you detail for us what lead you to Oswald?

Chief Curry: Not exactly except uh in the building we uh, when we uh went to the building, why, he was observed in the building at the time but the manager told us that he worked there and the officers passed him on up then because the manager said he was an employee..."

At 6:41 - Reporter: Did you say chief that a policeman had seen him in the building?

Chief Curry: Yes

Reporter: After the shot was fired?

Chief Curry: Yes

Reporter: uh why didn't he uh arrest him then?

Chief Curry: Because the manager of the place told us that he was an employee, 'said he's alright he's an employee.'

Reporter: Did he look suspicious to the policeman at this point?

Chief Curry: I imagine the policeman was checking everyone he saw as he went into the building.

At 10:42: - Reporter: And you have the witness who places him there after the time of the shooting.

Chief Curry: My police officer can place him there after the shooting.

Reporter: Your officer wanted to stop him and then was told by the manager that he worked there.

Chief Curry: Yes.

So let's get this straight: Truly and Campbell, TSBD employees are recorded by the newspapers while at the TSBD. Various ranking officers of the Dallas police are quoted in the corridors of the DPD. And even Hoover and LBJ discuss it!

FIRST TO SECOND EVOLUTION



• By Stan Dane

- Carolyn Arnold is another person of interest and with her FBI statement from Nov. 26th she definitely deserves her own mini chapter. Carolyn Arnold, Ochus Campbell's secretary and pregnant at that time, is seen in the Dave Wiegman film standing in front of the TSBD while the motorcade is passing by. She is seen below looking towards the DalTex building, during the shooting, strange as that may seem.



Carolyn Arnold seen with her head turned towards the Dal Tex building during the shooting in the Wiegman film.



Carolyn Arnold seen in Willis 8. ROKC Scan from the Richard Bernabei archive at Kingston UNI.



Carolyn Arnold's statement is interesting because she stated she had left between 12:00 and 12:15 and thought she saw a fleeting glimpse of Lee Oswald standing in the hallway between

the front door and the double doors leading to the warehouse, while standing in front of the TSBD.

FD-302 (Rev. 5-2-59)

FEDERAL BUREAU OF INVESTIGATION

Date 11/26/63

Mrs. R. E. ARNOLD, Secretary, Texas School Book Depository, advised she was in her office on the second floor of the building on November 22, 1963, and left that office between 12:00 and 12:15 PM, to go downstairs and stand in front of the building to view the Presidential Motorcade. As she was standing in front of the building, she stated she thought she caught a fleeting glimpse of LEE HENRY OSWALD standing in the hallway between the front door and the double doors leading to the warehouse, located on the first floor. She could not be sure that this was OSWALD, but said she felt it was and believed the time to be a few minutes before 12:15 PM.

She stated thereafter she viewed the Presidential Motorcade and heard the shots that were fired at the President; however, she could furnish no information of value as to the individual firing the shots or any other information concerning OSWALD, whom she stated she did not know and had merely seen him working in the building.

on 11/26/63 at Dallas, Texas File # DL 89-43
by Special Agent RICHARD E. HARRISON /rmb Date dictated 11/26/63

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

And from thereon it is all going wrong. The above statement is suppressed, but dug out by Harold Weisberg. And this is widely written about inside his book [Photographic Whitewash](#).

Howard Roffman and Weisberg try very hard to obtain the original statement from the FBI, but to no avail. There is some good documentation to read about this at Weisberg's archive.

The timing in the doc below is wrong (it should be PM, and this is noted and dealt with).

FBI

REC-11
11K

Date: 4/1/64

Transmit the following in _____
AIRTEL (Type in plain text or code)

To: DIRECTOR, FBI (62-109060)
From: SAC, DALLAS (100-10461) (P)
Re: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
NOVEMBER 22, 1963, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

Re Bureau radiogram to Dallas, 3/31/64, requesting certain corrections in signed statements obtained from individuals known to have been in the Texas School Book Depository Building on November 22, 1963:

1. Statement of Mrs. R. E. (CAROLYN) ARNOLD -- *Cone*
paragraph 6, line 2, time indicated as 12:25 A.M. should be 12:25 P.M. This was a typing error. Bureau requested to correct its copies of insert containing this statement. *OK*

2. Statement of VIRGINIA H. BARNUM -- enclosed are five copies of an insert reflecting a new signed statement obtained from her on April 1, 1964, reflecting her home address. The old statement has been destroyed. Bureau requested to destroy its five copies of insert reflecting old statement and substitute therefor the enclosed five copies of an insert. *DHL*

3. Statement of Mrs. R. A. REID -- paragraph 1, line 9, and paragraph 3, line 3, the year "64" should be "63". Mrs. REID has initialed such corrections. Bureau requested to correct its copies of insert containing this statement. *OK*

Enc. (5) REC-11 104-104-2818
PPG/ds EX-107 NOT FILED
(5) 17 APR 2 1964

Approved: *C C WicR*
Special Agent in Charge
JOHN C. WICK

Sent: _____ M Per: _____

Carolyn Arnold is not called up as a witness for the W.C. either.

APPENDIX V

List of Witnesses

The following is a list of the 552 witnesses whose testimony has been presented to the Commission. Witnesses who appeared before members of the Commission have a "C" following their names; those questioned during depositions by members of the Commission's legal staff are indicated by a "D"; and those who supplied affidavits and statements are similarly identified with "A" and "S". The brief descriptions of the witnesses pertain either to the time of their testimony or to the time of the events concerning which they testified.

<i>Witness</i>	<i>Description</i>	<i>Testimony</i>
Ables, Don R. ^b	Jail Clerk, Dallas Police Department.	Vol. VII, p. 230.
Abt, John J. ^b	New York City attorney	Vol. X, p. 118.
Adamcik, John P. ^b	Member, Dallas Police Department.	Vol. VII, p. 202.
Adams, R. L. ^a	Placement interviewer, Texas Employment Commission.	Vol. X, p. 136.
Adams, Victoria Elizabeth ^b	Employee, Texas School Book Depository (TSBD).	Vol. VI, p. 386.
Akin, Gene Coleman ^b	Doctor, Parkland Hospital.	Vol. VI, p. 63.
Alba, Adrian Thomas ^b	Acquaintance of Oswald in New Orleans.	Vol. X, p. 219.
Allen, Mrs. J. U. ^a	Secretary, Chamberlin-Hunt Academy.	Vol. XI, p. 472.
Altgens, James W. ^b	Witness at assassination scene.	Vol. VII, p. 515.
Anderson, Eugene D. ^b	Marine Corps marksmanship expert.	Vol. XI, p. 301.
Andrews, Dean Adams, Jr. ^b	New Orleans attorney	Vol. XI, p. 325.
Applin, George Jefferson, Jr. ^b	Witness of Oswald arrest	Vol. VII, p. 85.
Arce, Danny G. ^b	Employee, TSBD.	Vol. VI, p. 363.
Archer, Don Ray ^b	Member, Dallas Police Department.	Vol. XII, p. 395.
Armstrong, Andrew, Jr. ^b	Acquaintance of Jack Ruby.	Vol. XIII, p. 302.
Arnett, Charles Oliver ^b	Member, Dallas Police Department.	Vol. XIII, p. 128.
Aycox, James Thomas ^b	Acquaintance of Jack Ruby.	Vol. XV, p. 206.
Baker, Marion L. ^c	Member, Dallas Police Department.	Vol. III, p. 242.
Baker, Mrs. (Rachley) Donald ^b	Employee, TSBD.	Vol. VII, p. 592.
Baker, T. L. ^c	Member, Dallas Police Department.	Vol. IV, p. 248.
Ballen, Samuel B. ^b	Acquaintance of the Oswalds in Texas.	Vol. IX, p. 45.
Barbe, Emmett Charles, Jr. ^a	Employee, William B. Reilly Co.	Vol. XI, p. 473.
Bargas, Tommy ^b	Superintendent, Leslie Welding Co.	Vol. X, p. 180.

(Carolyn Arnold not witness)

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When HSCA is created and sprung into action, then this is where things get a turn, Carolyn Arnold becomes an item (I still do not know how), and she does a handful of interviews. One with Earl Golz, one with Anthony Summers and also with the National Enquirer (I have seen a low-res copy of it a while back, but I was not able to read it).

Was Oswald in window?

By EARL GOLZ
©The Dallas Morning News, 1978

Was Lee Harvey Oswald one of two images filmed moving in the 6th-floor window about six minutes before President John F. Kennedy was shot?

Or was Oswald up in the sniper's nest at all?

Two witnesses have said Oswald was in or near the 2nd-floor lunchroom of the Texas School Book Depository just before and after the shooting. He would have been pressed for time to run up four flights of stairs, take aim, score two direct hits and run back downstairs.

A third witness told the FBI she saw two men — one with a gun — in the double window of an upper floor of the depository about the time Charles L. Bronson's movie camera filmed two images moving in the 6th-floor window. She said the FBI tried to dissuade her by suggesting she saw only "boxes."

Mrs. Carolyn Johnston of Stephenville, Texas, told *The News* last week that she saw Oswald in the 2nd-floor lunchroom as she was on her way out of the depository to watch the presidential motorcade Nov. 22, 1963.

She left the building at 12:25 p.m., she said, or five minutes before the assassination. This was at the approximate time Bronson was filming two images in the 6th-floor window.

The Warren Commission said no depository employee saw Oswald after 11:55 a.m.

Policeman Marion Baker and depository manager Roy Truly met Oswald in the doorway of the same 2nd-floor lunchroom at 12:32 p.m., only two minutes after the assassination. The question arises whether Oswald ever left the lunchroom.

Mrs. Johnston, then Mrs. Carolyn Arnold, was secretary to depository vice president O.V. Campbell. She said she never had read the FBI reports of two interviews with her. She was surprised to learn they made no mention of her sighting of Oswald in the lunchroom.

Mrs. Johnston said she "would have thought" she told the FBI during both interviews of her encounter with Oswald in the lunchroom because "that's the only time I remember having seen him" on the day of the assassination.

"I do not recall that he (Oswald) was doing anything," Mrs. Johnston said. "I just recall that he was sitting there ... in one of the booth seats on the right-hand side of the room as you go in. He was alone as usual and appeared to be

"That is completely foreign to me," Mrs. Johnston told *The News*. "It would have forced me to have been turning back around to the building when, in fact, I was trying to watch the parade. Why would I be looking back inside the building? That doesn't make any sense to me."

Another witness, Arnold Rowland, said he saw a man standing in a 6th-floor window holding a rifle across his chest at 12:15 p.m. He said he also saw, from his vantage point on Houston Street less than a block east of the depository, another man on the same floor but in another window.

Rowland said he spotted both men when no depository employee was supposed to be on the sixth floor. This indicates Rowland saw the two men before Mrs. Johnston saw Oswald four floors below.

His time was accurate because he recalled he saw the men just as a nearby police radio delivered the message that the motorcade was at a Cedar Springs location. The police radio log shows the presidential car passed that point between 12:15 and 12:16 p.m.

Rowland first publicly told his story about seeing a second man on the sixth floor more than three months after the assassination. Testifying before the Warren Commission, he was asked why he hadn't told the same story to the FBI in several interviews.

He said he had.

"At that time I told them I did see the Negro man there and they (FBI) told me it didn't have any bearing or such on the case right then," Rowland said. "In fact, they just the same as told me to forget it now ... They didn't seem interested at all. They didn't pursue the point. They didn't take it down in the notation as such."

Rowland's gunman was white and was standing in a partially open window at the southwest corner of the building. The Negro man was at the opposite end of the floor, in the southeast window filmed by Bronson nine minutes later.

Mrs. Carolyn Walter of Dallas was standing along Houston Street near Rowland when she saw two men, one of them holding a gun, in an upper floor

double window of the depository at about the time Bronson was filming images in the 6th-floor window.

One of the windows was partially open and she said she thought it was on either the fourth or fifth floor directly below window noted in Bronson's photos. Bronson's film, however, shows that none of the windows up and down the southeast corner of the building were open at 12:24 p.m. — except the one in which the images were filmed.

"He (the man with the gun) seemed very casual," Mrs. Walter said. "That's why it didn't scare me, I guess. The gun was angled downward toward Houston Street. He was holding it with both hands and, like I say, casually. Not like he was actually aiming or pointing."

The motorcade at that point was about six minutes late and should have been coming down Houston Street toward the depository building.

Both Mrs. Walter and Rowland said they weren't alarmed at seeing a man with a gun because they thought he was either a Secret Service agent guarding the president or a security guard.

Rowland said his gunman wore a light-colored shirt, which could fit the description of the white T-shirt Oswald was believed to be wearing at the time. Mrs. Walter, however, said her gunman was wearing a dark brown suit and the other man in the window had on a light-colored shirt or jacket.

"They (FBI) tried to make me think that what I saw were boxes," Mrs. Walter said. "Now, the boxes are much lighter colored. And this was definitely the shape of a person or part of a person."

"I never read their report. I talked to them and it seemed like they weren't very interested. They were going to set out to prove me a liar and I had no intention of arguing with them and being harassed. I felt like I had told them all I knew. And I had relieved myself of the burden of it. And if they didn't want to believe it or had some reason not to, well, then, that was all right with me."

Neither Rowland nor Mrs. Walter could identify either of the men in the window as Oswald. Neither saw the shots being fired.

having lunch. I did not speak to him but I recognized him clearly."

She knew Oswald because he would come to her desk on the second floor and ask for change, never accepting pennies but only nickels and dimes.

The FBI report of her first interview four days after the assassination stated

that after she left the depository and stood about 30 feet in front of the building to watch the motorcade, she "thought she caught a fleeting glimpse of Lee Harvey Oswald standing in the hallway" on the first floor.

Carolyn Arnold (now Johnston) interview with Earl Golz in the Dallas Morning News 1978.

Then there is [Anthony Summers' Not In Your Lifetime](#). From this book (P.92) I quote the following: "When the author contacted Arnold in 1978 to get a first and account, she was surprised to hear how she had been reported by the FBI. Her spontaneous reaction, that the FBI had misquoted her, came before the author explained to her the importance of Oswald's whereabouts at given moments. Arnold's recollection of what she observed was clear—having spotted Oswald had been her one personal contribution to the record of that memorable day. As secretary to the company vice president she knew Oswald; he had been in the habit of coming to her for change. What she claimed she told the FBI is very different from the Bureau report of her comments. "About a quarter of an hour before the assassination," she said in 1978, "I went into the lunchroom on the second floor for a moment.... Oswald was sitting in one of the booth seats on the right-hand side of the room as you go in. He was alone as usual and appeared to be having lunch. I did not speak to him, but I recognized him clearly." Arnold had some reason to remember having gone into the lunchroom. She was pregnant at the time and had a craving for a glass of water. She also recalled, in 1978, that this was "about 12:15. It may have been slightly later."

There are however two issues with this:

1-according to [Virgie Rackley's FBI statement](#) she left with Carolyn Arnold, Betty Dragoo, Bonnie Richey and Judy Johnson together at about the 12:15 mark. Bonnie Richey confirms this time stamp in her [FBI statement](#).

And there is also [Pauline Sanders' FBI statement from March 19th 1964](#) which states that she left the lunch room at approximately 12:20! Yet her [Nov 24th statement](#), which I personally regard as a 'fixed' statement, states she left at 11:25 AM, an hour before the motorcade was expected to pass by the TSBD!

2-is the observation brought forward of Oswald sitting down and eating lunch in that particular lunch room.

The second floor lunchroom was for office staff and management only. The labourers only had access to this lunch room to grab a drink quickly and to get out and eat their lunch outside or downstairs on the first floor in the Domino Room. Roy Edward Lewis confirmed this in Larry Sneed's [No More Silence](#) and Billy Lovelady was another one who stated he had gotten a drink for his lunch from that very same lunch room on the second floor and made his way down and eventually consumed his beverage and his lunch on the front steps.

Furthermore if Oswald had been sitting there, other office employees who had lunch before they went downstairs would have noticed and mentioned this. Yet no one did.

But think also about the timing perspective she mentions, Carolyn Arnold claimed, in 1978, that she saw Oswald in the lunchroom around 12:15. And compare that with the statement of Marion Baker, who claimed, in 1964, that he saw Oswald walking into the lunchroom around 12:31.

In all honesty, I reckon that Carolyn Arnold wanted nothing to do with her primary observation once her suppressed statement got into the limelight, after being mentioned in [Sylvia](#)

The curious testimony of Mr. Givens

By Sylvia Meagher

New York City

One witness who helped to incriminate Lee Harvey Oswald in the assassination of President John F. Kennedy was a Book Depository porter named Charles Givens. The Warren Commission gave prominence to his testimony that he had forgotten his cigarettes on the sixth floor and that when he went to retrieve them just before noon he had encountered Oswald near the southeast corner window.

In a book published in 1967 (*Accessories After The Fact*, Bobbs-Merrill Co., Inc.), I discussed the discrepancies between the Givens story as set forth in the Warren Report and the corresponding testimony and exhibits, and the grounds for concluding that the story suggested perjury and collusion. It was logically inconsistent with a genuine encounter at about 11:45 between Oswald and a group of employees who were racing two elevators from the sixth to the first floor, when Oswald had called to them to send one elevator back so that he could go down too. Ten minutes later, if one accepted Givens' testimony, Oswald declined to go down for the lunch break. Moreover, while Givens supposedly exchanged a few words with Oswald on the sixth floor, other witnesses observed him on the first floor. Most of all, Givens' testimony was suspect because in his affidavit to the Dallas police later that afternoon he said nothing about forgetting his cigarettes, returning to the sixth floor, or meeting Oswald there — an omission that was incomprehensible, if the encounter was authentic.

THAT IS HOW the situation appeared back in 1967. Some months ago, I obtained from the National Archives a collection of unpublished Warren Commission documents ("CD's") concerning Charles Givens. Reading them was a shock not soon to be forgotten. I had half-expected that the CD's would reconcile and dispose of the contradictions that earlier had forced me to question the legitimacy of the Givens testimony. Instead, these new documents raise even stronger questions about Givens' testimony and the role of two or more Warren Commission lawyers in extracting that testimony.

Here is a chronological reconstruction of the Givens affair from which anyone easily can judge for himself whether or not there

Mrs. Meagher is one of the more serious students of the assassination of President Kennedy and the Warren Report. She has published articles and reviews in Commonweal, Esquire, the now-defunct Minority of One and other publications.

are sufficient grounds for an accusation of perjury, collusion, and falsification of evidence with the clear purpose of incriminating Oswald as the assassin of President Kennedy. (The citations in each case refer to both published transcripts and exhibits and to unpublished commission documents or internal reports and papers.)

November 22, 1963

At 1:46 p.m. Inspector Sawyer of the Dallas police issued an alert on the police radio for Charles Givens, a porter at the Book Depository, because he had "a police record and he left" (CE 705 page 30). It was known at that hour that Oswald, too, had left the scene but no alert for him was issued — Captain Will Fritz and two detectives intended to proceed to Irving personally, in search of Oswald.

Within an hour or two, Givens was escorted to the police headquarters, where he was questioned and where he executed an affidavit stating that he had left the sixth floor at about 11:30 a.m., had gone to the washroom, at noon had taken his lunch period, had gone to a parking lot to visit with a friend employed there (CE 2003 page 27). Givens' affidavit said nothing about a return to the sixth floor for cigarettes or an encounter there with Oswald.

Later that day Givens was interviewed by FBI agents Griffen and Odum. He gave them the same story as in the affidavit but added one additional piece of information — that at 11:50 a.m. he had seen Oswald reading a paper in the "domino room" on the first floor (CD 5 page 329).

November 23, 1963

Bonnie Ray Williams, another Book Depository employee, in an interview by FBI agents Griffen and Odum described a race between two elevators on November 22nd at about 11:30 a.m. in which he, Givens, and others participated. On the way down, they had seen Oswald on the fifth floor. Williams had returned to the sixth floor at about noon and had seen no one there (CD 5 page 330).

December 2, 1963

Givens, interviewed by the Secret Service, said that he had seen Oswald with a clipboard on the sixth floor at about 11:45 a.m., shortly after which he and some fellow-workers had boarded the two elevators. While racing to the first floor, Oswald had called to them to send one elevator back up (Ball/Belin Report No. 1, dated Feb. 25, 1964). Again Givens said nothing about a return to the sixth floor for his cigarettes at any time after the elevator race.

December 9, 1963

The FBI Summary Report (withheld from the public until mid-1966, when certain excerpts were published in the book *Inquest*, raising a furor of doubt

about the Warren Report) to President Johnson stated that Oswald had been observed on the fifth floor between 11:30 a.m. and noon and that during that period of time he had asked Givens, who was in an elevator, to close the gates when he got off so that the elevator could be summoned (CD 1 page 6). The FBI Summary Report omits Givens' statement to two FBI agents on the day of the assassination that he had seen Oswald reading a paper in the domino room at 11:50.

February 13, 1964

Lt. Jack Revill of the Dallas police was interviewed by FBI agent Robert Gemberling about press rumors of a Negro being held in protective custody. Revill "stated that Givens had been previously handled by the Special Services Bureau on a marijuana charge and he believes that *Givens would change his story for money.*" (Emphasis added.) Gemberling's report repeats the story of the elevator race during which Oswald yelled to Givens to close the gates when he got off (CD 735 pages 296-297). Almost three months after the "fact," there is still no hint from Givens, Revill, or the FBI of cigarettes forgotten by Givens or his return to the sixth floor and encounter there with Oswald. But in another context, Revill volunteers the opinion that Givens would give false information "for money."

February 25, 1964

Warren Commission lawyers Joseph Ball and David Belin complete a first joint report, summarizing the evidence known by that date, and note discrepancies as to the time of Givens' departure (and elevator race) from the sixth floor — 11:35 as against 11:40 or 11:45 a.m. Ball and Belin also note that Givens saw Oswald at 11:50 a.m. in the domino room and that three other witnesses also place Oswald on the first floor — William Shelley, at about 11:50 a.m.; Eddie Piper, at noon; and Mrs. Carolyn Arnold, who believed she had seen Oswald near the front door of the Book Depository at about 12:15 p.m. (Ball/Belin memorandum of Feb. 25, 1964, pages 101, 105-107, 110).

March 18, 1964

Givens, in an affidavit furnished by him to FBI agents Trettis and Robertson, states that when President Kennedy was shot, he was standing at the corner of Record and Elm Streets. "I returned to the Depository Building, and was told by a Dallas policeman that I could not enter the building. About an hour later I went to the Dallas Police Department and was questioned by the police for about 45 minutes." (CE 1381 page 36.) Wearisome

August 13, 1971

11

And also because of Harold Weisberg's tenacious research of course.

Warren Pass

Up Pictures?

(C) 1967 New York Times

NEW YORK—The Warren Commission failed to study pictures—some no longer available—that might have affected its version of President Kennedy's assassination, according to one insistent critic.

Harold Weisberg, a writer in Hyattstown, Md., says the pictures might show Lee Harvey Oswald standing in the doorway of the Texas School Book Depository and not in a sixth-floor window.

He says they also might verify positions of other witnesses, reveal other persons moving in the area and check Kennedy's reaction to the shots.

The Warren Commission found that Oswald, acting alone, shot the President from the sixth floor of the Depository.

Weisberg makes his charges in the third of his books attacking the Warren Report, "Photographic Whitewash; Suppressed Kennedy Assassination Pictures," which is being published personally by him this week.

Of its 296 pages, 150 reproduce documents photocopied from the national archives and dealing mostly with photographers.

They also include two Federal

Bureau of Investigation interviews with Mrs. Carolyn Arnold, a secretary at the Book Depository in Dallas. One, dated Nov. 26, 1963, said "She thought she caught a fleeting glimpse of Lee Harvey Oswald" in a first-floor hallway "a few minutes before 12:15 p.m."

The second, dated March 18, 1964, had her signed statement that she left the building "at about 12:25 p.m." and that she "did not see Lee Harvey Oswald at the time President Kennedy was shot."

Mr. Weisberg complains that the commission never called her to check whether she still thought she had seen Oswald before the shooting, which was at 12:30 p.m.

Mr. Weisberg contends that Oswald was "probably" a man shown in a picture of spectators in the depository doorway, not a fellow employee as the commission held. He notes that Oswald insisted he had been on the first floor during the assassination, according to Dallas police reports of his interrogation.

Weisberg charges that government investigators, including the commission headed by Chief Justice Earl Warren, "deliberately avoided" potential photographic evidence.

Even in her defense of the 12:15 lunch room sighting of Oswald in the lunch room, it creates an issue for Oswald being the shooter, as Arnold Rowland saw two persons on the sixth floor in the 'snipers nest' at that very same time. The 'combination' of these time stamped two witnesses' statements would exonerate Oswald as well. Funny thing is that no one picked up on that particular fact until much later.

OSWALD'S ALIBI GIVEN JUST BEFORE AND JUST AFTER THE SHOOTING.

In Part 2, I will just discuss the interrogation of Lee Oswald, but for now I will add the parts in relation to the second floor lunch room encounter here. These are the notes and reports by Robbery and Homicide Captain Will Fritz, FBI agents James Hosty and James Bookhout and Postal Inspector Harry Dean Homes (who was an informant for the FBI) and Thomas Kelley of the Secret Service. These people were all present during the interrogations either Friday, Saturday and/or Sunday morning.

- Captain Will Fritz interrogated Lee Oswald for roughly a dozen hours. Fritz claimed he took no notes, but there were some (probably kept as a souvenir...) and they were submitted in the mid-90's anonymously to the ARRB after Fritz had died. These notes were 'buried' for more than 33 years. So people had to make do with Fritz's statement from November 22 and his Warren Commission testimony.



Captain Will Fritz being interviewed in the 3rd floor corridor outside his Robbery & Homicide bureau.

Fritz's interrogation notes display a few gems when it comes to Lee location just before, during and just after the assassination:

On page 1 it states:

claims 2nd floor Coke when off came in

- Oswald had a coke from the 2nd floor when the officer came in. Came in where? 1st?
2nd?

to first floor had lunch

- Oswald had lunch on the 1st floor

Oswald had fallen out with Bill Shelley.

out with
in front

-Oswald knew Shelley was standing in front of the building. And that is before the shooting, not after! As Shelley had departed almost immediately after the shooting from the TSBD steps

On page 3 of the same set of Fritz's interrogation notes...

says two negro came in

one Jr + short negro - ask? for lunch says cheese sandwiches + apple

Oswald saw Jarman and possibly Norman come in to the Domino room while he had his lunch.

Lunch consisted of cheese sandwich and an apple.

Says 11-21-63 say two negro came in morning 23rd. (3)
One Jr. + short negro - ask? for lunch says cheese sandwiches + apple.
Says doesn't pay cash for wife staying with Mrs. Payne
denies owning rifle in garage or elsewhere Admits other
things these. Came there 63 - N.O.
says no visitors at apt. claims never order dog
owns except for gun.
denies belonging to Com party
Says bgt gun 7 mo Ft W. didn't know what Place,
Arr. July 62 from U.S.S.R. Int by F.B.I. Ft W
says Hard + Soft meth etc Buddy
Says on interview of Payne by F.B.I. He thought she was intimidated

morning 23rd. (3)

says 11-21-63 say two negr came in
one Jr. + short negro - ask ? for lunch says cheese sandwiches + apple

says doesn't pay cash for wife staying with Mrs. Payne
denies owning rifle in garage or elsewhere admits other things these
Came there 63 - N.O.
Says no visitors at apt. Claims never order
owns ??? for gun
denies belonging to Com party
says bgt gun 7 mo Ft W. didn't know what Place.
Arr. July 62 from U.S.S.R. Int by F.B.I. Ft W
says Hard + Soft meth etc Buddy
says on interview of Payne by F.B.I. He thought she was intimidated

Looking at both these pages one thing becomes evident. That is that a new sentence does not start on a new line, but midway as well, this leaves his notes open to interpretation.

In his report to [Chief Curry from November 23 1963](#) Fritz says: "We also found that this man had been stopped by Officer M.L. Baker while coming down the stairs. Mr. Baker says that he stopped this man on the third or the fourth floor on the stairway, but as Mr. Truly identified him as one of the employees he was released."

[Fritz's undated report, in draft mode](#) states: "I asked him what part of the building he was in when the president was shot, and he said that he was having his lunch about that time on the first floor. Mr. Truly had told me that one of the police officers had stopped this man immediately after the shooting near the back stairway, so I asked Oswald where he was when the police officer stopped him. He said he was on the second floor drinking a coca cola when the officer came in."

His W.C. testimony:

Mr. BALL. Did you ask him what happened that day; where he had been?

Mr. FRITZ. Yes, sir.

Mr. BALL. What did he say?

Mr. FRITZ. Well he told me that he was eating lunch with some of the employees when this happened, and that he saw all the excitement and he didn't think, I also asked him why he left the building. He said there was so much excitement there then that "I didn't think there would be any work done that afternoon and we don't punch a clock and they don't keep very close time on our work and I just left."

Mr. BALL. At that time didn't you know that one of your officers, Baker, had seen Oswald on the second floor?

Mr. FRITZ. They told me about that down at the bookstore; I believe Mr. Truly or someone told me about it, told me they had met him, I think he told me, person who told me about, I believe told me that they met him on the stairway, but our investigation shows that he actually saw him in a lunch room, a little lunch room where they were eating, and he held his gun on this man and Mr. Truly told him that he worked there, and the officer let him go.

Mr. BALL. Did you question Oswald about that?

Mr. FRITZ. Yes, sir; I asked him about that and he knew that the officer stopped him all right.

Mr. BALL. Did you ask him what he was doing in the lunch room?

Mr. FRITZ. He said he was having his lunch. He had a cheese sandwich and a Coca-Cola.

Mr. BALL. Did he tell you he was up there to get a Coca-Cola?

Mr. FRITZ. He said he had a Coca-Cola.

Although he was told that they met him in the stairway through a conversation with Roy Truly at the bookstore (which is the TSBD) his own investigation shows it was inside the second floor lunch room instead! It has also only recently come to light that Martha Joe Stroud corresponded with the Warren Commission that Fritz was not happy with his statement and that he wanted it changed. And there seem to be two versions of his statement. Would love to see the difference between the two! This was recently posted by [Robin Unger](#).

- [James Hosty and James Bookhout of the FBI state in their joint November 23 report](#): "OSWALD stated that he went to lunch at approximately noon and he claimed he ate his lunch on the first floor in the lunchroom; however he went to the second floor where the Coca-Cola machine was located and obtained a bottle of Coca-Cola 'for his lunch. OSWALD claimed to' be on the first floor when President JOHN F. KENNEDY passed by his building." This report does not mention the specific location of Oswald on the first floor at the time of the assassination nor does it mention any encounter involving Oswald, a police officer and Truly.

In the [solo report by James Bookhout on November 24](#) (after Oswald was dead) things are turned around a bit, but not for the better. "Oswald stated that on November 22 1963, at the time of the search of the Texas School Book Depository building by Dallas police officers, he was on the second floor of said building, having just purchased a Coca-Cola from the soft-drink machine, at

which time a police officer came into the room with pistol drawn and asked him if he worked there.

Mr. Truly was present and verified that he was an employee and the police officer thereafter left the room and continued through the building. Oswald stated that he took this Coke down to the first floor and stood around and had lunch in the employee's lunch room. He thereafter went outside and stood around for five or ten minutes with foreman Bill Shelley."

First, he mentions "officers" while Baker was the only police officer in that building for a fair amount of time (5-10 mins is reasonable to assume); everyone else on the force was busy in the railroad yard. Or this is an indication that Oswald was in the building much later than he has been 'credited' for?

Secondly, Oswald had purchased a coke, which from a timing perspective makes it already 'interesting' (getting the correct change out, putting it in the machine and waiting for the bottle to appear and take the cap off). But what is more important is that neither Truly nor Baker saw anything in his hands.

Thirdly, Oswald stood around and had lunch after the shooting, and even stood outside with Bill Shelley for 5/10 mins after having had his lunch. So how long was he in that building? According to this second report, for quite some time, which makes one wonder, how the bus/cab ride transpired, changing his clothes and 'grabbing his gun' and walk towards 10th and Patton and blow Tippit away.

This cannot be done at any time from a timing perspective as described by James Bookhout! Plus Shelley left immediately after the shooting and did not come back until at least 5 minutes after leaving.

Hosty writes in Assignment Oswald, about an exchange of how the questioning went while Oswald was in custody. No second floor lunch room encounter whatsoever.

Okay now, Lee, you work at the Texas School Book Depository, isn't that right?

Yeah, that's right.

When did you start working there?

About October fifteenth

What did you do down there?

I was just a common laborer.

Now, did you have access to all floors of the building?

Of course.

Tell me what was on each of those floors.

The first and second floors have offices. The third and fourth floor are storage. So are the fifth and sixth.

And you were working there today, is that right?

Yep.

Were you there when the president's motorcade went by?

Yeah.

Where were you when the president went by the book depository?

I was eating my lunch in the first floor lunchroom.

What time was that?

About noon.

Were you ever on the second floor around the time the president was shot?

Well, yeah. I went up there to get a bottle of Coca-Cola from the machine for my lunch.

But where were you when the president actually passed your building?

On the first floor in the lunchroom.

And you left the depository, isn't that right?

Yeah.

When did you leave?

Well, I figured with all the confusion there wouldn't be any more work to do that day.

Hosty tried to pin Oswald's location down decades after the fact, based on memory and probably based on his interrogation report signed by him and James Bookhout, since it coincides neatly with the so-called recollection above. Oswald has gone for lunch and stayed in the Domino Room after he had gotten his Coke from the second floor. Many must have seen him, since the ladies from the office all started to have their lunch at 12:00 upstairs in the second floor lunch room. Some people will claim that this pins Oswald on the first floor, and that he was going upstairs via the front of the building and ended up passing the window in the door leading to the small area in front of the lunch room, to get spotted by Baker. But why would he do that? The Domino Room was in the back at the East end, whereas the infamous back stairs were closer and perhaps a little closer and have direct access to them

The Secret Service was present too, Forrest Sorrels and Thomas J Kelley were there during some of Lee Oswald's interrogations.

- Thomas J Kelley is the only one who supplies an interrogation report that actually goes so far as to claim that Oswald explicitly admitted to not having watched the motorcade. In his First interview with LHO he states: "I asked him if he viewed the parade and he said he had not. I then asked him if he had shot the President and he said he had not. I asked him if he has shot governor Connally and he said he had not." Any notes or reports, not by Fritz, Bookhout, Hosty or even Harry Dean Holmes who was actually present during that final interrogation of Oswald alongside Kelley, do not back up the underlined sentence.

According to Vince Palamara, Kelley perjured himself during the HSCA hearings.

Finally Postal Inspector and FBI informant.

- Harry Dean Holmes on page 4 of his report dated Dec 17th 1963: "the commotion surrounding the assassination took place and when he went downstairs, a policeman questioned him as to his identification and his boss stated "he is one of our employees" whereupon the policeman had him step aside momentarily".

In his statement and his testimony (see below) Oswald is being asked to step aside.

Homes' Warren Commission testimony:

Mr. BELIN. By the way, where did this policeman stop him when he was coming down the stairs at the Book Depository on the day of the shooting?

Mr. HOLMES. He said it was in the vestibule.

Mr. BELIN. He said he was in the vestibule?

Mr. HOLMES. Or approaching the door to the vestibule. He was just coming, apparently, and I have never been in there myself. Apparently there is two sets of doors, and he had come out to this front part.

Mr. BELIN. Did he state it was on what floor?

Mr. HOLMES. First floor. The front entrance to the first floor.

And later on during the very same testimony:

Mr. BELIN. Now, Mr. Holmes, I wonder if you could try and think if there is anything else that you remember Oswald saying about where he was during the period prior or shortly prior to, and then at the time of the assassination?

Mr. HOLMES. Nothing more than I have already said. If you want me to repeat that?

Mr. BELIN. Go ahead and repeat it.

Mr. HOLMES. See if I say it the same way?

Mr. BELIN. Yes.

Mr. HOLMES. He said when lunchtime came he was working in one of the upper floors with a Negro. The Negro said, "Come on and let's eat lunch together." Apparently both of them having a sack lunch. And he said, "You go ahead, send the elevator back up to me and I will come down just as soon as I am finished." And he didn't say what he was doing. There was a commotion outside, which he later rushed downstairs to go out to see what was going on. He didn't say whether he took the stairs down. He didn't say whether he took the elevator down.

But he went downstairs, and as he went out the front, it seems as though he did have a coke with him, or he stopped at the coke machine, or somebody else was trying to get a coke, but there was a coke involved. He mentioned something about a coke. But a police officer asked him who he was, and just as he started to identify himself, his superintendent came up and said, "He is one of our men." And the policeman said, "Well, you step aside for a little bit. Then I just went on out in the crowd to see what it was all about."

Step aside, which does not point to a second floor encounter as Baker and Truly did a 180 after this alleged 'lunch date'.

Lee Oswald did not lie when he claimed he was on the first floor when The President passed by the TSBD, not only did Holmes relay this, so did Fritz in his interrogation notes and so did Bookhout and Hosty in their joint report.

- James 'Junior' Jarman told the HSCA, that Billy Lovelady told him that he had personally witnessed Oswald being allowed out of the front entrance by a policeman shortly after the assassination and that Truly had said he was alright. [HERE](#) and [HERE](#).

I know it is hearsay, but I can make a mention of it. Just like Pauline Sanders' support for Mrs. Reid's Oswald encounter in his t-shirt is as much hearsay. What also needs to be taken into consideration is that Lovelady left for the railroad yard almost straight after the shooting had stopped, and said he went back in through the side entrance and ended taking police officers up in the elevator. Yet Lovelady is filmed standing outside on the TSBD steps afterwards by John Martin and Robert Hughes at about 12:50. And it looks like he is waiting to get in. Danny Garcia is there and Bonnie Ray Williams. Did Lovelady see Oswald leave then? Which would mean he left much later than has been acknowledged. Lovelady was extremely economical with the truth during his Warren Commission testimony as I already pointed out earlier.

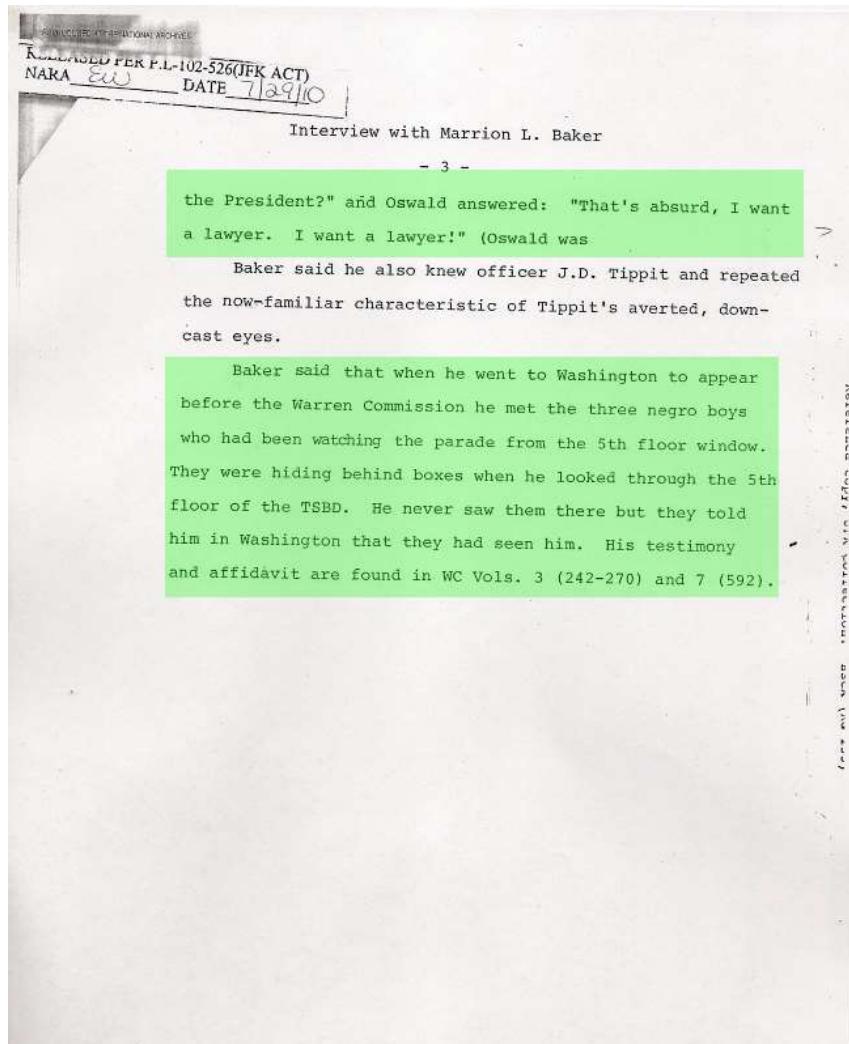


James Earl Jarman and Harold Norman saw Howard Brennan talking to a police officer. This by itself shows how quickly they made their way down from the fifth floor.

According to [Harold Norman's HSCA testimony](#), he states that after starting their descent from the fifth floor they stopped on the fourth floor for a couple of minutes as they saw the ladies looking through the windows and seeing the railroad yard activity shortly after the shooting.

This is the same instance where Dorothy Garner stayed behind, after 'following' Victoria Adams and Sandra Styles and they had started their descent and Garner was joined by other

women from those fourth floor offices. Norman's HSCA testimony strengthens Dorothy Garner's statements and also shows that the three Negroes: Williams, Jarman and Norman did not encounter anyone, not even Truly and Baker while they made their descent. Or did they wait much longer? Baker states in his HSCA testimony that he was spotted by them while they hid behind boxes on the 5th floor. Norman had no recollection of this during his testimony, couldn't attest to when he saw Truly after coming down to the first floor.



THE RE-ENACTMENT

There were 4 re-enactments

1. November 25 1963: - The Secret Service
2. December 2 – 4th 1963: - Time/Life. Not considered a legal recreation.
3. February 7 1964: - The FBI
4. May 20-25 1964: - The Warren Commission, carried out for them by the FBI

I will not go into great depth since this facet has been written about in great detail already. As I wrote at the beginning, by Harold Weisberg and others. What I will tell you is that the re-enactment was sheer window dressing.

If you look at the Secret Service re-enactment video below of the so called Oswald descent from the 6th to the 2nd floor, then you will realise that this could be achieved in a much shorter time than is being shown by the Secret Service agent(s) move at a snail's pace. The pace they adopt is too slow to be a realistic enactment of a 24-year-old who just allegedly shot The President and wants to make his way down as quickly as possible. Have a look for yourself beginning at 22:10. The descent from floor 6 to floor 2 is edited out of the film, I have no idea whether this is by it not being shot or left out during post-production. The Secret Service Agent re-enactment film demonstrates how small the actual landing is on the second floor. And in the end the agent ends his descend by sitting at one of the lunch room tables. How's that for accuracy?



The video above is of the edited Secret Service re-enactment. There is no material featuring Baker, Roy Truly nor Mrs. R. Reid as they were timed when the Warren Commission did it in March of 1964. David Belin personally timed Mrs. R. Reid.

Leo Sauvage reported in *The Oswald Affair*: “*And none of the many reporters and photographers who for days kept a close watch on the Texas School Book Depository, writing and taking pictures of the various re-enactments of the assassination staged on Elm Street, even saw a motorcycle policeman running into the building under the eyes of detectives with stopwatches in their hands.*”

[Leo Sauvage interviewed Truly:](#) “when I asked him whether there had been any special tests to determine the number of seconds he and the motorcycle policeman lost in the lobby with the elevators before starting to climb the stairs. When I pressed the point, he said: “No, nothing else...”

Crime Re-enacted By Secret Service

By CARL FREUND

Secret Service agents re-enacted the assassination of President Kennedy here Wednesday.

Meanwhile, Gov. John Connally expressed a hope that investigators would determine definitely whether the murder of President Kennedy was "the act of an individual maniac or a conspiracy."

The governor gave a graphic account of the shooting in an interview at Parkland Hospital, where he is recovering from serious wounds suffered during the assassination. He pledged his office would cooperate fully with federal, state and local investigators.

An army of Secret Service and FBI agents questioned witnesses and studied evidence in Dallas and other cities as they sought the answers to these questions:

—Did the death of the President result from a Russian or Cuban plot? Or did Lee Harvey Oswald, an admitted Marxist who had lived in Russia, conceive the assassination and carry it out without the help of others?

—Where did Oswald intend to go after President Kennedy was murdered as his car moved down Elm Street toward the Triple Underpass?

—Where did Oswald get money for the trips he took?

—Did Oswald know Jack Ruby, the strip-tease club owner who fired a shot Sunday which sealed Oswald's lips forever?

—Why did Ruby pull the trigger? Was it, as he claims, an attempt to avenge the murder of President Kennedy? Or an ill-advised effort to become a public hero? Or was he afraid of what Oswald might say?

Although investigators say they lack proof of an international conspiracy, they were obviously aware that the possibility exists.

In another development, a spokesman for the FBI refused comment on reports that an "Agent Hosty" went to Irving three weeks ago in an unsuccessful attempt to question Oswald. The Oswald family was living in the home of Mrs. Michael Paine.

there, but Oswald was spending much of his time in Fort Worth.

"I can only repeat our previous statement that the FBI did not talk to Oswald before President Kennedy was killed," the spokesman said. "I'm sorry, but that's all I can tell you."

Other officers said, however, that an agent named Hosty was assigned to the Dallas office.

The assassination re-enactment took only a few minutes.

A car, similar to the auto in which President Kennedy rode at the head of a motorcade Friday, drove over the same route. A man and a woman sat in the back seats, occupying positions similar to those in which a sniper

found President Kennedy and his wife.

Officers stood in the sixth floor window of the Texas School Book Depository Building at Elm and Houston—the window in which a sniper crouched Friday.

No shots were fired in the re-enactment, but reporters were told a camera in the window recorded the scene.

Ruby may have witnessed the re-enactment from his cell in the nearby county jail.

Held without bond, Ruby called a bartender in one of his night clubs during the day to ask about business there. He also called a friend and asked about public reaction to his slaying of Oswald.

"The assassination re-enactment took only a few minutes" Dallas Morning News Nov 26th 1963. From this we can derive that the lunch room encounter with Baker and Truly running up was not tested by the Secret Service.



Secret Service re-enactment Nov 25th 1964. Pic seen, at first, at the website FlashbackDallas.com. A Dallas Times Herald staff photographer took them. (All photos: UNT's Portal to Texas History.)

Victoria Adams was not asked to participate for any of the re-enactments (a travesty!). Nor were Sandra Styles, Dorothy Garner and Otis Williams involved either. Those loud squeaky back stairs in the North West corner of the TSBD saw quite some traffic, yet no one heard a thing!

- Sandra Styles and Victoria Adams went down the stairs almost immediately after the final shot and encountered no one. Nor did they hear anyone following them. Victoria Adams saw the elevator cables move
- Jack Dougherty who was on the fifth floor near the stairwell and who heard one shot and subsequently made his way down to the first and spoke with Eddie Piper. He stated that he took the West elevator down.
- Otis Williams left straight from the steps after the shots, and went back inside and up the back stairs to the fourth and then down to the second floor. Geneva Hine reported him coming in as part of a group.
- Dorothy Garner stated that she saw Baker and Truly come up after Adams and Styles had gone down in the Martha Joe Stroud document.

Busy indeed!

Baker and Truly's timings were set at 75 and 90 seconds. And that was from the first shot, whereas their timings should have been about 10/15 seconds after the final shot. We know that Baker did not make his dash until roughly that late due to the Couch and the Darnell films.

They did this in walking mode and in a running mode. Why they did this in two modes boggles belief as per Truly's and Baker's statements they ran like hell, it was completely unnecessary to do the slow version. It would have been more helpful to do this two, three times in the fast mode instead. Why didn't the Warren Commission use the Couch film? Better yet the Darnell film?

Mrs. Robert Reid did three tries in getting up to the office on to the second floor. She timed each time around the 2-minute mark. Why did it take her two minutes when she did not have to cross the floor at all, she went up by the front stairs!

Check the video below of the Baker-Truly-Oswald encounter in the TV movie [Ruby & Oswald](#).

Reid is thrown in for good measure as well. This is shot inside the TSBD, please pay close attention as to how small all of this looks and that from a timing perspective it looks very fishy, as they get up there quite quick. Remember that Truly stated that they went diagonally through the shipping area, imagine that, it would even shorten the trip then even more.

Baker and Truly's timings, and let's add Mrs. Reid's re-enactment for good measure, are all way too long as times by the W.C.



But what is even more off is [the document from Dec 5th 1963 by Thomas J Kelley](#), as when they did their re-enactment it was set at about 2 mins and 25 seconds!



U. S. Secret Service

Chief

December 5, 1963

Inspector Kelley

Preliminary Special Dallas Report #2 - Covers the events immediately following the assassination, the flight of the assassin, the murder of Officer J. D. Tippit and the capture and arrest of Oswald.

The time of the firing of the fatal shots has been established as approximately 12:32 P.M.

PROBABLE TIME SEQUENCE

After firing the shots Oswald walked from the window across the sixth floor area, hid the weapon, walked to the stairs, down the stairs to the lunch room on the second floor, spent approximately 30 seconds in the lunch room and continued down the stairs and out the front door. TIME 2:25 average walking, 2:52 with elevator waiting.

Front door to Murphy and Elm Street where he boarded bus, via Main Street 7 blocks. TIME 4:30 minutes.

Bus ride to Elm and Poydras, 2 blocks. TIME 4:00 minutes average.

Elm and Poydras to Jackson and Lamar (walking) cab stand, 4 blocks. TIME 3:00 minutes.

Cab stand at Jackson and Lamar to 500 Beckley, estimated 35 mph. 2.6 miles. TIME 7:00 minutes.

500 block Beckley walked to 1026 N. Beckley 0.4 mile. TIME 6:00 minutes.

Landlady states Oswald walked hurriedly into house, into his room and out, then stood for a very short time at bus stop. TIME 0.30 seconds estimated.

From bus stop at 1026 Beckley to 400 block E. 10th Street, walking, .8 mile. TIME 12 minutes.

Shooting of Police Officer Tippit, then walked to Texas Theater at 231 W. Jefferson .6 mile. TIME 10 minutes.

zero to 10
one
3
447



FBI re-enactment 1964. Pic. From [Robin Unger's JFK Assassination Gallery](#).



Holland McCoombs collection-B.K.



Holland McCoombs collection-B.K.



Holland McCoombs collection-B.K.



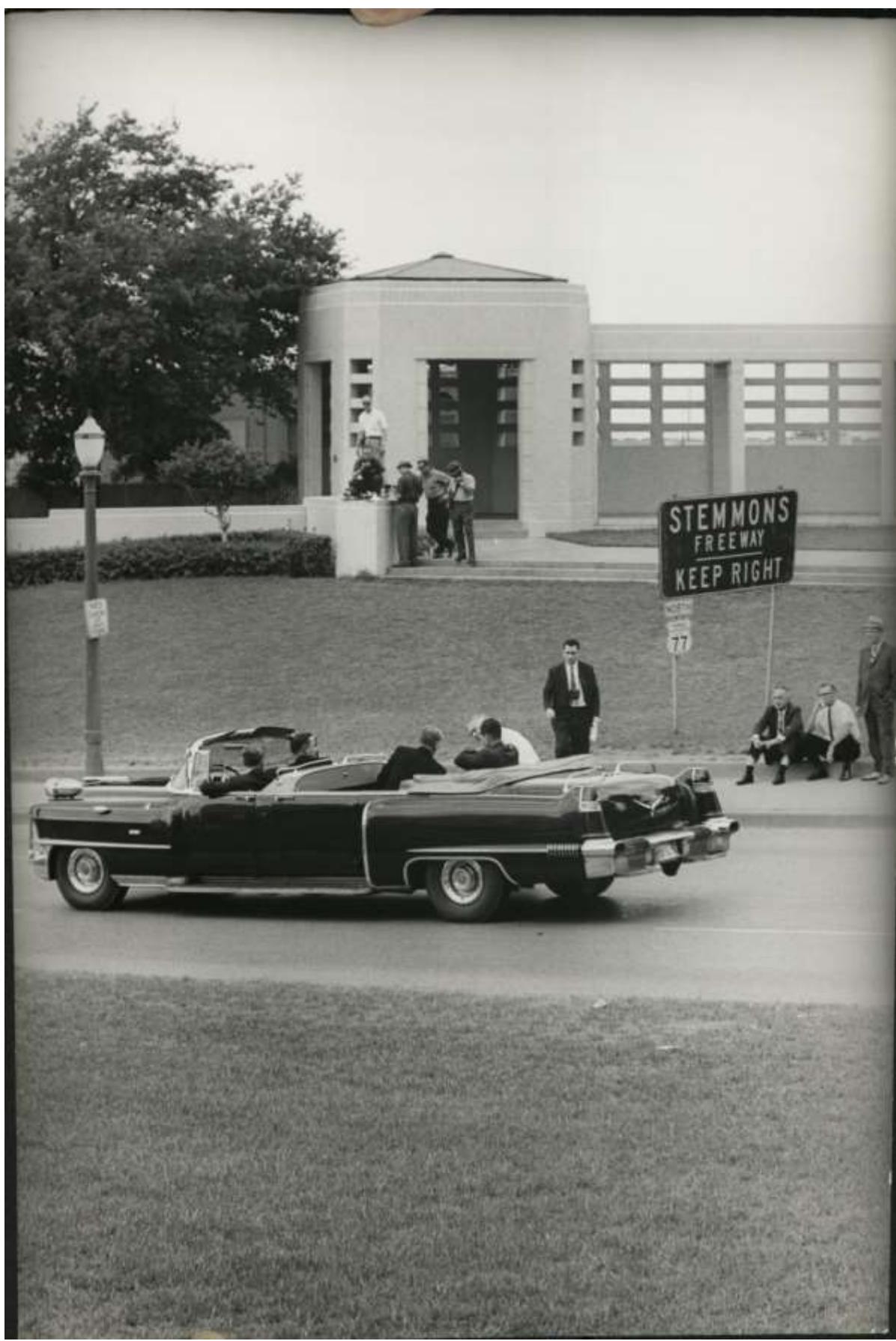
Holland McCoombs collection-B.K.



Holland McCoombs collection-B.K.



Holland McCoombs collection-B.K.



Holland McCoombs collection-B.K.

Marrion Baker in TMWKK



And Baker does a pretty convincing job recanting his 'story' in 1989 for The Men Who Killed Kennedy documentary.

.....



Warren Report Witnesses

Sen. John Sherman Cooper, R-Ky., walks with Dallas officials who were witnesses at the Warren Commission hearings in Washington. From left, Cooper, Deputy Sheriff Eugene

Boone, Patrolman M. N. McDonald, Deputy Sheriff Luke Mooney and Patrolman Marion Baker. (AP Wirephoto)

CONCLUSIONS

1. The second floor lunchroom encounter did not happen at all. Looking at the contradictory evidence such as Marvin Johnson's statement, it basically shows that Baker did not even confront Oswald at all, but that he was confronted by a police officer at the front door.
2. The physical side of the actual encounter is severely in doubt due to the complications such as the closed door, Oswald's position, Baker's view through the window, the distance between Baker and Truly and so on.
3. Too many inconsistencies in Baker's and Truly's written and oral statements, way too much detail being developed that doesn't hold up, it seemed that the lie was much harder to maintain than the truth.
4. Baker and Truly's FBI affidavits from September 23 1964 were rushed back to Washington that very same day to make sure they were included with the Warren Report which was presented to LBJ the very next day. After all the affidavits, time trials and testimony they still needed additional statements. Most likely an indicator for a cover up. Probably to obfuscate Baker's first and only DPD affidavit.
5. Oswald was encountered near the front door inside the vestibule. There are too many pointers for this. He had gotten a Coke from the 2nd floor lunch room and then ate his lunch on the first floor. That very same first floor where he remained during the shooting and shortly after.
6. Victoria Adams' testimony and follow-up statements and those from her three colleagues, where available, make the assassin's run down the stairs, as envisaged by the Warren Commission, an impossibility. It has become clear that testimony by Lovelady and Shelley is used to discredit Adams and Styles. Add on the three negroes Jarman, Norman and Williams who also did not see anyone go down those stairs either.
7. Reid and Sanders were used as back up for Truly. They would have had a home run without Geneva Hine's and Sarah Stanton's statements.
8. Law enforcement officials such as DPD Captain Will Fritz and FBI SA James Bookhout 'fixed' their reports and destroyed Oswald's alibi.

MARRION BAKER.

- Did not go directly up the stairs as claimed.
- Contradicted his first statement with his Warren Commission testimony.
- Did not recognize Oswald while being brought in as the suspect he apprehended inside the TSBD on the third or fourth floor. It is doubtful he ever saw him before he was brought in. If Baker had encountered Oswald then the description of Oswald being the man on the run and needed to be apprehended would have been way more concise!
- The so called first floor encounter with Oswald was with a different police officer, hinting at Oswald staying much longer than the official 3 minutes.
- Did not identify Oswald in any of his line-ups, even though Marvin Johnson claimed this to be.
- Never made a mention of that glimpse that he saw through the door until almost 4 months later, a day or two before his Warren Commission testimony.
- This so called glimpse behind the closed door could have only been of someone walking from the 2nd floor corridor starting at the front stairs of the building to the lunch room and not from descending the 6th floor crossing the landing if at all happening.
- Baker made a mistake testifying grabbing the elevator only just one floor up after his encounter, confirming there was a 4th floor encounter
- In his HSCA testimony, it's two floors.
- His FBI statement from September 1964 has 'Coke' and 'third floor' are stricken through, even then he could not walk straight with the story.

ROY TRULY.

- Truly stood outside longer than per his testimony. He claims he spoke with Howard Brennan.

- Truly was overheard by 'Biffle' of the DMN that Oswald was stopped on the first floor. Campbell confirmed this as well in a different paper, the NYHT.
- The "they saw no one there" report in his FBI statement of November 22 is the first indication that Truly worked alongside the authorities trying to obfuscate the first floor encounter.
- He failed badly during his Warren Commission testimony while discussing the details of the encounter itself.
- He also most probably walked behind Baker due to admitting this in three separate newspaper reports. It took him 16 days after the assassination before he stated that he walked ahead of Baker, the very same week of the newspaper interviews.
- Truly is quoted of giving various descriptions of Oswald's position inside the lunch room, all this was possible after opening the door and him just leaning in and Baker partially blocking his view.
- He was very conservative, did not agree with Kennedy's policies on Civil Rights, and referred to Negroes as the other N-word.
- Must have felt a lot of anger towards Oswald after finding out he had been in Russia for almost three years. Moreover, he was such a good worker, "I wish I had five Oswald's" Truly told Otis Williams. The slightest whiff of subversion would have been a game changer for any individual. We know this due to what happened to [Joe Molina](#) who was paid off and asked to go one month after the assassination.
- And lastly Truly was [praised by the FBI](#) for his [collaborative efforts during the investigation](#) and if they could not reward him with a tour or a little memento from The Director J. Edgar Hoover of which Truly was a great admirer, for doing his duty. I have seen no other documentation involving any other individual involved with this case getting this type of written endorsement. Then again, he handed them Lee Oswald on a silver platter so a commendation of some sort was well in order.

MARVIN JOHNSON.

- Wrongly claimed in his statement that Baker had identified Oswald in a line-up, Baker contradicted this in his W.C. testimony.
- Johnson stated in his report that Baker started to search the man. Indicating physical contact!
- Refers to 4th floor encounter as per Baker's first statement.
- Asserted in his report that Baker had pointed out Oswald while he took Baker's affidavit, whereas there was no mention of this in that written and typed up affidavit.

OCHUS CAMPBELL.

- Was Vice President of the TSBD and was not called up by the Warren Commission.
- Saw more than he wanted to admit to on [paper](#).

PAULINE SANDERS.

- Is the only person that remembers Baker running up the steps, yet makes no mention of Truly.
- Her hearsay telephone conversation with Mrs. Reid is recorded as part of her statement and treated like gospel.
- As one of Truly's secretaries she was used as back-up to confirm Reid's and Truly's story.

MRS. R. REID.

- Was one of Truly's secretaries and her name is added at the bottom of Truly's first written statement for the D.P.D. on November 23. Truly already had given a statement on the 22nd for the FBI.
- Had to insert her coke observation in her written DPD affidavit of November 23 1963.

- Twisted the way a conversation with Ochus Campbell went during her WC testimony she only had partially.
- Stated that Oswald wore a white t-shirt and had a coke in his right hand.
- Did not notice Geneva Hine, nor did she mention Sarah Stanton.

GENEVA HINE.

- Stated she was alone in the office between 12:25 and 12:35!
- Did not see Reid until she came in as part of a group more than 20 minutes after the shooting.
- Did not observe Oswald either, yet she was in an empty office. Anyone would look up or behind them, even if they were on the phone when people walk past. Geneva Hine did not want to be seen as the party pooper so she eh-ed her way through her testimony while at the same time pointing out Reid's BS. She was rightfully concerned about her job prospects at the TSBD when she gave her testimony to the W.C.

SARAH STANTON

- She plays a dubious role as well since she has stated she went back up immediately after the shooting to the 2nd floor using the lift (which contradicts reports that the power was off). She went to the he same office where Geneva Hine and supposedly Mrs. Robert Reid were, oh and Lee Oswald as well!
- Stanton is noticed by Hine as part of a group, which includes Reid, Campbell and Molina, entering the office after about 20 to 25 minutes. The first person that came in was a police officer who wanted to use the phone.

JAMES BOOKHOUT.

- Changed events around with his solo report after Oswald was killed, this was after submitting a joint report with James Hosty on the day before which is heavily contradictory.

THOMAS J. KELLEY.

- In [Survivors Guilt by Vince Palamara](#) the author writes that Thomas Kelley perjured himself during the HSCA hearing regarding the' threat knowledge' prior November 22 1963.
- Furthermore, he denied any agent had violated any Secret Service rule in the 'drinking incident' in Forth Worth the night before Dallas.
- Thomas J. Kelley is the only person of all individuals who interrogated Oswald, who stated in his report that "I asked him if he viewed the parade and he said he had not."

WILL FRITZ.

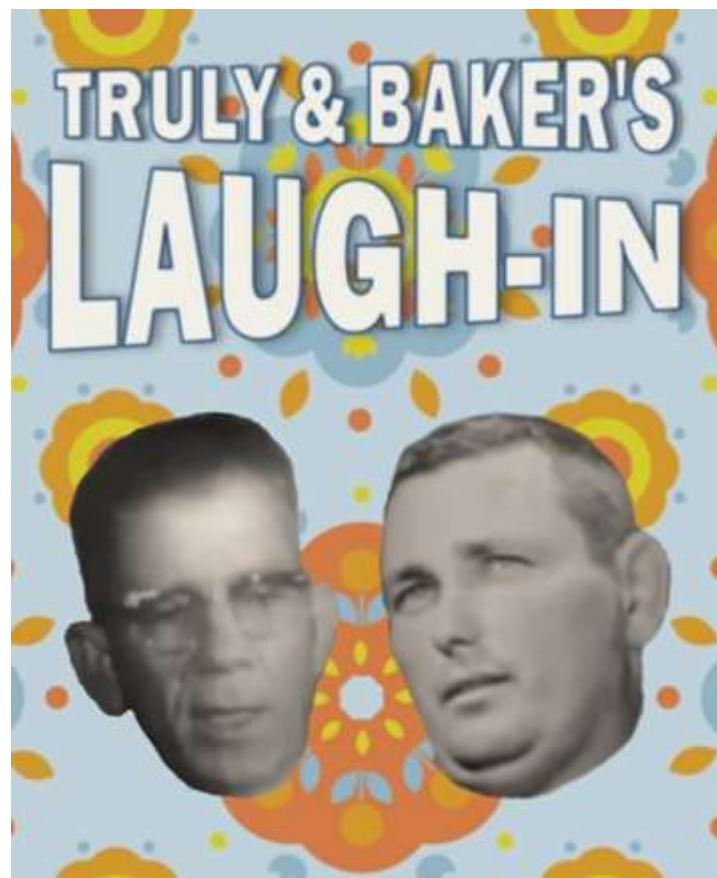
- Twisted the interrogation notes in his report and W.C. testimony. It is also now known, due to another Martha J. Stroud document, that he wanted to have things changed in his testimony before signing off on it.
- Stated in his November 22 report that "Oswald was identified through a line-up by Baker", which never happened.
- Had a chat with Roy Truly discussing the case.
- His so-called interrogation notes published late 1996 which state that Oswald was "Out with Bill Shelley in front" How could Oswald have possibly known where Bill Shelley was?

- His report more than a month after the assassination follows Baker's original affidavit about the 3rd/4th floor encounter with a man walking away from the stairway.
- In that very same report Fritz wrongly states that the second floor was Oswald's main work area, whereas that should have been the first floor.
- Fritz can be characterised as being instrumental in hanging Oswald out to dry.

LEE OSWALD.

- Was on the first floor when he had lunch in the Domino room with his Coke from the second floor lunch room, and moved out in front of the building when the motorcade passed by. Went back inside with the other employees and was confronted by a police man in the first floor lobby, the only vestibule while trying to leave.

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I saw Oswald in
the Second Floor
lunchroom.



The Second Floor
lunchroom. He
was sitting at a
table.

I saw him...
where was
that again?



He was?





I saw Oswald
leaning against
the counter in
the lunchroom.



Let me think...

I saw a
glimpse of a
man through a
closed door!?

I thought he
was sitting
down?



How'd ya
manage that?



You can't sit
when you're
leaning at the
counter!

Good question.





Well, at least
we finally got
our stories
straight.



Until you went
back and said
you saw a man
standing
drinking a Coke!



Somebody
reminded me I
didn't see that
so I lined it
out.



Can't
remember
everything.



Well, that's all
we have time
for tonight.
Goodnight, Roy!



You bet your
sweet bippy!



Goodnight,
Marion!

