ANATOMY OF LEE OSWALD’S INTERROGATIONS

By: Bart Kamp.

Prayer-man.com

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Vol. 3

Intro

Part of Oswald’s interrogations had already been addressed in the Anatomy of The Second Floor Lunch Room Encounter paper relating to Oswald’s alibi and his whereabouts just before, during and after the assassination of President John F. Kennedy, inside the Texas School Book Depository in Dallas, Texas.

This paper explores these interrogations in more detail.

Who was there during his interrogations, who escorted him, what and when did Oswald say during his interrogations and while being paraded around the D.P.D.’s 3rd floor in front of the world’s press. Oswald’s requests for legal assistance, line-ups etc.

I am trying, as before with the first paper, to present a big picture of the people that were involved and the overall situation inside City Hall after Oswald’s arrest and his death two days later.

Yet at the same time I will not address certain aspects in fine detail either; the so called visit to Mexico City (Blunty said “it’s a swamp” and I tend to agree), mention very little on the Hidell ID or the back yard photos, the rifle and the pistol either. These elements of Oswald are not major points when it comes to his actual alibi and bring me any closer with obtaining more evidence for Oswald to be Prayer Man.

The reports on Oswald’s interrogations in the Warren Report can be read at Mary Ferrell’s website. These existing notes and memos cover only a very small part of Oswald’s questioning while being in custody from the early afternoon of Nov 22nd to the late morning of Nov. 24th. The Warren Report addresses the interrogations, Oswald’s legal rights, the press and subsequent death in Chapter Five entitled “Detention and Death of Oswald”.

Like with my first paper Anatomy Of The Second Floor Lunch Room Encounter I suggest you read their version first before commencing with this paper. You have to know the official version to be able to compare with what actually happened. This facet has only been forwarded to the masses in a condensed manner. I hope this paper will be regarded as a considerable expansion.

The first version of this paper was released early Sept. 2017. Further research, since the Vol. 1 release, brought up more documents and new sources totalling roughly 450 pages.

In July I decided to toss the whole thing in the air, re-arrange everything and present it in a time-line manner instead. This started after the discovery of a video of Oswald in the corridor which could be pinpointed along with two other video recordings. I was also of the opinion that the paper became too cluttered with a lot of info that did not have a direct bearing on the actual interrogations. The time line is meant to put things in the right order to give the reader an understanding of the developments during those 40 odd hours that Oswald was incarcerated.

So now you have an edited version, and what was edited out has been moved to my Prayer Man website to each person’s page, so no info has been lost.

This timeline is put together with the support of the documents, photographs and videos (click on the play symbol and a pop up window will show the vid) and is by no means cast in stone, if anyone knows of better info or timing(s) then I am all ears. This is a whole new paper compared to the first, due to its re-arrangements and also the extra evidence included. Thanks for taking the time to read this.
If you tell the truth, you don’t have to remember anything.

Mark Twain.

Vol. 1 released Sept. 8\textsuperscript{th} 2017 308 pages.
Vol. 2 released July 25\textsuperscript{th} 2019 3312 pages.
Justice in the sixties: conviction at all costs

What was justice like in Dallas, Tx under Henry Wade's tenure?

Henry Wade (a former F.B.I. agent) was elected to become the Dallas District Attorney in 1952 and stayed in that position until 1988. He was one of the most recognised and known D.A.’s in the U.S.A. He held a conviction ratio that no other D.A. in the U.S.A. could match. The motto “conviction at any cost....” has been used to describe his tenure as a District Attorney, which of course is also at the detriment of getting a fair trial. The promotion system under Wade rewarded prosecutors for high conviction rates.

What goes hand in hand with Wade's high rate of success in solving cases is Will Fritz’s clearance rate, which was documented in a recent article in the Dallas Observer, which stated that Fritz had a 98% clearance rate (compared to a rough 50% these days).
Over the past quarter century, he and his aides have solved roughly 98 per cent of the 54 to 98 homicides committed each year. (Dallas Morning News, March 1, 1959)

This 98% clearance rate is hard to swallow, it reminds me of what a despot in Belarus, North Korea or an African dictatorship would claim after an election victory. If you look at the crime rate figures presented through Dallas City Hall and especially 1963 it would show that Will Fritz and his Robbery & Homicide crew would clear just over two murders a week.

If that were true then its methods to this amazing achievement should have been copied by every police force in the U.S.A., no worldwide even, but we know that it hasn't.

The Texas Monthly stated that Fritz was one of three (Bill Decker and Bill Richburg being the two others) who could put a 'hold' on a prisoner meaning any district judge would grant their request not to release them on a bond or a writ. Think about that for a second or two...

Back to Wade: from an article in Texas Monthly in Sept. 2007: A 1963 treatise advised, “Do not take Jews, Negroes, Dagos, Mexicans or a member of any minority race on a jury.” In 1969 Jon Sparling, one of Wade’s top assistants, wrote a training manual warning against picking, among others, “free-thinkers” and “extremely overweight people” and said, “You are not looking for a fair juror but rather a strong, biased and sometimes hypocritical individual who believes that defendants are different from them.” In a NYT article from the 2002 Sparling states: “It’s not something I’d want the world to see”, referring to his memo, which he said he was asked to write informally for other prosecutors. “I wrote it very quickly. I wasn’t careful with my words. I’m not making any excuses for it.” “Everything has changed since then” he added. In 2005, when the U.S. Supreme Court overturned the 1986 capital murder conviction of Thomas Miller-El because Dallas County prosecutors had thrown ten of eleven eligible blacks out of the jury pool, it referred to the Sparling manual.
In an article from D Magazine in 1977 entitled *The Law and Henry Wade*, it becomes more than evident that Wade liked to win. *Wade ended his first year of tenure with a stunning record: 1002 convictions, including 132 trials, only seven of which resulted in acquittals. He had produced 13 death sentences, seven life imprisonment sentences, and convicted 746 hot check writers, more than half of whom went to prison.*

Troubling cases surfaced in the 1980s, as Wade’s career was winding down. A study by the Centre for Public Integrity looked at cases in Texas from 1970 to 2002 and revealed 215 in which appellate courts found prosecutorial misconduct at trial, and Dallas County had more than a third of them. The conduct mostly included things like failing to turn over exculpatory evidence favourable to the defendant (also known as a Brady violation), which the DA is required to do.

Nineteen convictions three for murder and the rest involving rape or burglar won by Wade and two successors who trained under him have been overturned after DNA evidence exonerated the defendants. About 250 more cases are under review.

No other county in America and almost no state, for that matter has freed more innocent people from prison in recent years than Dallas County. Evidence was ignored and defence lawyers were kept in the dark.

Craig Watkins, who in 2006 became the first African-American D.A., for Dallas Country, had a small team to look into the DNA of the evidence that Henry Wade ordered to be preserved in the 1980’s (something many other District Attorneys in the U.S.A. have not done). He also got a crew of *The Innocence Project* involved, which to date, nationwide, has exonerated 362 cases to date based on DNA evidence nationwide. Watkins *described Wade’s tenure* as that “there was a cowboy kind of mentality and the reality is that kind of approach is archaic, racist, elitist and arrogant.”

The police officers from his own jurisdiction were not happy with what Watkins was doing either, in a 2010 interview in *The Guardian* Watkins stated “Obviously police officers were taken aback because we were calling in to question the work they had done for all these years. It was the same among some folks in this office. They were afraid of the consequences of this Pandora’s box being opened” In Edward Gray’s book “Henry Wade’s Tough Justice” I was a bit surprised to hear a younger attorney recall a talk Wade made to his law class at S.M.U. He said that Wade addressed the probable cause issue saying “If my officers don’t have probable cause when they make an arrest, they will have it when they get to the courthouse”. It could be argued, of course, that Wade was not endorsing this practice, but just acknowledged the inevitability of it. One thing was certain, he certainly took no action to inhibit or prevent it.

Even though Wade and his assistants can be held accountable for some grave injustices, the reader should also take into consideration that Wade was one of the most respected prosecutors in the U.S.A. and also someone who stayed in his job for 36 years without any scandals and had the support from the public. A feat not many other D.A.’s can claim as an accolade.

And then also ponder about the fact that many of these wrongful convictions are the blame of various law enforcement officers who would lie under oath or exaggerate ‘facts’, and this paper deals with some of that.

Keep all this in mind knowing that the assassination happened almost 20 years before the cases’ evidence was stored away on Wade’s orders and that Watkins and his associates could actually look into and managed to reverse. Watkins also focused his attention on a stash of documents on the assassination of President Kennedy. He made public the *existence of 15,000 pages* that the D.A.’s office had been keeping away from the public eye for over forty years. The 6th Floor Museum has these archived.
The Reid Interrogation Technique

Before we get to the interrogations and the available records and testimony, I would like to introduce you to what is called The Reid Technique.

Bill Kelley brought this particular technique up in 2012 at his blog and Greg Parker, in even greater detail, wrote an essay regarding the use of the Reid Technique in conjunction with Fritz’s interrogation style in mind, in 2015.

Reid was a lawyer and former police officer from Chicago and at the time he helped establish modern polygraph techniques in 1947 using what he termed the Control Question Technique.

Reid continued to work on interrogation techniques and was often called by police in various cities to help with the questioning of suspects. The case that made his name came in 1955, with Reid now running a polygraph consultancy business. Police in Lincoln, Nebraska summoned Reid to assist in extracting a confession from a forestry worker named Darrel Parker for the murder of his wife. Reid hooked Parker up to a polygraph and with every question about the murder, Reid would inform Parker he was lying. As the interrogation wore on, Reid was making it up as he went along. There was no evidence to support any of it. And this is something the reader ought to understand: there is no law against lying by law enforcement officials during an interrogation…. They can make stuff up as they see fit, there is nothing that prevents them from doing so. In most EU states this is frowned upon and even seen as illegal.

Shortly after this case The Reid Technique was now being taught to local and state law enforcement officials, private security firms and the military as well as to federal agencies such as the F.B.I., Secret Service and the C.I.A.

The Reid Technique uses:

**Factual analysis:** an inductive approach where each individual suspect is evaluated with respect to specific observations relating to the crime.

**Behaviour analysis:** The Behaviour Analysis Interview (BAI) is a non-accusatory question and answer session, involving both standard investigative questions and “structured ‘behaviour provoking’ questions to elicit behaviour symptoms of truth or deception from the person being interviewed.”

And as part of this analysis The Reid Technique consists of:
Confrontation.
The interrogator presents the facts of the case and informs the suspect of the evidence against them implying in a confident manner that the suspect is involved in the crime.

Theme Development.
The interrogator creates a story about why the suspect committed the crime. Theme development is about looking through the eyes of the suspect to figure out why they did it.

Stopping Denials.
Letting the suspect deny their guilt will increase their confidence, so the interrogator tries to interrupt all denials.

Overcoming Objections.
Once the interrogator has fully developed a theme that the suspect relates to, the suspect may offer logic-based objections as opposed to simple denials.

Getting Suspect’s Attention.
The interrogator must procure the suspect’s attention so that the suspect focuses on the interrogator’s theme rather than on the punishment.

Suspect Loose Resolve.
If the suspect’s body language indicates surrender – head in his hands, elbows on knees, shoulders hunched — the interrogator seizes the opportunity to start leading the suspect into confession.

Alternatives.
The interrogator offers two contrasting motives for some aspect of the crime.

Bringing Suspect Into Conversation.
Once the suspect chooses an alternative, the confession has begun.

Confession.
The final stage of an interrogation is all about getting a truthful confession that will be admitted as evidence at trial.

Here is an interesting article in the New Yorker about “Do police interrogation techniques produce false confessions?”

You ought to be made aware about how police forces in the U.S.A. at that time and even now followed this technique to get a suspect to confess. And remember there is no law against a police officer lying to a suspect.
Recording the Interrogations

Overall there is not a lot to go by when it comes to recording the actual interrogations of Lee Harvey Oswald. Reports were made, but were mere summarisations of a session or a day report which would entail several hours of questioning.

There are some handwritten notes, but these did not appear until many years later, like Will Fritz's notes in the late 90's more than 33 years after the fact. And Jim Hosty's handwritten notes when he released his book many years later as well and the handwritten notes I found in Malcolm Blunt's archives in April 2019. Or the snippet of Forrest Sorrels’ handwritten notes inside the Warren Report.

- Will Fritz did not audio record any of the interrogation sessions, as it was not normal custom with police forces across the country. It only became normal procedure in the early 1980’s. And he claimed later on that they tried on two separate occasions, before the assassination, to obtain a tape recorder, but the requests were not honoured as becomes evident during Fritz’s WC testimony.

Mr. Ball. Did you have any tape recorder?
Mr. Fritz. No, sir; I don't have a tape recorder. We need one, if we had one at this time we could have handled these conversations far better.
Mr. Ball. The Dallas Police Department doesn't have one?
Mr. Fritz. No, sir; I have requested one several times but so far they haven't gotten me one.

Nor did he bother asking for any sound recording equipment from any of the many reporters out in the hallway less than 20 feet away! Add on that many of the females, who were typists and also answered the phones, inside the Robbery & Homicide office were not asked to type anything during these interrogations either. Due to the magnitude of this case he should have recorded it, then again he ran his shop as his fiefdom and no one messed with it. Not even the Chief of Police.

Others came up with all types of excuses.

- Bill Alexander in Larry Sneed’s No More Silence: Captain Fritz and I worked closely on numerous cases for years as well as on this particular case. The Dallas police and Fritz in particular were chastised by many for not recording the interrogations of Oswald. What most people don’t realize is that we had Miranda in Texas before the Miranda decision. Nothing that he said to us would have been admissible. Under Texas law at that time, the only admissible statements of a man made under arrest would be in writing after he’d been warned that he did not have to make any statement which could be used in evidence against him. He therefore voluntarily made his statement reduced to writing and signed it in the presence of a witness. In that first interrogation that I attended, Captain Fritz wanted information and Oswald wouldn’t give him a statement.

- Elmo T. Cunningham, Lt., Forgery Bureau in the same book by Larry Sneed’s No more Silence, gives a few good insights into Fritz's M.O.: "There was always a problem between Will Fritz, captain of the Homicide and Robbery Bureau, and the chief of police ever since I was in the department."
“As a general rule, the chiefs left Fritz alone. In fact, I suspect that he liked Curry and got along better with him than any other chief that he served under because Curry left him alone. Before Hansson was made chief, there was a lot of support to make Will Fritz chief because a lot of people liked him. He had a lot of publicity because he had cleared some difficult cases and some big cases which had gotten nationwide publicity which no one thought would be cleared. But Fritz wasn’t an administrator. He was an outstanding investigator and a super interrogator, but he was not an administrator in any sense of the word. He told me that he didn’t particularly want to be chief, but he said, “Now these people that’s passed the word around that I turned it down are wrong. I wasn’t offered the job. If I’d been offered the job, I’d have probably taken it.” To my way of thinking, Fritz was absolutely, beyond any question of doubt, the greatest interrogator I’ve ever heard talk to a person. He was a thorough, good investigator, and a good man. He was also a hard man and an unforgiving man. There was a saying that, once you got on his list, you stayed there. But if he liked you, there wasn’t anything he wouldn’t do for you. If he liked an officer that was working for him, and he thought that that officer was doing the best that he could, there was no way that he would ever fail to stand behind him. Now if he thought the officer was not doing his best, he got rid of them, and he did it himself. He wouldn’t put the man down in front of or to anyone else, but he would handle it personally. I think a lot of the techniques he used in interrogation just came naturally, and some of them he developed himself. For instance, when he was talking to a man or woman, he never let his eyes stray away from their faces. He looked them right in the eye and right in the face the whole time he talked to them so that he noticed the least little quiver of a lip and raising or lowering of the eyelid and so on.”

- Dallas D.A. Henry Wade summarises it best when it comes to Will Fritz and his ‘methods’ during his Warren Commission testimony: “But Fritz runs a kind of a one-man operation there where nobody else knows what he is doing. For instance, he is reluctant to tell me, either. But I don’t mean that disparagingly. I will say Captain Fritz is about as good a man at solving a crime as I ever saw, to find out who did it but he is poorest in the getting evidence that I know, and I am more interested in getting evidence and there is where our major conflict comes in.”

Fritz himself had another explanations shown in this document from during the H.S.C.A. investigation on the next page.
SUPPLEMENTAL


Captain Fritz stated that while interrogating Oswald, he asked Oswald if he learned to shoot a rifle in Russia. Oswald told Captain Fritz that no one was allowed to own a rifle in Russia. They could only have shotguns.

Captain Fritz stated that he did not have any recollection of having talked to Oswald, alone. He stated that he was not aware of anyone having interrogated Oswald, alone.

Captain Fritz was asked again if he had taken any notes or used any tapes. He said that he had seen too many cases where a suspect or witness refused to say anything when a tape recorder was being used or notes being taken. He stated that his normal procedure was to have one of his men sit in a corner of the room and be present for corroboration and also to take notes. He couldn’t remember if he had one of his men doing this or who it may have been.

Captain Fritz was asked if he felt any pressure on the case as a result of any phone calls or contact from any officials in Washington or elsewhere. He stated that he did not feel any pressure and that he did not receive any calls nor had he been contacted by anyone, causing any pressure on the case. He was not aware of any.

Captain Fritz stated that there was no doubt in his mind that Oswald had shot the President. He stated that if he hadn’t been...
Thomas Kelley’s W.C. testimony who attended Oswald’s interrogations from Saturday morning the 23rd goes into the subject of recording the interrogations he attended as well.

Mr. EDGAR. Thank you, Mr. Chairman. Mr. Kelley, I notice from some briefing materials that we have in our booklets that you were present during several interviews by Captain Will Fritz of Lee Harvey Oswald; is that correct?
Inspector KELLEY. Yes, sir.
Mr. EDGAR. Can you indicate for us why none of those interviews were taped?
Inspector KELLEY. The Dallas police didn’t have a tape recorder and I didn’t have one with me, and apparently no one else had one. They didn’t have a tape recorder for Captain Fritz anyway.
Mr. EDGAR. Wouldn’t it have been a logical thing in 1963 for--
Inspector KELLEY. Yes.
Mr. EDGAR [continuing]. For an investigative person like yourself from the Secret Service to demand or request or require a tape recorder be present when interrogating such a sensitive witness?
Inspector KELLEY. Well, I didn’t feel when I was allowed to come into the interrogation room that I had the right to insist on a recording of it. I was there as a guest of the Dallas Police Department and Captain Fritz was handling it. On hindsight, I should have wired myself before I went in there. But it was just my own position that I did not think I should insist on a recording of it.
Mr. EDGAR. You used the phrase "you didn’t think you were allowed", or you were given permission to go in and listen in on the interview. Was there a breakdown in lines and chains of command that made you feel as though you didn’t have full or equal opportunity with the captain of the Dallas Police Department to interrogate this witness?
Inspector KELLEY. No, there was certainly no lack of cooperation between the Dallas Police Department and ourselves and Captain Fritz and me. As a matter of fact, when we first went in to do the interviews, I didn’t know whether they had a recording or not. I guess I just assumed they had, but I did find out later that the interview was not being recorded.
Mr. EDGAR. In your conversation with Lee Harvey Oswald, what did he say to you?
Inspector KELLEY. He indicated to me that he was a Communist but not a Marxist. The only other things he talked to me about, or I talked to him about, was the fact that he had been accused by the police department as being the assassin and we were concerned about whether he was or whether there was somebody else that assassinated President Kennedy and I would like to talk to him about it, and he indicated, I will talk to you later.
Mr. EDGAR. Did he indicate to you at that time that you were the first Secret Service agent to talk with him?
Inspector KELLEY. No; I don’t recall that conversation with him.
Mr. EDGAR. Had he encountered any other Secret Service agents prior to your conversation with him?
Inspector KELLEY. No; he hadn’t. (Ehm yes he did, with Forrest Sorrels at around 4 PM-B.K.)

There are some notes available from the interrogations of Oswald, but at first (meaning the 60’s) very little was shared with the public.
The so called Fritz interrogation notes, did not surface until the second half of the nineties when the A.R.R.B. received them through an anonymous donor. Thirty three years after the fact.

It is highly doubtful that these notes represent contemporary notes during the interrogations. The notes mention “the deceased” meaning Oswald was already in the morgue. Doughty handing the evidence over to the F.B.I., which did not happen until very early in the morning. of the 23rd and there is no D.P.D. record of fingerprinting the rifle on the 22nd. Jim Hosty mentions in his Church Committee testimony that he was the only person taking notes during the very first interrogation. We also know that Harry Dean Holmes, the U.S. Postal Inspector took notes during Oswald’s fifth and final interrogation on Nov. 24th due to Charles Dhority’s W.C. testimony.

Harry Dean Holmes, wrote a report in which he stated that Fritz asked Oswald about the Hidell I.D. card, and Oswald “flared up and stated ‘I’ve told you all I’m going to about that card. “You took notes, just read them for yourself, if you want to refresh your memory’ Oswald could have been referring to anyone in that room.

Overall there is very little available note wise on a case of this magnitude, but what is available gives the reader a few good insights in this timeline.

Henry Wade had his take on Fritz ‘taking notes’ as well.
Lee Oswald was captive for almost 44 hours until he was murdered by Jack Ruby. He was interrogated for about 12 hours inside Captain Fritz’s office (which measured 14 x 9.5 ft.) in the Homicide and Robbery Bureau on the third floor of the DPD station without any legal representation present.

There are quite a few people who were involved with escorting Oswald, attending and/or participating in the interrogations of him. And at some time 5-6 persons crowded Fritz’s tiny office inside Room 317. The Warren Report has a page which lists the D.P.D. officers involved, but I could not find anything that listed F.B.I. and Secret Service agents until I found the list shown on the following pages in Malcolm Blunt’s archives in Feb. 2019 which gives a pretty accurate listing of who did what.

There are some people missing:

- From the F.B.I.: Joe Myers, George Carlston, Nat Pinkston and Vince Drain.
- Ex assistant-D.A. James K. Allen, which is not a surprise as he was there as a private citizen at that time. But he was a good friend of Will Fritz so he had all the access to room 317 he wanted to have.
Thanks to Malcolm Blunt.
All photos by Jim Murray – Black Star.

Timeline of Oswald’s Interrogations.
Nov 22nd
13:50 Lee Harvey Oswald is arrested at the Texas Theatre

- Sergeant Gerald Hill said that Oswald had requested counsel at the time of his arrest inside the Texas Theatre. During Hill’s W.C. testimony.

Mr. HILL …..Now if we can back up a little bit to where we made the, got him handcuffed in the theatre, before we started moving out with him, he started, Oswald or the suspect at this point, we didn’t know who he was, so we will keep on calling him the suspect, started making statements about “I want a lawyer. I know my rights. Typical police brutality. Why are you doing this to me.”

Later during that very same testimony.

Mr. HILL ……..he had previously in the theatre said he wanted his attorney.
Mr. BELIN. He had said this in the theatre?
Mr. HILL. Yes; when we arrested him, he wanted his lawyer. He knew his rights.

Paul Bentley, in his Oral History Interview from 2008 for the 6th Floor Museum, at 18:30 asked him, inside the car on their way to City Hall, “Did you kill our President?” to which Oswald replied: “I haven’t shot a damn person.”
14:00 Oswald is brought in to the 3rd floor inside City Hall

- Frank Underwood filmed Oswald in the elevator of the DPD station while they went up. From Richard Trask’s Pictures of The Pain: “I reached City Hall in time to film Oswald being brought in, and I rode up in the elevator with him. A police sergeant said, ‘we got witnesses that saw him shoot Tippit.’ The police tell us whether or not a suspect is good for the charges, and we know how to play the story. But Oswald leaned around and looked straight at me, saying defensively, ‘I didn’t kill anybody’ (P.421).

Gerald Hill on the right, wearing dark suit and hat escorting Lee Oswald, after his arrest in the Texas Theatre, from the elevator towards the offices.

In the video on the next page you can see Oswald arriving at the DPD with his shirt hanging off his shoulder and being led past Billy Lovelady who is sitting down on the right inside the Robbery & Homicide Bureau.
Sergeant Gerald Hill, spoke to the press shortly after Oswald's arrest and supplied incriminating details, yet not once mentioned the Alek Hidell ID. And they allegedly found his billfold containing this important bit of evidence!

Now Gerald Hill could have forgotten to mention this, but when he is interviewed for a second time as mentioned in the supplementary volumes of the Warren Report, Hill states to the newsmen, “The only way we found out what his name was, was to remove his billfold and check it ourselves; he wouldn’t even tell us what his name was.” Later in the interview a reporter asks, “What was the name on the billfold?” Hill replies, “Lee H. Oswald, 0-S-W-A-L-D.”

No mention at all of the name Hidell. Gerald Hill in a filmed interview (at 03:44) also stated that they turned Oswald over to Captain Fritz of the Homicide Bureau. In the video below Hill is describing Oswald’s interrogation in a rather peculiar way. See for yourself.
• Charles Truman Walker, who was part of the crew that arrested and transported Oswald from the Texas Theatre in his HSCA statement states that he searched him good and found nothing. Keep this in mind when we get to the bus transfer and the five bullets ‘found’ on Oswald about 2.5 hours later on page 82.

Walker interview

replying: "It doesn't take a second to die." That reply is still clear although the statement prompting it no longer is.

Also "LHO was saying 'What's the big deal about carrying a gun? I carry it for protection'."

Actually, Walker says, they had very little to say to him. In any event, the trip was made without incident.

In the basement, up the elevator to Homicide and Captain Fritz.. as we entered, Fritz said for us to move in a small room to one side. I remember taking his billfold from his pants pocket before he sat down (we left the cuffs on him). Going through his cards, I asked his name and he said "Lee Oswald." I then found a card with "Hidell" on it and asked about that. He said "I don't know anything about that."

Someone overheard Captain Fritz say they were looking for Lee Oswald and they called out to him "We've got Lee Oswald in here, Captain".

Fritz then told them to come out there where he was and leave the uniform man (me) in there with him. They walked out there and closed the door behind them.

Being alone in there with him made me think. He could still have a weapon, so I searched him good, but found nothing.

I played the tape for Walker where the announcer ostensibly was quoting LHO as saying "I've killed a president and a cop, now I've got two more to go." and he advised LHO said nothing like that anytime he was present.

Thanks to Malcolm Blunt.
14:15 - 14:25 "Talked to" by officers Gus F. Rose and Richard S. Stovall

- Bob Carroll, a detective who was part of the group of men filmed bringing in Oswald after his arrest at the Texas Theatre states in his W.C. testimony that Gus Rose was one of the first officers talking to Oswald.

- Richard Stovall described this initial encounter with Oswald in the joint report made up with Gus Rose and John Adamcik, see the next page.
Richard Stovall’s W.C. testimony mentions the following before he is sent out by Fritz to search Ruth Paine’s house and her garage alongside with Rose and Adamcik, which seemed to be able to produce many different incriminating things over that short time period.

Mr. BALL. Were you given an assignment as soon as you got down there?
Mr. STOVALL. No, sir; I wasn’t— as soon as I got there. I got there and one of my partners, G. F. Rose, got there about the same time. We were talking to a witness that had seen all
the people standing out there—he didn’t actually see anything, so we didn’t even take an affidavit from him because he didn’t see anything. While talking to him, the officers brought Lee Harvey Oswald into the Homicide Bureau and put him into an interrogation room we have there at the bureau. After we finished talking to this witness, we went back there and talked to him briefly.

Mr. BALL. Do you remember what was said to him and what he said to you?
Mr. STOVALL. I don’t recall exactly—I went in and asked him for his identification, asked him who he was and he said his name was Lee Oswald, as well as I remember. Rose and I were both in there at the time. He had his billfold and in it he had the identification of "A. Hidell," which was on a selective service card, as well as I remember.
Mr. BALL. That’s [spelling] H-i-d-e-l-l, isn’t it?.
Mr. STOVALL. I’m not positive on that—I believe it was [spelling] H-i-d-e-l-l, I’m not sure. And he also had identification of Lee Harvey Oswald, and I believe that was on a Social Security card and at that time Captain Fritz opened the door to the office there and sent Rose and I to go out to this address in Irving at 2515 West Fifth Street in Irving. That was—I don’t know where the Captain got the address, but it was an address where he was supposed to be staying part of the time.

- Gus Rose’s W.C. testimony of Gus Rose states:

Mr. Rose. There were some people in the office from the Book Depository and we talked to a few of them and then in just a few minutes they brought in Lee Oswald and I talked to him for a few minutes.
Mr. Ball. What did you say to him or did he say to you?
Mr. Rose. Well, the first thing I asked him was what his name was and he told me it was Hidell.
Mr. Ball. Did he tell you it was Hidell?
Mr. Rose. Yes; he did.

And from that short interview session with Oswald something important becomes apparent: Rose and Stovall contradict each other in their Warren Commission testimonies. Yet they were inside the same room with Oswald.

Gus Rose took no notes during Oswald’s chat, but in this article in 1998 for D Magazine he said the following about what Oswald said.

"The suspect had suffered a small red abrasion over his right eye while scuffling with officers at the Texas Theatre in Oak Cliff. But the young man didn’t seem dazed or confused at all. He was angry and arrogant. "I don’t know what I’m doing here," he said.

A homicide detective for only three years. Rose would later gain renown as a skilled interrogator. Blocking out the hubbub, he turned his attention to the hostile suspect. "I don’t own a gun," the man said. "I didn’t have that gun. They planted that on me when they arrested me."

"Have you ever owned a gun of your own?" Rose asked evenly.
"No," he retorted. "I never owned one."
In the same article he also mentions that a knock at the door interrupted the detective’s ruminations. He opened the door a crack, blocking the suspect’s view. There stood his boss, Capt. Fritz. “We’ve just come from the book depository.” Fritz said. “We’ve pretty well finished with the investigation at the site. We’ve accounted for all the employees who work there except one I want you to get some officers to go with you and find the guy who’s missing. He’s a suspect.” Rose winced. “Well, I would. Captain,” Rose said, “but I’m talking to the guy here that killed Tippit.” If another interrogator stepped in, the process would be set back. “I’ll have somebody else work that out,” Fritz said. “I want you to find this guy.” “Well, okay,” Rose said reluctantly. “What’s his name?” Fritz fished around in the breast pocket of his blue suit and brought out a piece of yellow paper. “His name is Lee Oswald.” Rose went cold. He turned to look at the suspect, who stared back defiantly. On the table lay the two identification cards. Rose looked down at them. One read “Alek Hidel.” The other: “Lee Oswald.” “Captain,” Rose said, “I think we’ve got him right here.”

The whole dialogue described above resembles a fairy tale as told by Rose. An investigation that lasted less than 90 minutes was already done..... Oswald was not the only employee missing at that time (Charles Douglas Givens of the T.S.B.D. crew and several publishing companies employees were missing). Nor was Oswald ever deemed a suspect, the description of the possible suspect radioed over the police channel was very generic. The next person who can shed more light on this is a reporter from the Dallas Morning News.

- Kent Biffle joined the D.P.D. as they went inside the T.S.B.D. building, wrote the following on missing people:

  ... only two of us (reporters) had arrived at the ambush building (the Depository) by this point. ... Getting in was no problem. I just hid my press badge ... and went in with the first wave of cops. ... 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 that there was an earlier roll call that had been
Inconclusive because several employees were missing. This time, however all were accounted for except Oswald. I jotted down the Oswald information. . . . Neither the police in the building nor the superintendent knew that Oswald already was under arrest. What needs to be added is the fact that Charles Douglas Givens was also missing and so were several other employees from the publishing companies on the floors above. I have written about this in 2018 at my website.

Jim Leavelle, who is probably one of the most famous Dallas cops to come out of this tragedy and like Elmer Boyd is still alive! He is seen on video, a few pages down, claiming that he interrogated Oswald regarding the Tippit murder. The strange thing is, is that there is no mention whatsoever of this in his statement nor in his W.C. testimony! No evidence exists at all that he interrogated Oswald, besides Leavelle’s own say so in later years after the assassination.

When Leavelle testified before the Warren Commission, he claimed that the first time he had ever sat in on an interrogation with Oswald was on Sunday morning, Nov. 24th, 1963. When Joseph Ball asked Leavelle if he had ever spoken to Oswald before this interrogation (page 269), he stated; “No, I had never talked to him before”. Leavelle then stated during his testimony that “the only time I had connections with Oswald was this Sunday morning (November 24, 1963). I never had (the) occasion to talk with him at any time...”

Compare the above with a part of a transcript from an interview with Joe Nick Patoski published in Texas Monthly at least 30 years later.

TM: Where were you on November 22?
Jim: Since my partner was on vacation, I was assigned to cover anything that came in the office. And all my other cohorts in homicide were given different assignments, some of them on the street, a lot of them out at the trade mart, and two of them were in the motorcade.

TM: You had work to do on the 22nd. At what point did you come in contact with Lee Harvey Oswald?

Jim: After he was arrested, they brought him in and set him in the interrogation room and I talked to him strictly about the shooting of Officer Tippit. I didn't have any idea he was going to be a suspect in the Presidential assassination.

TM: As the reports of the crime came in, did it seem clear that this guy did the crime?

Jim: We didn't know at the time. 'Course, another thing that we didn't know was whether he was acting alone or had somebody with him and it took a lot of legwork and time for us to determine he actually was alone.

TM: So you had an opportunity to interrogate him?

Jim: I talked to him, yeah, about 10, maybe 15 minutes one-on-one before Captain Fritz and the other officers came back from the book depository, preparatory to going [to] look for him, and found out he was already there. When the Captain [came] in and asked me what his name was, and I told him, he asked me where he worked, and he said the book depository, he said, 'You're the one I want to talk to.' So, in essence, they took my prisoner away, I lost my prisoner. He and Chief Charles of the Secret Service.

TM: When did you see him again?

Jim: Oh, I saw him off and on for the next day or so, but I didn't talk to him because the powers that be were talking to him. But I spent my time making a case on it for the shooting of the officer.

Leavelle is seen inside the Robbery & Homicide office, sitting next to E.R. Beck, earlier on Nov. 23rd. M.G. Hall standing in the doorway of the Wilf Fritz's office in the back looking in.

Now read Jim Leavelle's report on the next page, which is devoid of any mentioning of any talking to or better yet interrogating Lee Oswald. Leavelle does provide a nice list of all persons present inside Captain Fritz's office on Sunday the 24th. But that is it.
In this oral history video from the 6th floor museum, the conversation turns very interesting at 14:55.
Leavelle walked into the office on the third floor and Oswald was already sitting there. He claims that he interviewed Oswald for 15 minutes before Will Fritz took him away from him. Leavelle said he interviewed Oswald only about the Tippit shooting and when he relayed this info he stated that Oswald was telling lies and so on.

Leavelle himself during his W.C. testimony, used “I do not recall” 30 times in two testimony sessions and “I don’t remember” 9 times. Quite a few instances of failed memory when it comes to his actions during that big important day only about 4 months later. But in later years he was able to give precise details surrounding all this without any trouble. This btw, is something that seems to be present with almost all D.P.D. law enforcement officers’ memories during their Warren Commission testimonies: collective amnesia when it comes to remembering details of Oswald’s interrogations.

Leavelle said that Oswald, when asked to produce his ID, he panicked and killed the cop with four shots at point-blank range. There is absolutely nothing present to support this and if from reading other detectives statements one thing becomes more than abundantly clear, the last person to panic in Texas was Lee Oswald!

Leavelle is quoted by Joseph McBride’s Into The Nightmare on page 319 “When I walked in (to Captain Fritz’s office to help interrogate Oswald) and I started talking to him about the shooting of officer Tippit, I had no idea whatsoever that he was going to be a suspect in the presidential shooting. Not one bit. “That whole sentence I find hard to believe.

In the next oral history video from 2008 (at 10:45) he also states that Oswald stated “I did not shoot anybody”
It is pretty clear that Jim Leavelle has been economical with the truth regarding his so called interrogation of Lee Oswald on Nov 22nd.

- Joe R. Cody, Detective, Burglary and Theft, says the following in Larry Sneed’s No More Silence.

At that time, we already had a tremendous amount of people in City Hall. Hill, Bentley, and McDonald asked, "What are we going to do with him?" And I said, "Bring him over and we’ll put him in Burglary and Theft." So I talked to him and said, "Now, what is your name?" He said, "My name is Lee Harvey Oswald." "Where do you work?" He said, "Texas School Book Depository." Then it began to dawn on me what had happened when he told me where he worked. Initially, I was alone in the little interrogation room with Oswald. When he told me his name, it kind of rang a bell. The only things that he told me were his name, which he had been in the Marine Corps, his serial number, and where he lived and worked. He wasn't arrogant. In fact, he reminded me of a captured war prisoner: Just give your name, rank, and serial number. I was sure that he had shot the officer and was pretty sure that he was the one who had shot the President, and still am. I figured that we finally had closed the case. It was relatively simple then, but in the years since, it's gotten rather complicated.

Now compare the above statement in Larry Sneed's No More Silence with next page’s article published in Today Cedar Hill (Duncanville, Tex.), Vol. 36, No. 6, Ed. 1 Thursday, April 26, 2001.
DeSoto man's life is Adventure from every Angle

While his life now is more subdued, DeSoto resident Joe Cody recalls a time when his career as a Dallas police officer found him in the middle of the John F. Kennedy assassination investigation. Along with enjoying photography and canoeing, sharing his officer's adventures is a hobby for Cody.

By Jennifer Butt

Photos by David Goodspeed

April

No Foolin'

Joe Cody
Former Dallas Police Officer

"If there was a conspiracy behind (John F. Kennedy's assassination), I don't know about it. And believe me, our police department investigated everything."
In a 1989 interview by Bob Milner, Cody, who is in a hotel room with Milner, Jim Leavelle is also present during that interview:

“Mr. Cody, did you have any involvement in the interrogation of Oswald and did you happen to have an opportunity to observe his actions and moods?”

“Well, yes I did. Jerry Hill, Nick McDonald, and Paul Bentley brought him up to the Office. At that time we didn’t know that Oswald was involved in killing the President, but we did know that he was involved in killing an Officer out there. And they brought him up to Burglary & Theft and I talked to him a little while. I ask him his name and he told me and I ask where he worked and he said, the Texas School Book Depository, and that’s when the light dawned. I went across and told Captain Fritz that we had him in there, in the interrogation room over there. I think Jim Leavelle talked to him later. (Leavelle sitting on the bed shakes his head, yes). That’s how we knew that Oswald was involved in the shooting of the President.

Cody is the guy who supposedly sold the gun in ’62 to Jack Ruby. The one that he used to snuff Oswald out with.

Cody reconfirms all this at the 40th anniversary “40 people, 40 stories”. So now Cody did the talking at first, then Leavelle and then Fritz? And what about Rose and Stovall?

Cody in Barry Ernest’s The Girl On The Stairs says: “They tried to get him (Oswald) into Homicide and they couldn’t so they took him over to Burglary and Theft. They put him into an interrogating room and I’m talking to him and I said, ‘What’s your name?’ He said, ‘Lee Harvey Oswald.’ ‘Where do you work?’ ‘Texas School Book Depository.’ I said, ‘Did you work today?’ He said, ‘Yes.’ So I called an officer in and said, ‘Kill him if he moves.’”

This scenario is hard to reconcile with what actually happened.
Lieutenant T.L. Baker confirms that Rose and Stovall spoke to Oswald first and not Cody and Leavelle.
Before Fritz gets to talk to Oswald, he makes a little detour from the T.S.B.D. via Bill Decker's office.

- Richard Sims' W.C. testimony.

BALL. Now, you left the building about what time?
Mr. SIMS. Well, we arrived at the city hall around 2 o'clock--I'll have to look at the record--on this--about 2:15--we left there evidently about 2 o'clock.
Mr. BALL. You and who?
Mr. SIMS. Captain Fritz and Boyd.
Mr. BALL. Then where did you go?
Mr. SIMS. Captain Fritz went over and talked to Sheriff Decker. He sent word he wanted to talk to Captain Fritz, so we talked to the sheriff and then we went to the city hall.
Mr. BALL. Where was Decker when he said he wanted to talk to Fritz?
Mr. SIMS. Well, I didn't go inside the sheriff's office--I stayed out in the corridor there.


- Elmer Boyd confirms this in his W.C. testimony.

Mr. BALL. Did you go to Decker's office with Fritz?
Mr. BOYD. Yes sir.
Mr. BALL. And then you went with Fritz up to your office?
Mr. BOYD. Yes, sir.

I would have liked to have been a fly on the wall during that particular conversation. What was so important that Fritz had to pop over and speak in person and could not be done over the phone?
14:20 - 16:05 First Interrogation

Present:
F.B.I. agents James Bookhout and James Hosty join later.

- Captain John Will Fritz is our main man. Fritz was regarded as a legend who could squeeze a confession out of almost anyone. Almost.......
This first page is key to Oswald’s whereabouts during and just after the shooting. At the top it states the co-presence of Bookhout and Hosty and then underneath in the right column it says:

- “Claims 2nd floor coke when officer came in” Although this may seem clear cut, it isn’t. It doesn’t place Oswald on the 2nd floor at all, it says that he had a coke from the 2nd floor when a police officer came in. Then as per Sean Murphy’s theory the “when” word could actually be the start of a new sentence. See the link at the top of this page.
- “To first floor had lunch” Strengthens the claim that Oswald had the coke from the 2nd floor and had made his way down to the 1st floor. Oswald stated that he had lunch inside the Domino room. You have to ask yourself how did Oswald know that James Jarman and possibly Harold Norman were inside that very same Domino Room or passed through picking up their lunches before they made their way up to the 5th floor.
- In the same column Fritz writes “out with Bill Shelley in front” which can only be Oswald’s answer as to where he was during the shooting or when the motorcade passed by.
  Again how did Oswald know that Bill Shelley was standing outside in front? It has been well documented, with Shelley’s statements that he left those steps immediately after the shooting and went back inside through the side entrance minutes later and not to be seen outside again until being filmed escorting Danny Garcia and Bonnie Ray Williams to a squad car outside the TSBD at about 1:30 PM. Oswald, supposedly, spoke to Shelley about no work being done this afternoon and left shortly after. If he did speak to Shelley then it would have been inside the T.S.B.D. and not outside.
- This tightens Oswald’s alibi even more, that he was on the first floor himself as well.
- The Hidell ID doesn’t get a mention during these interrogations at all, which is rather strange if you believe Gus Rose. The ID is mentioned during the interrogations in the morning of the 23rd according to Fritz’s notes and not earlier.
Fritz surmises the first interview in his WC testimony as follows:

Mr. BALL. Who was present when you talked with him?
Mr. FRITZ. At that time, when I first brought him in there, there would be Sims and Boyd and probably one or two officers from the office, I am not sure, just who else might have been there. I know those two, I am sure, I believe those two were there. Just about the time I started talking to him, I had just started to question him, I got a phone call from Mr. Shanklin, Gordon Shanklin, agent in charge of the FBI calling for Mr. Bookhout, and I asked Mr. Bookhout to go pick up the extension.
Mr. BALL. Was Mr. Bookhout there?
Mr. FRITZ. He had just come into the lieutenant's office and Mr. Shanklin asked that Mr. Hosty be in on that questioning, he said he wanted him in there because of Mr. Hosty knowing these people and he had been talking to them and he wanted him in there right then. So, I got up from my desk and walked over to the lieutenant's office and asked Mr. Bookhout to come in, the reason I asked both of them to come in and Mr. Bookhout is in my office most of every day and works with us in a lot of cases and asked him to come in with Mr. Hosty.
Mr. BALL. So Bookhout and Hosty came into your office?
Mr. FRITZ. Yes, sir.
Mr. BALL. Was anyone else present?
Mr. FRITZ. I don't remember whether there was anyone else right at that time or not.
Mr. BALL. Do you remember what you said to Oswald and what he said to you?
Mr. FRITZ. I can remember the thing that I said to him and what he said to me, but I will have trouble telling you which period of questioning those questions were in because I kept no notes at the time, and these notes and things that I have made I would have to make several days later, and the questions may be in the wrong place.
Mr. BALL. What is your best memory of what you said to him when he first came in?
Mr. FRITZ. I first asked him as I do of most people something about where he was from, and where he was raised and his education, and I asked him where he went to school and he told me he went to school in New York for a while, he had gone to school in Fort Worth some, that he didn't finish high school, that he went to the Marines, and the Marines, and finished high school training in the Marines.
And I don't remember just what else. I asked him just the general questions for getting acquainted with him, and so I would see about how to talk to him, and Mr. Hosty spoke up and asked him something about Russia, and asked him if he had been to Russia, and he asked him if he had been to Mexico City, and this irritated Oswald a great deal and he beat on the desk and went into a kind of a tantrum.
Mr. BALL. What did he say when he was asked if he had been to Mexico City?
Mr. FRITZ. He said he had not been. He did say he had been to Russia, he was in Russia, I believe he said for some time.
Mr. BALL. He said he had not been in Mexico City?
Mr. FRITZ. At that time he told me he had not been in Mexico City.
Mr. BALL. Who asked the question whether or not he had been to Mexico City?
Mr. FRITZ. Mr. Hosty. I wouldn't have known anything about Mexico City.
Mr. BALL. Was there anything said about Oswald's wife?
Mr. FRITZ. Yes, sir. He said, he told Hosty, he said, "I know you." He said, "You accosted my wife on two occasions," and he was getting pretty irritable and so I wanted to quiet him down a little bit because I noticed if I talked to him in a calm, easy manner it wasn't very hard to get him to settle down, and I asked him what he meant by accosting, I thought maybe he meant some physical abuse or something and he said, "Well, he threatened her." And he said, "He practically told her she would have to go back to Russia." And he said, "He accosted her on two different occasions."
Mr. BALL. How long a time did you sit with Oswald and question him this first time?
Mr. FRITZ. The first time, not but a few minutes.
Mr. BALL. That was the time Hosty and Bookhout were there?
Mr. FRITZ. That is right. But sometimes when I would leave the office to do something else, it is hard to imagine how many things we had happening at the one time or how
many different officers we had doing different things without seeing it but we were terribly busy.
I had called all my officers back on duty and had every one of them assigned to something, so going back and forth kept me pretty busy running back and forth at the time of questioning.
I don't know when I would leave, I suppose Mr. Bookhout and Mr. Hosty asked him a few questions, but I don't believe they questioned him a great deal while I was gone.
Mr. BALL. You said just a few minutes, what did you mean by that, 15, 20, 25?
Mr. FRITZ. It would be pretty hard to guess at a time like that because we weren't even quitting for lunch so I don't even know, time didn't mean much right at that time. For a few minutes, you would think 30 or 40 minutes the first time.
Mr. BALL. Thirty or forty minutes?
Mr. FRITZ. I am guessing at that time.

And

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."

And here is a segment of Fritz's testimony where he stutters and startles when it comes to the alleged second floor lunch room encounter. From the mountain of evidence there is it has become abundantly clear that the encounter never happened inside the second floor lunch room and that Fritz, Hosty and Bookhout made things look like it did happen.

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.

Elmer Boyd who departed the TSBD alongside with Captain Fritz was present at the majority of Oswald's interrogations, yet keeps not recalling on quite a few occasions during his Warren Commission testimony.

Mr. BOYD. Well, they participated in the interrogation-Mr. Hosty asked him some questions and he was pretty upset with Mr. Hosty.
Mr. BALL. What do you mean by that, what gave you that impression-what happened?
Mr. BOYD. Well, just by Oswald's actions, he said he had been to his house two or three times talking to his wife and he didn't appreciate him coming out there when he wasn't there.

Mr. BALL. Is that what he said to Hosty?

Mr. BOYD. Yes, sir.

Mr. BALL. Anything else?

Mr. BOYD. I don't recall—I know Mr. Hosty asked him several questions and finally he jumped up and hit the desk, Oswald did, and sat down, and like I say, he was pretty upset.

Mr. BALL. Was he handcuffed at that time?

Mr. BOYD. Yes; I believe he was handcuffed.

Mr. BALL. Was he handcuffed with his hands behind him?

Mr. BOYD. No, sir.

Mr. BALL. Had his hands been handcuffed behind him before he came into the room?

Mr. BOYD. I couldn't say if they had or not—they could have been.

Mr. BALL. Do you know whether the handcuffs were changed after he got in the room?

Mr. BOYD. They could have been changed after he got in the room—I'm not certain.

Mr. BALL. Who changed them?

Mr. BOYD. I don't recall.

Mr. BALL. Now, when Oswald jumped up and struck the desk, he struck the desk with what? With his hand?

Mr. BOYD. With his hands.

Mr. BALL. What did Hosty ask him before that?

Mr. BOYD. He had asked him about a trip to Mexico City?

Mr. BALL. Who did?

Mr. BOYD. Mr. Hosty.

Mr. BALL. What did Oswald say?

Mr. BOYD. He told him he hadn't been to Mexico City.

Mr. BALL. What else?

Mr. BOYD. I don't recall just exactly—I think that the words that he used when he was talking to Mr. Hosty was that he had been out there and accosted his wife, I believe that's the words that he used and like I said, after he talked to him, he said he didn't appreciate him coming out there to his house.

Mr. BALL. What was it that Hosty said before Oswald got up and struck the desk with his hand—what question did he ask?

Mr. BOYD. I don't remember what the question was. I know it had something to do with—let me see—I'm not sure if he was still talking to him about his wife or the trip to Mexico City.

Mr. BALL. You remember he did ask him if he took a trip to Mexico?

Mr. BOYD. Yes, sir.

Mr. BALL. Oswald said he had not?

Mr. BOYD. He said he had not been to Mexico.

Mr. BALL. And what did Hosty say to that?

Mr. BOYD. He asked him if he denied being to Mexico City—I've just forgotten—it wasn't too awful long before that—I don't recall just exactly what time that he said—I know it was something recent.

Mr. BALL. What did Oswald say?

Mr. BOYD. He said he had not been there.

Mr. BALL. Do you remember anything else that was said?

Mr. BOYD. No, sir not right offhand—I don't.

Mr. STERN. Did he ask him anything about Russia?

Mr. BOYD. Yes, sir; something was asked him—I don't recall who asked him about that, and he told us about going over to Russia, I believe he was there in 1959, or something like that—about 1959. I'll tell you, I didn't keep notes in there because of the fact I was sitting right beside Oswald—right in front of him more or less.

Mr. BALL. Did anybody keep notes?

Mr. BOYD. I saw the FBI man writing—they had a little book-across the table over there.
Mr. BALL. Did you have any microphones in there to record the conversation?
Mr. BOYD. No, sir.
Mr. BALL. Do you as a practice record the interrogations of your prisoners?
Mr. BOYD. No, sir; we don’t.
Mr. BALL. How long did this take--how long was he questioned at this time?
Mr. BOYD. Let me see—we took him down to the first show up right after 4 o’clock, I think I have the exact time here 4:05 is when we left.
Mr. BALL. Was he in Captain Fritz’ office from the time you took him in there—what time was that?
Mr. BOYD. At 2:15-2:20.
Mr. BALL. From 2:20 until 4 o’clock?
Mr. BOYD. Yes, sir.

That time frame makes it look that Hosty and Bookhout arrived at least 30-40 after Fritz had started the interrogation of Oswald.

During his HSCA testimony Elmer Boyd states: the notes he took (whereas during his W.C. testimony he stated that he did not take any notes!) during the interrogations were transposed into his statement

In the 2013 documentary “Capturing Oswald” Boyd says about Oswald’s interrogations: “He had an answer for everything. It may not be the right answer, but he’d give you an answer, you know.” After Hosty had joined the ‘party’ Boyd says: “He just came down like this and hit the table. And eh, he just quit. He just quit talking to him, he won’t talk to him anymore. I wish that Captain Fritz would have had time to talk to him by himself and one of us with him (which would have usually been the case-B.K.) I think we would have learned a lot more, I really believe that.”

In this video Boyd talks about the first interrogation, once asked about Oswald’s whereabouts during the shooting Boyd’s mannerisms are odd combined with his reluctance to talk about it.

- Richard Sims, with Dallas police since 1948 and homicide since 1957. And who was with Fritz at the Trade Mart when things kicked off. He probably is the most forgetful person of the whole bunch. Harold Weisberg noted this already decades ago:

“Sims is another case of a man who remembers nothing, is not asked searching questions to find out, in fact he does remember anything, or why he doesn’t remember anything. He is exceedingly careful to say nothing involving any superior. He remembers Oswald was questioned, he remembers he questioned Oswald, he remembers none of the questions he asked and none of the answers Oswald gave.”
Richard Sims on the left, M.G. Hall, Oswald and a D.P.D. police officer.

**Sims' Warren Commission testimony:**

Mr. BALL. What happened then?
Mr. SIMS. Well, I don't know, let's see, we took Oswald at 2:20, Boyd and I, took Oswald from the interrogation room to Captain Fritz' office.
Mr. BALL. You and Boyd?
Mr. SIMS. Yes.
Mr. BALL. At 2:20 took Oswald--that's the first time you saw Oswald?
Mr. SIMS. Yes, sir; that's right, he was there in that interrogation room.
Mr. BALL. And who was in Fritz' office at that time?
Mr. SIMS. Well, let's see, during the interrogation, there was Mr. Bookhout, that's Jim Bookhout, and Mr. Hosty, and Boyd and I and Captain Fritz.
Mr. BALL. Did you make notes of what was said at that time?
Mr. SIMS. No, sir; I didn't.
Mr. BALL. Did your partner, Boyd, make notes, do you think?
Mr. SIMS. I don't know if he did or not.
Mr. BALL. Do you have anything from which you can refresh your memory as to what was said in that interrogation?
Mr. SIMS. No, sir.
Mr. BALL. You have some memory of what was said, don't you?
Mr. SIMS. Well, not the exact wording or the exact questions.
Mr. BALL. Give us your memory of the substance of what was said there at that time.
Mr. SIMS. Well, I couldn't say that. I know that it consisted of his name and where he lived and things of that nature, and where he worked.
Mr. BALL. Now, tell us all you can remember, even though it is not complete, just tell us as much as you can remember?
Mr. SIMS. I don't remember--I know, like I say, he asked him his name and where he worked and things of that nature.
Mr. BALL. Did they ask him whether or not he had killed Tippit?
Mr. SIMS. Yes, sir; I believe he did.
Mr. BALL. What did he say?
Mr. SIMS. He said, "No."
Mr. BALL. Did they ask him if he had shot the President?
Mr. SIMS. I don't remember now what--I wouldn't want to say for sure what questions he did ask him.
Mr. BALL. Who did the questioning?
Mr. SIMS. Captain Fritz.
Mr. BALL. Did anyone else ask him questions?
Mr. SIMS. Well, I don't know if they did or not.
Mr. BALL. Did you ask him any questions?
Mr. SIMS. No, sir.
Mr. BALL. Well----
Mr. SIMS. Not at this time here, I didn't but I talked to him later on that evening.
Mr. BALL. But you didn't ask him any questions at the time you were there then?
Mr. SIMS. No, sir; I never did actually do any interrogation myself then.
Mr. BALL. Was he handcuffed at that time?
Mr. SIMS. I don't remember if he was or not.
Mr. BALL. Wasn't he handcuffed with his handcuffs behind his back, and didn't he ask to be more comfortable?
Mr. SIMS. I don't remember.
Mr. BALL. Do you remember any incident where Oswald said he would be more comfortable if he could get his hands from behind his back, or something of that sort?
Mr. SIMS. No, sir; I don't.
Mr. BALL. Do you remember changing his handcuffs at any time so that he could put his hands in front of him.
Mr. SIMS. Of course, when he took the paraffin cast of his hands, he wasn't handcuffed?
Mr. BALL. But that was late that evening?
Mr. SIMS. Yes; it was around--it was after dark, I believe.
Mr. BALL. Now, I'm talking about--only about the interrogation that commenced about 2:20 in the afternoon of November 22.
Mr. SIMS. I just don't remember.
Mr. BALL. You don't remember changing the handcuffs?
Mr. SIMS. No, sir; I don't.
Mr. BALL. How long was he in Captain Fritz' office?
Mr. SIMS. Well, let's see, we first went in there at 2 and we stayed in there evidently--this says here that the Secret Service and the FBI took part in the interrogation of Oswald with Captain Fritz, and we took him down to the first show up at 4:05.
Mr. BALL. Then, would you say he was in Captain Fritz' office from about 2:20 until 4 o'clock?
Mr. SIMS. Well, he had to be either in Captain Fritz' office or the interrogation room-- that's the only two places that he was kept.
Mr. BALL. All right, do you have any memory of how long he was in Captain Fritz' office the first time for the interrogation?
Mr. SIMS. No, sir; I don't recall if he stayed in there from 2:20 until showup time at 4:05 or not. He may have stayed in there all that time or he may have been put back in the interrogation room, which is right next door.
Mr. BALL. Where is the interrogation room from Captain Fritz' office?
Mr. SIMS. It's in the same office, but just a different room--there's just a hall separating them.
Mr. BALL. And in the interrogation room, were you with Oswald?
Mr. SIMS. Yes, sir.
Mr. BALL. You and Boyd?
Mr. SIMS. Yes, sir.
Mr. BALL. When he was in the interrogation room for the first show up, did you ask him any questions?
Mr. SIMS. Yes; we talked to him.
Mr. BALL. Do you remember what you said to him?
Mr. SIMS. No, sir; I don't remember--it was just--I know I asked him his--later on I asked him about his life in Russia and about him being in the service and things of that nature.  
Mr. BALL Did you ask him that at this time? Before the first show-up at 4:05?  
Mr. SIMS. I don't remember what time it was.  
Mr. BALL. There was sometime then that you asked him about his life in Russia?  
Mr. SIMS. Yes, sir.  
Mr. BALL. Are you able to tell us about what time that was?  
Mr. SIMS. No, sir; I sure don't know what time it was.  
Mr. BALL. Could it have been after he had been in Captain Fritz' office and and before the first show up?  
Mr. SIMS. It was after he had been in Captain Fritz' office; yes, sir.  
Mr. BALL. And it was in the interrogation room?  
Mr. SIMS. I--well, I don't know--I have talked to him both places, and I don't know--I know he wouldn't talk at all about the assassination of the President or of Officer Tippit, but he would talk about his life in Russia and some things over here and about his family and things.  
Mr. BALL. Now, you say he wouldn't talk about the assassination of the President, what do you mean?  
Mr. SIMS. Well, he would just deny knowledge of it.  
Mr. BALL. And you say he wouldn't talk about Officer Tippit's death, what do you mean by that; what would he say, if anything?  
Mr. SIMS. Well, he would make some remark and he just wouldn't talk about it.  
Mr. BALL. Well, did he ever deny that he had anything to do with it?  
Mr. SIMS. Yes, sir.  
Mr. BALL. He did?  
Mr. SIMS. Yes, sir.  
Mr. BALL. Did he ever make any admission to you that he had any knowledge of Officer Tippit's death?  
Mr. SIMS. Not at all; no, sir.  
Mr. BALL. Did he ever make any admission to you that he had any knowledge of the shooting of the President at all?  
Mr. SIMS. None at all.
15:15 Hosty and Bookhout join Captain Fritz.

Shortly after Hosty and Bookhout joined Fritz (as per Gordon Shanklin's request) interrogating Oswald, Oswald became pretty hostile towards Hosty: "so you are Hosty....."

In an interview for the Society of Former Special agents of the F.B.I. in 2006 Hosty states: "By the way when I went to the police station to talk to Oswald, Oswald remarked to me, he had this mark on his head and he remarked to me, said, "Well, I fought the officer, I had it coming." Now if that had come up about civil rights and being beaten and all that, I was prepared to testify that he admitted that he had it coming."

Hosty's Warren Commission testimony goes into depth about the interrogations and its settings, and the "so you are Hosty" remark.

Mr. STERN. I show you a two-page document marked Commission No. 832 for identification. Can you identify that?
Mr. HOSTY. Yes, sir. This is an interview form which I made for my interview with Lee Harvey Oswald on the 22d of November 1963. It was dictated as the form will indicate, on the 23d of November 1963.
Mr. STERN. Let me ask you there, Mr. Hosty, about your practice in reducing to formal form your notes of interviews. This happened the next day?
Mr. HOSTY. Right.
Mr. STERN. Is that faster than usual because of the circumstances?
Mr. HOSTY. Because of the circumstances. We have to reduce them to writing within 5 days.
Mr. STERN. In 5 days?
Mr. HOSTY. Five working days.
Mr. STERN. Did you retain the notes of this?
Mr. HOSTY. No. After the interview is reduced to writing, I get it back and proofread it. My notes are then destroyed because this is the record.
Mr. STERN. And in this particular instance did you destroy your notes of this?
Mr. HOSTY. Yes, sir.
Mr. STERN. Now you say that you are required to reduce your notes of an interview to writing within 5 working days.
Mr. HOSTY. Right.
Mr. STERN. Did that happen with respect to the interviews you conducted on October 29, November 1, and November 5?
Mr. HOSTY. To make this a little clearer, this would be an interview of a subject, not of a witness, unless this witness has something that was quite pertinent to the investigation. Routine-type matters do not have to be put on these interview forms, but pertinent interviews would be. Now everything in this case after the assassination was declared to be pertinent. All interviews, regardless of how insignificant, were to be put on these forms.
Mr. STERN. But the interviews you conducted at the beginning of November and the end of October were not within this rule?
Mr. HOSTY. No; because they were not an interview of the subject or anything that contained anything of major importance.
Mr. STERN. Do you yourself destroy the notes?
Mr. HOSTY. Yes.
Mr. STERN. Do you recall specifically destroying the notes of your interview?
Mr. HOSTY. Yes, sir; in the wastebasket.
Mr. STERN. Your interview of Oswald, on November 22, you put the notes in the wastebasket?
Mr. HOSTY. Right.
Mr. STERN. Do you recall specifically what you did with the notes of your interviews of
October 29, November 1, and November 5?

Mr. HOSTY. After I reduced them to writing, such as I did here, and I got the form back, I proofread it; then I threw them away.

Mr. STERN. And you testified that the notes of your end of October early November interviews were transcribed after November 22, is that correct?

Mr. HOSTY. Right.

Mr. STERN. Were the notes destroyed after you transcribed those interviews, also after November 22?

Mr. HOSTY. Yes.

Mr. STERN. Did you give any consideration to retaining the notes in view of the turn that the case had taken?

Mr. HOSTY. No.

Mr. STERN. The intervening assassination?

Mr. HOSTY. No; because this is the record and the notes would not be as good as this record, because the notes are not written out fully as this is. It would just be abbreviations and things of that type.

Mr. STERN. And you received no instructions about retaining notes?

Mr. HOSTY. No; we had no instructions. We were following the same rule we had always followed.

Mr. STERN. Why don't you tell us now, turning to your memorandum of the November 22 interview of Lee Harvey Oswald, what transpired from the time you first entered Captain Fritz' office.

Mr. HOSTY. As this interview form will show, the interview commenced at 3:15 p.m. I am certain of that time because I checked my wristwatch, and Agent Bookhout checked my wristwatch. We both agreed on the time, 3:15. We came in and identified ourselves as agents of the FBI. I told Oswald my name and he reacted violently.

Mr. STERN. How do you mean?

Mr. HOSTY. To both Agent Bookhout and myself. He adopted an extremely hostile attitude towards the FBI.

Mr. STERN. Was it the FBI or the name Hosty?

Mr. HOSTY. Both. He reacted to the fact that we were FBI, and he made the remark to me, "Oh, so you are Hosty. I've heard about you."

He then started to cuss at us, and so forth, and I tried to talk to him to calm him down. The more I talked to him the worse he got, so I just stopped talking to him, just sat back in the corner and pretty soon he stopped his ranting and raving.

Mr. STERN. What was he saying? Please be specific.

Mr. HOSTY. He was highly excited. He was very surly, I think would be about the best way to describe him, very surly; and he was curt in his answers to us, snarled at us. That would be his general attitude.

Representative FORD. Had this been the attitude that existed prior to you and Bookhout coming into the----

Mr. HOSTY. Apparently not; apparently not. I couldn't say because I wasn't in the room. We walked into the room. I immediately identified myself, told him I was with the FBI, and was a law-enforcement officer, and anything he said to me could be used against him. He did not have to talk to us.

Senator COOPER. Can you describe the tone of his voice and his manner?

Mr. HOSTY. I beg your pardon, sir?

Senator COOPER. Can you describe the tone of his voice?

Mr. HOSTY. He was highly excited. He was very surly, I think would be about the best way to describe him, very surly; and he was curt in his answers to us, snarled at us. That would be his general attitude.

Representative FORD. Did he use profanity?

Mr. HOSTY. Yes, sir. I can't recall any specific statements he made, however.

Mr. MCCLOY. Did he complain that you had been abusing or harassing his wife in anyway?

Mr. HOSTY. He made the statement, "If you want to talk to me don't bother my wife. Come and see me." He didn't say that I had abused his wife in any manner, and I hadn't.
He did criticize me for talking to her. He said, "Come talk to me if you want to talk to me."

Representative FORD. Is that why he knew your name, because of your conversations with her?

Mr. HOSTY. Yes; apparently.

Mr. STERN. Had you ever seen Oswald before?

Mr. HOSTY. Not until that time. That was the first time I had seen him.

Senator COOPER. Can you remember what he said about the FBI specifically?

Mr. HOSTY. He called us gestapo, secret police, we were harassing people. It was along that line. I don’t recall the exact wording.

Mr. STERN. Was he handcuffed at this time?

Mr. HOSTY. He was handcuffed behind him. After he calmed down he asked Captain Fritz if they could remove the handcuffs. Captain Fritz ordered one of his detectives to remove them from the rear, and they handcuffed him in front.

Mr. STERN. This happened right after you came into the room?

Mr. HOSTY. Shortly after we came in the room.

Mr. STERN. Before or after his outburst?

Mr. HOSTY. After his outburst; after he had calmed down.

Mr. STERN. Please continue.

Mr. HOSTY. Captain Fritz actually conducted the interview. Agent Bookhout and myself sat back in the corner and observed. Captain Fritz asked Oswald if he had ever owned the rifle. He denied he had ever owned a rifle. He said that he had seen the superintendent of the School Book Depository with a rifle in his office a couple of days before the assassination, but that he had never had a rifle in the building. He then told Captain Fritz that he had been to the Soviet Union and resided there for 3 years, and he had many friends in the Soviet Union. Captain Fritz then showed him a piece of paper which had "Fair Play for Cuba" on it, and Oswald admitted to Captain Fritz that he was secretary for the Fair Play for Cuba Committee in New Orleans a few months ago.

He told Captain Fritz that the Fair Play for Cuba Committee had its headquarters in New York City. Captain Fritz then showed Oswald a marksman’s medal from the Marine Corps, and Oswald admitted that this was his medal, that he had received a sharpshooter’s medal while in the Marine Corps.

Mr. MCCLOY. Was it a sharpshooter’s or a marksman’s? There are two different types, you know.

Mr. HOSTY. I believe it was a sharpshooter, sir. He then told Captain Fritz that he had been living at 1026 North Beckley, that is in Dallas, Tex., at 1026 North Beckley under the name O. H. Lee and not under his true name.

Oswald admitted that he was present in the Texas School Book Depository Building on the 22d of November 1963, where he had been employed since the 15th of October. Oswald told Captain Fritz that he was a labourer in this building and had access to the entire building. It had offices on the first and second floors with storage on third, fourth, fifth and sixth floors.

Oswald told Captain Fritz that he went to lunch at approximately noon on the 22d of November, ate his lunch in the lunchroom, and had gone and gotten a Coca Cola from the Coca Cola machine to have with his lunch. He claimed that he was in the lunchroom at the time President Kennedy passed the building.

He was asked why he left the School Book Depository that day, and he stated that in all the confusion he was certain that there would be no more work for the rest of the day, that everybody was too upset, there was too much confusion, so he just decided that there would be no work for the rest of the day and so he went home. He got on a bus and went home. He went to his residence on North Beckley, changed his clothes, and then went to a movie.

Captain Fritz asked him if he always carried a pistol when he went to the movie, and he said he carried it because he felt like it. He admitted that he did have a pistol on him at the time of his arrest, in this theatre, in the Oak Cliff area of Dallas. He further admitted that he had resisted arrest and had received a bump and a cut as a result of his resisting of arrest. He then denied that he had killed Officer Tippit or President Kennedy.
Mr. STERN. The memorandum says, "Oswald frantically denied shooting."
Mr. HOSTY. It should be emphatically, I believe, rather than frantically. I think this probably should be "emphatically denied."
Mr. STERN. Is this your memorandum?
Mr. HOSTY. Yes, sir.
Mr. STERN. It is signed or initialled both by you and by Mr. Bookhout.
Mr. HOSTY. Right. The procedure is that when there are two agents involved, they both must approve it, so there can be no discrepancies.
Mr. STERN. But you dictated it.
Mr. HOSTY. I dictated it and he read it and we both approved it.
Mr. STERN. Have you been over it recently in preparation for your testimony?
Mr. HOSTY. Yes, sir.
Mr. STERN. Is it accurate? Is there anything you would like to add to it?
Mr. HOSTY. I think it is correct as it stands.
Mr. McCLOY. I didn't hear you repeating your testimony that he denied ever having been in Mexico.
Mr. HOSTY. Oh, yes; he was being questioned about his activities outside or the United States, where he had been outside of the United States. He told Captain Fritz that he had only been to Mexico to visit at Tijuana on the border, and then he did admit having been in Russia.
Mr. McCLOY. He only admitted to having been at Tijuana in Mexico?
Mr. HOSTY. Right.
Mr. McCLOY. Not to Mexico City.
Mr. HOSTY. Not to Mexico City; that is right.
Representative FORD. There was no recording made of this interrogation?
Mr. HOSTY. No, sir; it was notes I took. Agent Bookhout and I took notes, and we dictated from the notes the next day.
Mr. STERN. Did you ask him any questions?
Mr. HOSTY. No; like I say, he was acting in such a hostile condition towards us that we did not. This was Captain Fritz' interview anyway. We were just sitting in as observers.
Mr. STERN. Did you tell Captain Fritz at this time any of the information you had about Oswald, about his trip to Mexico, for example?
Mr. HOSTY. No.
Mr. STERN. About his being in touch with the Russian authorities seeking a visa?
Mr. HOSTY. No.
Mr. STERN. About his previous residence in the Soviet Union?
Mr. HOSTY. Oswald himself told Captain Fritz of this. I didn't have to. Oswald came right out and told him.
Mr. STERN. About the affair in New Orleans and his arrest there?
Mr. HOSTY. No.
Mr. STERN. Did you subsequently tell Captain Fritz?
Mr. HOSTY. No; I didn't tell Captain Fritz; no.
Mr. STERN. Was any of this information provided to the Dallas police as far as you know?
Mr. HOSTY. I provided it to Lieutenant Revill earlier, as I pointed out. He would have been the person I would have furnished this information to as the head of the intelligence section. He would be the logical and correct person to give this information to.
Mr. STERN. Was that the extent of your advice to the Dallas police?
Mr. HOSTY. Right.
Mr. McCLOY. Did you tell Chief Curry that you had a file?
Mr. HOSTY. No, sir; I haven't talked to Chief Curry in several years. Of course I don't deal with him too much on a chief level.
Mr. STERN. Wouldn't it be difficult for Lieutenant Revill to have gotten this information from you under the conditions that you described, running up the stairway and the rest of it? Do you think he heard enough of this?
Mr. HOSTY. Well, that is true, he might not have. But you see Oswald then proceeded to tell himself, he told the police all this information, so there was no point in me repeating it when he himself, Oswald, had furnished it directly to the police.
Mr. McCLOY. But you did tell Revill that you had a file on Oswald?
Mr. HOSTY. No; I didn't tell him I had a file; no, sir.

According to Hosty's HSCA testimony, Will Fritz led the interrogation, but was fed information by Hosty about Russia, Marina, his trip to Mexico City, F.P.F.C. and so on. This is all perfectly understandable.

Hosty, as the only person in that room took notes himself during the interrogation, but claimed he had torn them up after he had typed up his report, jointly with James Bookhout. But the hand written notes 're-appeared' when Hosty published his book Assignment Oswald. Think of this what you may.

"First floor outside office" could relate to where Oswald was when the motorcade passed by.
Although Hosty has sectioned his notes, none of the phrases are related to each other inside these compartments if you care to compare all of his sentences.

"Chose to go home because of confusion" and this matter was also broached by Thomas J. Kelley of the Secret Service in his report, which he wrote on the 24th and Kelley did not get to sit in on the interrogations until the morning of the 23rd! This is something Shelley
denied. But it is quite significant that Hosty brings this up and Kelley as well. Which means Oswald mentioned this during two interrogations.

Hosty furthermore writes in his book Assignment Oswald, about an exchange, from his memory how the questioning went on during that first interrogation.

_Okay now, Lee, you work at the Texas School Book Depository, isn’t that right?_  
Yes, that’s right.  
When did you start working there?  
About October fifteenth  
What did you do down there?  
I was just a common labourer.  
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.*

Again Oswald, according to Hosty’s recollections, makes mention of the reason why he left work. But what is significant is that 2nd floor lunch room encounter simply does not exist at that time, at best Oswald got his coke for his lunch. Not after!

But Hosty omitted something else and that is that he made more notes than he was admitting to at any time. While going through Malcolm Blunt’s archive in Feb. 2019 I came across a large folder filled with paper work titled ‘Hosty’ and while scanning this folder in, I came across a piece of paper that was written on the back of a blank D.P.D. affidavit sheet of paper. On this sheet Hosty mentions the date and time, but also something so significant that since I have shown it online shortly after.
O. stated he was present for work at the T.B.D. on the morning of the 22nd and at noon went to lunch. He went to 2nd floor to get a coca cola to eat with lunch and returned to 1st floor to eat lunch. Then he went outside to watch P. Parade.
It is safe to say that P. stands for Presidential.  
The first important element of this paragraph is that he got his coke for his lunch which was before the shots were fired. This aspect is re-confirmed in the joint Hosty/Bookhout report and destroys the second floor lunch room encounter. And then there is the hammer that states that Oswald was outside to watch the Presidential Parade after his lunch. Direct evidence linking Prayer Man to being Lee Oswald.

On the 13th of December 1975 (check out pages 30-47) Hosty recants the interrogations one more time in front of the Schweiker Committee. The Mexico City question is broadly discussed, without any real effect and how quickly Will Fritz moved on to a different question. Hosty was the only one taking notes during that first interrogation. Notes which he claimed he had destroyed, but to this day are still in its existence.
Jim Hosty during the HSCA hearings.
As shown Hosty’s stay during Oswald’s interrogation is noted from 3:15 PM to 4:04 PM, after which Hosty goes back to FBI HQ. He is seen inside room 317 later that evening, but does not partake further in any of the interrogations of Lee Oswald as told during his testimony.
• **James Bookhout**, with more than 20 years under his belt and who was the liaison between the DPD and the FBI had arrived at the DPD station before Will Fritz. Actually he witnessed Oswald being brought in from his arrest at the Texas Theatre. Bookhout is instructed to wait for Hosty to arrive and they ask Fritz if they can join the questioning, which happens at about 3:15 PM.

Fritz mentions the goings on in his WC testimony.

Mr. BALL. You mentioned that Hosty, the first day he was there you said that he said he knows these people. Did he tell you that he knew Oswald?
Mr. FRITZ. Well, I will tell you, he wasn’t talking to me really.
Mr. BALL. What did he say to Oswald?
Mr. FRITZ. That was the agent--what did Hosty say to Oswald?
Mr. BALL. Yes.
Mr. FRITZ. Or what did----
Mr. BALL. Did Hosty say?
Mr. FRITZ. I thought you meant what about Shanklin said to Hosty.
Mr. BALL. Did Hosty say to you that he knew Oswald?
Mr. FRITZ. I heard Mr. Shanklin tell Mr. Hosty on the telephone. I had Mr. Bookhout pick up the telephone and I had an extension.
Mr. BALL. What did he hear?
Mr. FRITZ. He said is Hosty in that investigation, Bookhout said no. He said, "I want him in that investigation right now because he knows those people he has been talking to," and he said some other things that I don’t want to repeat, about what to do if he didn’t do it right quick. So I didn’t tell them that I even knew what Mr. Shanklin said. I walked out there and called them in.
Bookhout’s *W.C. testimony* about that very first interrogation:

Mr. BOOKHOUT - I was not in the office at that time. I called our office, advised them he had been brought in, and that the interview was starting and shortly thereafter Mr. Shanklin, our SAC called back and said the Bureau wanted the agents present in the interview and that Hosty, James P. Hosty, I believe was, to sit in on the interview, and I was to also be present with Hosty. So, at that time, we asked Captain Fritz to sit in on the interview, and that was approximately 3:15 p.m. *(Hosty is recorded as arriving at 14:45 in the basement-B.K.)*

Mr. STERN - How long had the interview gone on before you were present?
Mr. BOOKHOUT - Very shortly. I would give a rough estimate of not more than 5 to 10 minutes at the most. *(Bookhout is covering his rear here, Fritz started the interrogation way before 3 PM, and the joint Hosty/Bookhout report says that the time was undetermined-B.K.)*

Mr. STERN - How long did that first interview last?
Mr. BOOKHOUT - A little under an hour.

Mr. STERN - Was it interrupted at any point, if you remember?
Mr. BOOKHOUT - Well, what I am thinking, we have got several interviews here. I know from time to time I can't recall whether it was this interview, or subsequent interviews Captain Fritz would have to leave the office for a second or two. By "office," I mean the immediate office that the interview was being conducted in, but still within the homicide and robbery office.

Mr. STERN - Did the interviewing continue when he was out of the room, or did you wait for his return?
Mr. BOOKHOUT - No; it would continue.

Mr. STERN - By whom was the interview conducted?
Mr. BOOKHOUT - Primarily it was conducted by Captain Fritz and then before he would leave from one point to another he would ask if there was anything we wanted to ask him particularly on that point.

Mr. STERN - By "we," you mean Agent Hosty and yourself?
Mr. BOOKHOUT - Right.

Mr. STERN - What was Oswald's demeanour in the course of this interview? Did he seem in control of himself, excited, or calm? Can you describe his conduct?
Mr. BOOKHOUT - He was very arrogant and argumentative. That is about the extent of the comment on that.

Mr. STERN - Is this as to you and Hosty, or also Captain Fritz? Did he differentiate in his conduct between Captain Fritz and the two of you?
Mr. BOOKHOUT - Now--no; that would apply to everyone present.

Mr. STERN - Did he answer all questions put to him or did he refuse to answer the questions?
Mr. BOOKHOUT - No; there would be certain questions that he refused to comment about.

Mr. STERN - When this happened was the question pressed, or another question asked?
Mr. BOOKHOUT - Anyone asking another question would be asked.

Mr. STERN - What sort of question would he refuse to answer? Was there any pattern to his refusing?
Mr. BOOKHOUT - Well, now, I am not certain whether this would apply then to this particular interview, the first interview or not, in answering this, but I recall specifically one of the interviews asking him about the Selective Service card which he had in the name of Hidell, and he admitted that he was carrying the card, but that he would not admit that he wrote the signature of Hidell on the card, and at that point stated that he refused to discuss the matter further. I think generally you might say anytime that you asked a question that would be pertinent to the investigation that would be the type of question he would refuse to discuss.

Mr. STERN - Would you say he had a pretty good idea of what might be incriminating and what not incriminating?
Mr. BOOKHOUT - Well, I think that would call for an opinion, and I can only report the facts to you, and based on the example of the type of questions that I had commented on that he refused to answer, you will have to draw your own conclusion on that.
Mr. STERN - Fine. I am just trying to get at whether he seemed in command of himself and alert, and whether he handled himself responsibly from his own viewpoint, but if you don't want to venture an opinion, that's fine. When you first joined the interview, did you advise him that you were an agent of the FBI, and did you say anything about warning him that evidence--that anything he said might be used?
Mr. BOOKHOUT - Yes; that was done by Agent Hosty.
Mr. STERN - Did he, at that point, or later say anything specifically regarding the FBI?
Mr. BOOKHOUT - Yes.
Mr. STERN - Tell us what that was.
Mr. BOOKHOUT - He accused the FBI of, generally, unfair tactics in interviewing his wife on some previous occasion.
Mr. STERN - Was this directed specifically at either you or Hosty, or to the general----
Mr. BOOKHOUT - It was directed against Hosty.
Mr. STERN - He did not, Oswald did not indicate that he knew Hosty himself, did he?
Mr. BOOKHOUT - No.
Mr. STERN - But, there was a complaint about an interview, or interrogation of Marina Oswald?
Mr. BOOKHOUT - Right.
Mr. STERN - Did he say anything about FBI interviews of him that had occurred in the past, any complaint about such interviews?
Mr. BOOKHOUT - I don't know that that would be in this particular interview, but in one of the interviews which has been reported he stated that he had been interviewed at Fort Worth, Tex., by agents upon his return to the United States from Russia, and he felt that they had used unfair means of interviewing him, or something. Those are not his exact words, but that is the impression he conveyed.
Mr. STERN - Unfair in what respect?
Mr. BOOKHOUT - I don't know.
Mr. STERN - Did he say?
Mr. BOOKHOUT - No.
Mr. STERN - Tell us the nature of his complaint.
Mr. BOOKHOUT - I think he probably used the expression, "Unfair tactics," or something in their interviews.
Mr. STERN - Yes. Did he indicate that he felt that the interview that was then going on was unfair in any way? Did he complain about that?
Mr. BOOKHOUT - No, he didn't complain about the interview. He made a complaint or two, as I recall, that one of the interviews that has been reported, in fact, I believe it was in this first interview he complained about his hands being handcuffed behind his back, and asked Captain Fritz to remove the handcuffs. Captain Fritz had one of his officers uncuff his hands from behind his back and recuff them in front and asked him if that was more satisfactory and he stated that it was.

And a little later.

Mr. STERN - During the first interview was he asked whether he had ever been in Mexico, and if so, by whom?
Mr. BOOKHOUT - Yes; I recall Hosty asking him if he had ever been in Mexico.
Mr. STERN - What did he say?
Mr. BOOKHOUT - He said he had not. I believe he mentioned he had been in Tijuana, Mexico, I believe, but I believe the question was whether he had ever been in Mexico City.
Mr. STERN - Was he asked about an organization called the Fair Play for Cuba Committee, and if so, by whom?
Mr. BOOKHOUT - Yes, he was asked if he belonged to that. I don't recall specifically who raised the question.
Mr. STERN - What did he say?
Mr. BOOKHOUT - He said he was a member of it, and was secretary of the New Orleans branch. I believe he said the headquarters was in New York City.
Mr. STERN - Was there much discussion of this, or just the identification?
Mr. BOOKHOUT - Well, now, that is another instance where he balked on answering a question. He was asked who the officers were, and at that point he said he refused to discuss the matter further.
Mr. STERN - Was he asked his residence address in Dallas and did he give it?
Mr. BOOKHOUT - Yes; he furnished the address of 1026 North Beckley.
Mr. STERN - Did he say that he was living there under another name, or was another name and particularly the name O. H. Lee mentioned at all in this connection?
Mr. BOOKHOUT - He was asked why he was using the name Lee at this address, and he attempted to pass it off by stating that the landlord was an old lady, and his first name was Lee and she just had gotten it in her head that he was Mr. Lee. He never did explain about the initials O. H.
Mr. STERN - Was he asked whether he had shot the President, or Officer Tippit?
Mr. BOOKHOUT - Yes; he was asked that, and denied shooting either one of them, or knowing anything about it.
Mr. STERN - Was he asked whether he was carrying a pistol at the time he was in the Texas Theatre?
Mr. BOOKHOUT - Yes; that was brought up. He admitted that he was carrying a pistol at the time he was arrested. He claimed that he had bought this some time ago in Fort Worth.
Mr. STERN - He said he had gotten it in Fort Worth?
Mr. BOOKHOUT - That is my recollection, and there again, in trying to follow through on that line of thought, he refused to answer any further questions as to whereabouts in Fort Worth he had bought it.
Mr. STERN - Did he talk about his arrest and his resistance of arrest at the Texas Theatre?
Mr. BOOKHOUT - He admitted fighting with the officer at the time of the arrest, but I don't recall any explanation as to why he was doing it.
Mr. STERN - Did he admit that he might have been wrong in doing that, or say anything to that effect?
Mr. BOOKHOUT - Seemed to me like he made the comment that the only thing he was guilty of, or the only thing he could be charged with would be the carrying of a concealed weapon, and of resisting the arrest.
Mr. STERN - When he was asked about involvement in the assassination of President Kennedy, or the shooting of Officer Tippit, how would you describe his denials?
Mr. BOOKHOUT - Well, I don't know exactly how to describe it, but as I recall, he spoke very loudly. In other words, he was--he gave an emphatic denial that is about all I can recall on it.
Mr. STERN - I believe that in the report you filed on this first interview, you or Agent Hosty, who joined in the report with you, used the adverb "frantically" to describe his denial of an involvement. Does that refresh your recollection as to that? Would you use that word now, or was that your word?
Mr. BOOKHOUT - No; that was written by Hosty, and that would be his expression of describing it.
Mr. STERN - Do you think "emphatically," is perhaps the more descriptive word now?
Mr. BOOKHOUT - Well, that would be the way I would describe it. As I said, he spoke----
Mr. STERN - I am not trying to put words into your mouth.
Mr. BOOKHOUT - He spoke loudly.
Mr. STERN - I am most interested in getting the tone of this interrogation and his state, the way he conducted himself, and that is why I ask this question, and there is something of a difference between saying a man is acting frantically as opposed to his acting emphatically.
Mr. BOOKHOUT - Well, I suppose the word, "frantically," would probably describe it. In other words, I said that he spoke loudly. There just wasn't a normal type of denial. He was--it was more than that. That is the reason I say that probably "frantically," might be a descriptive word.

Mr. STERN - Did that occur only in connection with questions about whether he had shot the President, or was the general tone of this interrogation, as far as he was concerned, at that level?

Mr. BOOKHOUT - No; he wouldn't use the same expression of speech in answering all questions. He would have certain kinds there, and certain types of questions that he would apparently have stronger feelings on.

Mr. STERN - Do you recall at any time his pounding on the desk, or making any other physical gestures of that kind?

Mr. BOOKHOUT - I don't recall him pounding on the desk; no, sir.

Mr. STERN - Now, this interview, as I understand, took approximately an hour?

Mr. BOOKHOUT - That's correct.

Mr. STERN - According to this report, you and Agent Hosty entered the interviewing around about 3:15 p.m., and it ended at 4:05.

Mr. BOOKHOUT - That would be correct.

Mr. STERN - Were these times that you or Hosty would have recorded at that moment in the ordinary course of your participation?

Mr. BOOKHOUT - That's correct. There was no log made of it, as such, but those were the times recorded for that particular interview.

Mr. STERN - Your normal practice is to get times down pretty accurately in matter of this----

Mr. BOOKHOUT - Try to.

Mr. STERN - And did you make the record of these times, or did Agent Hosty?

Mr. BOOKHOUT - I can say that I did. Whether he did or not, I don't know.

Mr. STERN - Incidentally, normally, do you preserve those notes or destroy them when you make a formal report?

Mr. BOOKHOUT - They will be, normally, destroyed at the time you make your--what we refer to as an interview report.

Mr. STERN - And in this case, did you destroy your notes?

Mr. BOOKHOUT - That's correct.

Mr. STERN - So, you have no notes respecting this whole matter?

Mr. BOOKHOUT - No, other than the reported interviewing report.
James Hosty and James Bookhout state in their joint Nov 23rd report on the first Oswald interrogation that day: "**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**."

According to [Bookhout’s WC testimony](#) the interview was in progress for about 5 or 10 minutes. Yet in this [joint statement with James Hosty](#) dated Nov 23rd he states that time period to be undetermined. It is actually after quite some time before these two joined Will Fritz, could be up to 50 minutes later.

*Oswald frantically denied killing Dallas Police Officer JD Tippit or President John F. Kennedy.*
LEE HARVEY OSWALD, 1026 North Beckley, Dallas, Texas, was interviewed by Captain WILL FRITZ of the Homicide Bureau, Dallas Police Department. Special Agents JAMES P. HOSTY, JR. and JAMES W. BOOKHOUT were present during this interview. When the Agents entered the interview room at 3:15 p.m., Captain FRITZ had been previously interviewing LEE HARVEY OSWALD for an undetermined period of time. Both Agents identified themselves to OSWALD and advised him they were law enforcement officers and anything he said could be used against him. OSWALD at this time adopted a violent attitude toward the FBI and both Agents and made many uncomplimentary remarks about the FBI. OSWALD requested that Captain FRITZ remove the cuffs from him, it being noted that OSWALD was handcuffed with his hands behind him. Captain FRITZ had one of his detectives remove the handcuffs and handcuff OSWALD with his hands in front of him.

Captain FRITZ asked OSWALD if he ever owned a rifle and OSWALD stated that he had observed a MR. TRUMAN (phonetic), a supervisor at the Texas Schoolbook Depository on November 20, 1963, display a rifle to some individuals in his office on the first floor of the Texas Schoolbook Depository, but denied ever owning a rifle himself. OSWALD stated that he had never been in Mexico except to Tijuana on one occasion. However, he admitted to Captain FRITZ to having resided in the Soviet Union for three years where he has many friends and relatives of his wife.

OSWALD also admitted that he was the secretary for the Fair Play for Cuba Committee in New Orleans, Louisiana a few months ago. OSWALD stated that the Fair Play for Cuba Committee has its headquarters in New York City. OSWALD admitted to having received an award for marksmanship while a member of the U.S. Marine Corps. He further admitted that he was living at 1026 N. Beckley in Dallas, Texas, under the name of O. H. LEE. OSWALD admitted that he was present in the Texas Schoolbook Depository on November 22, 1963, where he has been employed since October 15, 1963. OSWALD stated that as a laborer, he has access to the entire building which has offices on the first and second
floors and storage on the third and fourth, as well as the fifth and sixth floors. 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.

After hearing what had happened, he said that because of all the confusion there would be no work performed that afternoon so he decided to go home. OSWALD stated he then went home by bus and changed his clothes and went to a movie. OSWALD admitted to carrying a pistol with him to this movie stating he did this because he felt like it, giving no other reason. OSWALD further admitted attempting to fight the Dallas police officers who arrested him in this movie theater when he received a cut and a bump.

OSWALD frantically denied shooting Dallas police officer FITZPATRICK or shooting President JOHN F. KENNEDY. The interview was concluded at 4:05 p.m. when OSWALD was removed for a lineup.
After Oswald has been murdered things get turned around with Bookhout’s solo report about the very same interrogation, the following document screws Oswald’s alibi and the second floor lunch room encounter is inserted.

Lee Harvey Oswald was interviewed at the Homicide and Robbery Bureau, Dallas Police Department, by Captain J. W. Fritz in the presence of Special Agent James W. Bookhout, Federal Bureau of Investigation. Oswald was advised of the identity and official capacity of said agent and the fact that he did not have to make any statement, that any statement he did make could be used in a court of law against him, and that any statement made must be free and voluntary and that he had the right to consult with an attorney.

Oswald stated that he did not own any rifle. He advised that he saw a rifle day before yesterday at the Texas School Book Depository which Mr. Trulzy and two other gentlemen had in their possession and were looking at.

Oswald stated that he 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. Trulzy 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. He thereafter went outside and stood around for five or ten minutes with foreman Bill Underwood, and thereafter went home. He stated that he left work because, in his opinion, based upon remarks of Bill Underwood, he did not believe that there was going to be any more work that day due to the confusion in the building. He stated after arriving at his residence, then he went to a movie, where he was subsequently apprehended by the Dallas Police Department.

Oswald stated that his hours of work at the Texas School Book Depository are from 8 a.m. to 4:45 p.m., but that he is not required to punch a time clock. His usual place of work in the building is on the first floor; however, he frequently is required to go to the fourth, fifth, sixth, and seventh floors of the building in order to get books and

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From the National Archives.
this was true on November 22, 1963, and he had been on
all of the floors in the performance of his duties on
November 22, 1963.
Forrest Sorrels gets to talk to Oswald next, just after 4 PM on Nov. 22nd. He gets Oswald into the back room of Fritz's office and him and his fellow Secret Service agents manage to build a report with Oswald. What becomes rather evident is that Oswald shows his ignorance as to what he is being accused of.

Part 1 of Sorrels' WC testimony:

Mr. SORRELS - At that time, I made a phone call to my office, because I had not been in contact with them since we had departed from Love Field. I was informed that an FBI agent had called the office and said that Captain Fritz of the Homicide Bureau had been trying to get in touch with me, that he had a suspect in custody.

Mr. STERN - About what time was that?

Mr. SORRELS - That would be fairly close to 2 o'clock, I imagine.

Mr. STERN - About an hour after you had returned----

Mr. SORRELS - Yes. I would say that it was at least that long--maybe a little bit longer. So when I got that information, I told Mr. Zapruder that I would contact him later and get the pictures, because I wanted to get right down to Captain Fritz' office.

So I left then with the same police car and had them take me to Captain Fritz' office. And upon arrival there, there was many officers around there, there was already cameras out in the hall, tripods, and so forth, and all of the city hall down there. And there was a number of officers in the detective bureau office there, and Captain Fritz' office, which is an office within the large office, was closed, and the blinds were drawn in his office there. I did not knock on the door or anything, because I did not want to interfere with him if he was talking to someone. So I just waited there until Captain Fritz opened the door, and he had a man who I later found out to be Oswald in custody at the time. And I told Captain Fritz, I said, "Captain, I would like to talk to this man when I have an opportunity." He said, "You can talk to him right now."

And he just took him on back around to the side of Captain Fritz' office, and there was a number of other officers there, might have been some FBI agents too, there, because there were numbers of FBI agents around in that vicinity almost all the time from that time on. And some of the detectives there. And I started talking to Oswald, started asking him some questions, and he was arrogant and a belligerent attitude about him.
And he said to me, "I don't know who you fellows are, a bunch of cops."
And I said, "Well, I will tell you who I am. My name is Sorrels and I am with the United
States Secret Service, and here is my commission book."
I held it out in front of him and he said, "I don't want to look at it."
And he held his head up and wouldn't look at it at all. And he said, "What am I going to
be charged with? Why am I being held here? Isn't someone supposed to tell me what
my rights are?"
I said, "Yes, I will tell you what your rights are. Your rights are the same as that of any
American citizen. You do not have to make a statement unless you want to. You have
the right to get an attorney."
"Aren't you supposed to get me an attorney?"
"No, I am not supposed to get you an attorney."
"Aren't you supposed to get me an attorney?"
I said, "No, I am not supposed to get you an attorney, because if I got you an attorney,
they would say I was probably getting a rake off on the fee," or words to that effect,
and kind of smiled and tried to break the ice a little bit there.
I said, "You can have the telephone book and you can call anybody you want to."
I said, "I just want to ask you some questions. I am in on this investigation. I just want to
ask you some questions."
Mr. STERN - Was there anything further said about an attorney?
Mr. SORRELS - Not that I recall at that time. I don't recall anything further said about an
attorney. I asked him where he worked. He told me worked at this Book Depository.
And as I recall it, I asked him what his address was and where he was living, and he
explained to me that he was living apart from his wife, and that she was living over in
Irving, Tex. I asked him, as I recall it, what his duties were at this Book Depository, and
he said filling orders. I asked him if he had occasion to be on more than one floor, and
he said, yes. I asked him if he had occasion to be on the sixth floor of the building. He
said, yes, because they fill orders from all the floors.
But he said most of his activity was down on the first floor.
And I think I asked him whether or not he had ever been in a foreign country and he
said that he had travelled in Europe, but more time had been spent in the Soviet Union,
as I recall it.
And then he just said "I don't care to answer any more questions."
And so the conversation was terminated.
Mr. STERN - Did he give you his address?
Mr. SORRELS - As I recall it, he did give me an address. I don't remember what it was
offhand.
Mr. STERN - Then were you finished with your questions, or did he refuse to answer any
more?
Mr. SORRELS - He just said, "I don't care to answer any more questions."
Mr. STERN - You wanted to ask him other questions?
Mr. SORRELS - Oh, yes.
Mr. STERN - And what happened then?
Mr. SORRELS - He was taken by the officers, as I recall it, and was taken out of that area
and I suppose put back in jail.
Mr. STERN - Did you then talk to Captain Fritz?
Mr. SORRELS - Yes. As I recall it, I asked Captain Fritz whether or not he had gotten
anything out of him or not, and Captain Fritz said that he hadn't been able--that he had
not made any admissions or anything like that at that time, and that he was going to talk
to him again. That is all I recall that transpired at that time. Of course I contacted the
Chief's office, when I got that information as to who he was, and gave that information
to them.
Mr. STERN - This is Chief Rowley?
Mr. SORRELS - I think I talked to Deputy Chief Paterni.
Mr. STERN - Of the Secret Service here in Washington?
Mr. SORRELS - Yes, sir.
Mr. STERN - Did anything else transpire between that time and the Friday night show up?
Mr. SORRELS - I did not talk to Oswald again, and I was around there. When I contacted
Washington, I was informed that Inspector Kelley was being directed to be there, and he
would be there later on that evening, that they had caught him out on the road, and he
would come there to help out.

_Sorrels' WC testimony_ continues:

Mr. HUBERT. Well, now, for example, when Captain Fritz afforded you an opportunity to
speak to Oswald and indicated that you could do so at a little office around the corner,
did that mean that you had to pass Oswald out of Fritz' office, and through this third
floor corridor, where all the newsmen were gathered?
Mr. SORRELS. No, sir.
Mr. HUBERT. That was still within Fritz’ office?
Mr. SORRELS. Yes, sir; in other words, there was an office there, and Captain Fritz had an
office built within that office just merely to take him out of the door and right around
the corner of his inside office there.
Mr. HUBERT. Then you did interview Oswald.
Mr. SORRELS. I talked to him, started asking him questions, and he was belligerent and
arrogant in his attitude and he said to me, "I don't know who you fellows are, a bunch of
cops."
Mr. HUBERT. How long did you speak to him
Mr. SORRELS. Not very long.
Mr. HUBERT. In point of time.
Mr. SORRELS. Not over--I don't think over 10 minutes at the most.
Mr. HUBERT. Do you know what happened to him after that?
Mr. SORRELS. As far as I know, he was taken back to the jail.

On the next pages _Samuel Sterns' preliminary W.C. interview with Sorrels from April 10th
1964._

The fact that Oswald quizzed him about legal representation and even asking him what
he was charged with directly contradicts Will Fritz and other D.P.D. men that Oswald did
not want a lawyer on the 22nd of November. It tends to point as Oswald being kept in the
dark.

And after one interrogation Will Fritz was certain Oswald was the assassin, how's that for
detective work!
have their statements taken. Sorrels then interviewed Mr. and Mrs. Arnold Roundland and had them taken to the sheriff’s office to give their statements.

A reporter named McDonald of the Dallas News then introduced Sorrels to Mr. Zapryder, who told him he had photographed the shooting. Sorrels obtained a police car and took Zapryder to the Dallas News and finally to the local Laboratories of Eastman Kodak to have the film developed. He telephoned his office from Kodak and was told that Capt. Fritz had a suspect in custody. He obtained a ride in a police car to Fritz’ office.

Fritz was in the course of interviewing Oswald. Sorrels did not interrupt but waited outside until the interview was finished, and then asked for and obtained permission to talk to Oswald. He spent only a few minutes with Oswald. At first he did not tell Oswald who he was and Oswald refused to speak to him until he identified himself. He then showed Oswald his credentials.

Oswald asked what he was charged with and asked what his rights were, particularly with respect to obtaining counsel. Oswald asked whether Sorrels was not supposed to obtain a lawyer for him. Sorrels explained that Oswald had the right to select his own attorney and would contact him, but that he did not believe an attorney would automatically be appointed for him. Oswald seemed to him very straitened and surly at first, but did respond to questions about his background and work at the T.E.D. In response to Sorrels’ question he said that he was living at 1026 Beckley, but regarded Mrs. Paine’s home in Irving, where his family was.
staying, as his residence. Sorrels confined his questions to background information and did not ask whether Oswald had shot the President or anything along that line. Oswald was then taken away to a cell. Sorrels spoke to Fritz who said that he was certain Oswald was the assassin.

Sorrels sat in on two more interviews, one on Saturday morning and one on Sunday morning.

Sorrels also attended a show-up Friday evening which was held for witness Brennan at Sorrels' request. Sorrels had one of his Secret Service agents pick up Brennan and bring him to the police headquarters at about 7:00 P.M. on Friday. When Brennan arrived, Fritz said they had just finished a show-up, but had it reconstituted with the same persons. Brennan said before he went to the show-up that he was not certain that he could give a valid identification since he had seen Oswald on television.

Brennan stood at the far end of the show-up room and try to approximate the distance at which he had seen a person in the sixth floor window. He said that Oswald (in position #2) looked more like the person he had seen than the other three men in the show-up but could not give a positive identification. Sorrels was at the Dallas Police Department all day Friday and Saturday and after Church Sunday morning performing liaison functions and helping to deal with the many telephone inquiries from Secret Service headquarters in Washington.

Throughout the period of his detention, Oswald's physical appearance did not change and there was no evidence that force or any other form of coercion was used. Sorrels believes that the Dallas Police Department is
William Patterson, of the Secret Service was also inside City Hall on the 3rd floor. During his Schweiker Committee interview he mentioned Sorrell's brief interrogation of Oswald.
just --

Mr. Patterson. No, sir. He just refused to answer anything.

Mr. Wallach. Do you recall who was in the room at that time?

if anyone?

Mr. Patterson. No, sir, other than Mr. Sorrels.

Senator Schweiker. Could you guess how many were in the room?

Mr. Patterson. There weren't more than four or five of us in there.

Mr. Wallach. What was the next thing you remember doing after attending the interrogation of Oswald?

I realize we are talking about a period some time ago. I'm not trying to pin you down. I'm just trying to get the best of your recollection.

Mr. Patterson. The only thing I remember is we interviewed Marina Oswald, myself and some other agent. I don't even remember who he was, for just a short time.

Senator Schweiker. Which day was that?

Mr. Patterson. This was after the assassination, the next day.

Senator Schweiker. The same day that we're talking about here?

Mr. Patterson. To the best of my recollection.

Senator Schweiker. All you can do is give us your best recollection.
Winston Lawson of the Secret Service was in charge of planning the Dallas visit. And after the assassination and once AF1 had left, he made his way alongside Jesse Curry and others towards City Hall and eventually saw Sorrels talk to Oswald as per his W.C testimony.

Mr. STERN. When did you first observe Lee Harvey Oswald, Mr. Lawson?
Mr. LAWSON. It was early in the evening of November 22. He had been in police headquarters for a little while at least before I first saw him, and they had already interrogated him as I understand it, and various detectives, police officials, and Mr. Sorrels and a couple other agents and myself saw Lee Harvey Oswald when he was brought in for Mr. Sorrels to talk to at Mr. Sorrels' request.

Mr. STERN. Did you interrogate him?
Mr. LAWSON. No, sir; I did not.

Mr. STERN. Did Mr. Sorrels handle the interrogation alone?
Mr. LAWSON. Yes, sir; that particular one.

Mr. STERN. What were the questions and answers as best you can recall?
Mr. LAWSON. He asked information as to name.

Mr. DULLES. Who is "he" How?
Mr. LAWSON. Mr. Sorrels in asking the questions already had some background on Mr. Oswald before he started questioning Mr. Oswald. The detectives or other individuals had told them what they knew up to this point about Oswald, his name, that he had been out of the country previous to this time to Russia, and a few other things. It was known at the particular time, perhaps 6 or 7 o'clock.

Mr. STERN. I take it you had phoned his name to your headquarters in Washington as soon as you knew Oswald's name?
Mr. LAWSON. I didn't. Perhaps Mr. Sorrels did.

Mr. STERN. Did your office advise you whether they knew anything about Oswald or had found out anything about Oswald?
Mr. LAWSON. Not me personally.

Mr. STERN. That you know of?
Mr. LAWSON. Not me personally.

Mr. STERN. Were any other questions asked?
Mr. LAWSON. Yes; I recall Mr. Sorrels asking if he had been out--where he had been living, where he had been employed over the last years, and other information Mr. Sorrels already knew about.
Representative FORD. What was his attitude? What was the attitude of Oswald during this period?
Mr. LAWSON. Oswald just answered the questions as asked to him. He didn't volunteer any information. He sat there quite stoically, not much of an expression on his face.
Mr. DULLES. Quite what?
Mr. LAWSON. Stoically.
Mr. DULLES. Stoical?
Mr. LAWSON. Yes, sir.
Representative FORD. Was he belligerent?
Mr. LAWSON. No, sir; he didn't seem to be belligerent at all.
Representative FORD. Did he resent the interrogation?
Mr. LAWSON. I didn't get the impression that it was a great resentment. He just answered the questions as they were asked of him.
Mr. DULLES. Did he answer all the questions?
Mr. LAWSON. I believe he did.
Mr. DULLES. These were questions that Mr. Sorrels put to him?
Mr. LAWSON. Yes; of course, Mr. Sorrels, I don't believe at that time, as I remember it, didn't ask him everything that we knew about him.
Representative FORD. Was there a transcript kept of this interrogation?
Mr. LAWSON. I don't know.
Mr. STERN. Do you recall any other questions that were asked?
Mr. LAWSON. I don't. At this time they were just general-type questions.
Mr. STERN. What was his physical condition?
Mr. DULLES. Could I ask one question there? The question wasn't asked him at this time, at least while you were present, whether he was or was not guilty of the attack on the President?
Mr. LAWSON. This I do not recall. During this I recall I was called out for a phone call a couple of times. We were given information from Mr. Max Phillips, who was in our PRS section, and I believe it was during this that someone, an agent, was wanted on the phone, and I went out and answered this, and they gave us some information on people that it might have been--a case that wasn't Oswald.
Mr. STERN. What was his physical condition?
Mr. LAWSON. He was quite, well, unkempt looking, and I recall that he had a few bruises on his face.
Mr. STERN. A few bruises?
Mr. LAWSON. I believe over an eye, a bruise or two. I can recall that he had a bruise over an eye or on a cheekbone, or someplace on his face, in looking back. And had a shirt and a pair of pants on. He wasn't very tidy looking, a little unkempt in his appearance.
Mr. STERN. Was he handcuffed, do you recall?
Mr. LAWSON. I don't recall. I know I saw him handcuffed around police headquarters quite a bit, but during this interrogation I don't remember if he was handcuffed or not.
Representative FORD. How long did this interrogation go on?
Mr. LAWSON. This was not long.
Representative FORD. Five minutes?
Mr. LAWSON. Five to ten minutes at the most; yes, sir.
Mr. STERN. Then what happened? Did Mr. Sorrels finish?
Mr. DULLES. May I ask one other question there? Was there an interrogation just conducted by Mr. Sorrels, or were there others in on it, the police or the FBI?
Mr. LAWSON. I don't know if there were FBI agents there. There were other plainclothesmen there, and a few uniformed officers.
Mr. DULLES. Mr. Sorrels conducted the investigation?
Mr. LAWSON. Mr. Sorrels was asking these particular questions, general-type questions, and when he finished, the police took him back to another area.
16:25 Hosty and Sorrels meet briefly

Hosty marks the line up at 16:15 whereas the handwritten notes of Leavelle state 16:35. Nor was Oswald 2.5 months at the T.S.B.D, more like 1.5 at the most.
S.S. Agent William Patterson in his Nov. 25th report states that he has a chat with an F.B.I. agent from the subversive desk.
William Patterson discusses this also during his Schweiker Committee interview.
Mr. Patterson. No, this was out in the hallway.

Mr. Wallach. And Hosty told you he was on the Subversive Desk?

Mr. Patterson. I remembered that Hosty was on the Subversive Desk. I had met the man previously but didn't recall his name. I had talked to another agent and he had been introduced. I didn't recall his name at the time when I wrote this. That is why the later memorandum identifies him.

Mr. Wallach. Do you recall what precipitated your conversation with him?

Mr. Patterson. We were just standing in the hall talking about the assassination.

Mr. Wallach. Do you know whether or not the file was ever turned over to your chief, as you stated here?

Mr. Patterson. No, sir, I have no idea.

Mr. Wallach. I take it he didn't tell you the names of the subversive agents.

Mr. Patterson. No, sir.

Mr. Wallach. Do you recall if Oswald was questioned about whether he met with any subversive agents?

Mr. Patterson. I have no idea. I don't know whether he was or not.

Senator Schouler. Did he indicate whether they were Cuban or Russian?
Mr. Patterson. No, sir. He gave no indication. They were two known subversive agents.

Mr. Wallach. Did you ask him if he had notified the Secret Service of these contacts with Oswald with known subversive agents prior to the president's trip?

Mr. Patterson. I don't know if I asked him that specifically or not. I just asked him if it possibly had been mentioned to our service or anything, and he said this probably would be turned over to them.

Mr. Wallach. Going back again to your interview of Marina Oswald on or about November 25th, do you have a copy of the documents there?

Mr. Patterson. Just this one.

Mr. Wallach. Do you have any other notes?

Mr. Patterson. No. This is a copy of the things that you have here. It is the same.

Mr. Wallach. You don't have any other documents containing -- pertaining to this that I haven't shown you.

Mr. Patterson. No.

(Pause)

Mr. Wallach. Going back to the interview with Marina on or about November 25th, 1963, I take it that -- well, do recall whether or not she had been interviewed by any other persons prior to you going out and interviewing her?

Mr. Patterson. To the best of my knowledge, I was the
Jim Hosty, has a different interpretation of this meeting. During his W.C. testimony he states that he sees Secret Service agent Forest Sorrels take Oswald to the rear outside from Fritz’s office where he was interrogated in prior at 16:05.

Mr. HOSTY. Yes, sir; at approximately 4 p.m. on the 22nd of November 1963, Special Agent in Charge Forrest V. Sorrels of the United States Secret Service entered Captain Fritz’ office with about five or six Secret Service agents. He then proceeded to interview Lee Harvey Oswald, I was not present during this interview.

I did see him take Lee Oswald to the rear of Captain Fritz’ outer office and interview Lee Oswald. It appeared to me that Forrest Sorrels of the Secret Service had appeared for the purpose of representing the United States Secret Service in this investigation. I was aware at this time that the FBI did not have Jurisdiction over this matter, that is, the assassination of the President of the United States, and that if any Federal agency did have jurisdiction, it would be the United States Secret Service. As I later determined, no Federal agency had jurisdiction over this assassination.

When Forrest Sorrels concluded his interview with Lee Oswald, I called him aside and advised him that there was some additional information on Lee Oswald which the FBI headquarters in Washington could furnish to the headquarters of the Secret Service in Washington, and that there were two items, and that I did not feel that I could give them to him directly since they were secret in nature.

Mr. STERN. Was anyone else present during this conversation?

Mr. HOSTY. As I said, this took place in the outer office of Capt. Will Fritz. There were about 30 or 40 people milling around out there. There were three or four Texas Rangers. There were perhaps a dozen Dallas police officers. There were, as I said, five or six Secret Service agents.

There were three other FBI agents besides myself, various clerical personnel from the police department who were assigned to the homicide division. I recognized two postal inspectors. I directed this conversation to Mr. Sorrels. I called him to one side and directed this to him directly.
16:30 Oswald is being frisked again

Detective Elmer Boyd finds 5 rounds of live ammo in his left front pocket and detective Richard Sims finds a bus ticket in his shirt pocket just before his first line-up.

Two hours after his arrest Oswald is being frisked for the second time by Boyd and Sims, each “finding” the items described above. One could ask themselves why the arresting officers did not find those bullets when they searched him shortly after his arrest at the Texas Theatre in the car. The 5 rounds of ammo is a story on its own and Gil Jesus has shown plenty that the chain of custody is nothing short of a mess.

Also quite strange how Oswald went to his rooming house and changed his shirt, and not his dirty t-shirt btw, and yet manages to take the bus ticket with him, and allegedly continues his journey on foot.
16:35 First line-up with Helen Markham

Picture this: Lee Oswald with cuts and bruises, lined up among 3 males who work inside the building and who match in only in skin colour. Would anyone have any trouble picking the guy, with the cuts and bruises, out? Furthermore, the other ‘fillers’ made up fictitious answers whereas Oswald would state where he worked at that time.

During this and the next line-up Oswald’s co-participants or ‘fillers’ are policemen from the Vice bureau and a jail clerk.

- Detective W.E. Perry confirms during his W.C. testimony that it was Will Fritz who personally made the call to the Vice Bureau to get two detectives down and participate in that very first line-up. Something that was very rare, according to Perry. He is given clothing, a brown sports jacket to wear from the homicide bureau!
- Richard Clark, another detective, who had never been in a line-up before, confirmed Fritz’s call in his W.C. testimony as well. He is given a red vest to wear from the homicide bureau. He also states he is not handcuffed to Don Ables, after which the ‘discussion goes off the record’.
- Oswald on the other hand, is wearing his roughed up shirt, with a hole at the elbow.
- Will Fritz lied to the Commission when he testified that the police officers “fixed themselves where they would look like prisoners”. Detective. Clark testified that those items of clothing were taken from the homicide office.
- Elmer Boyd admits in his W.C. testimony that the other three were probably better dressed.
- Don Ables, the jail clerk and present for all three line-ups on Nov. 22nd, is asked by his jail supervisor to join in on very short notice.
- Jim Leavelle said it was not normally done for police officers to join in on line-ups.
Will Fritz, during his W.C. testimony, was of the opinion that other prisoners would harm Oswald, hence him asking for ‘fillers’ who worked inside the building to stand in on the first two line-ups. There were four official line-ups in total. And that very same evening, during the third line-up, Oswald was handcuffed to two fellow prisoners. So that security concern evaporated quite quickly.

Helen Markham, a 47 year old waitress stood far away from the location of the Tippit murder and she did not have an unobstructed view of what went down.

In many of the statements and interviews she gave after the Tippit murder the killer was described in different ways.

She also covered her face during the event.

She fainted shortly after at the scene of the crime and left her shoes on top of the car (CE 1974).

Claimed she was with Tippit for 20 minutes before someone showed up, which other witnesses dispute.

Five other eye witnesses never saw her there.

She was emotionally unstable as well and needed to be sedated at the D.P.D. before the line-up.

Wesley Liebeler stated in a galley proof of Chapter 4 (“The Assassin”) of the W.R. “some questions might be raised when the public discovers there were only one person who saw Oswald kill him. All the rest saw subsequent events. Mrs Markham is nicely buried there”.

Joseph Ball referred to Helen Markham as “an utter screwball” in a conversation with Mark Lane on Dec 4th 1964.

Markham’s son was paroled in the summer of 1963, after being imprisoned in 1962 for a 5 year term for burglary. The D.P.D. had leverage on her to say the least.

The jacket the killer wore, is described in different colours, that very same jacket that the D.P.D. found and Oswald was never confronted with to determine ownership. Nor was there any of Oswald’s fingerprints found on that jacket.

Helen Markham told researcher Greg Lowrey that the Dallas Police cheered when she identified Oswald. She also testified being under pressure pointing out the man she had seen.
Here is her W.C. testimony in which she denied 6 times recognising L.H.O. and only with the "guidance" from Joseph Ball did she point out Oswald.

MR. BALL Mrs. Markham, you were taken to the Police Department, weren't you?
Mrs. MARKHAM. Yes, sir.
Mr. BALL. Immediately.
Mrs. MARKHAM. Yes, sir.
Mr. BALL. Later that day they had a showup you went to?
Mrs. MARKHAM. A line-up?
Mr. BALL. A line-up.
Mrs. MARKHAM. Yes.
Mr. BALL. How many men were in the line-up?
Mrs. MARKHAM. I believe there were, now I am not positive, I believe there were three besides this man.
Mr. BALL. That would be four people altogether?
Mrs. MARKHAM. I believe that is correct.
Mr. BALL. Were they of anywhere near similar build or size or colouring?
Mrs. MARKHAM. Yes, they were all about the same height.
Mr. BALL. Who were you in the line-up room with?
Mrs. MARKHAM. Who was I in the room where they had this man?
Mr. BALL. Yes.
Mrs. MARKHAM. Policemen.
Mr. BALL. More than one?
Mrs. MARKHAM. The room was full.
Mr. BALL. It was. In this line-up room, the room was full of policemen. Weren't there just one or two men with you?
Mrs. MARKHAM. One or two with me, but I don't know who they were.
Mr. BALL. But there were other officers?
Mrs. MARKHAM. There were all policemen sitting in the back of me, and aside of me.
Mr. BALL. In this room?
Mrs. MARKHAM. Yes, sir. They were doing something.
Mr. BALL. Before you went into this room were you shown a picture of anyone?
Mrs. MARKHAM. I was not.
Mr. BALL. Did you see any television?
Mrs. MARKHAM. I did not.
Mr. BALL. Did a police officer say anything to you before you went in there, to tell you--
Mrs. MARKHAM. No, sir.
Mr. BALL. That he thought "We had the right man," or something of that sort? Anything like that?
Mrs. MARKHAM. No, sir.
Mr. BALL. No statement like that?
Mrs. MARKHAM. No, sir.
Mr. BALL. Did anybody tell you that the man you were looking for would be in a certain position in the line-up, or anything like that?
Mrs. MARKHAM. No, sir.
Mr. BALL. Now when you went into the room you looked these people over, these four men?
Mrs. MARKHAM. Yes, sir.
Mr. BALL. Did you recognize anyone in the line-up?
Mrs. MARKHAM. No, sir.
Mr. BALL. You did not? Did you see anybody--I have asked you that question before did you recognize anybody from their face?
Mrs. MARKHAM. From their face, no.
Mr. BALL. Did you identify anybody in these four people?
Mrs. MARKHAM. I didn't know nobody.
Mr. BALL. I know you didn't know anybody, but did anybody in that line-up look like anybody you had seen before?
Mrs. MARKHAM. No. I had never seen none of them, none of these men.
Mr. BALL. No one of the four?
Mrs. MARKHAM. No one of them.
Mr. BALL. No one of all four?
Mrs. MARKHAM. No, sir.
Mr. BALL. Was there a number two man in there?
Mrs. MARKHAM. Number two is the one I picked.
Mr. BALL. Well, I thought you just told me that you hadn't--
Mrs. MARKHAM. I thought you wanted me to describe their clothing.
Mr. BALL. No. I wanted to know if that day when you were in there if you saw anyone in there--
Mrs. MARKHAM. Number two,
Mr. BALL. What did you say when you saw number two?
Mrs. MARKHAM. Well, let me tell you. I said the second man, and they kept asking me which one, which one. I said, number two. When I said number two, I just got weak.
Mr. BALL. What about number two, what did you mean when you said number two?
Mrs. MARKHAM. Number two was the man I saw shoot the policeman.
Mr. BALL. You recognized him from his appearance?
Mrs. MARKHAM. I asked--I looked at him. When I saw this man I wasn't sure, but I had cold chills just run all over me.
Mr. BALL. When you saw him?
Mrs. MARKHAM. When I saw the man. But I wasn’t sure, so, you see, I told them I wanted to be sure, and looked, at his face is what I was looking at, mostly is what I looked at, on account of his eyes, the way he looked at me. So I asked them if they would turn him sideways. They did, and then they turned him back around, and I said the second, and they said, which one, and I said number two. So when I said that, well, I just kind of fell over. Everybody in there, you know, was beginning to talk, and I don’t know, just--
Mr. BALL. Did you recognize him from his clothing?
Mrs. MARKHAM. He had on a light short jacket, dark trousers. I looked at his clothing, but I looked at his face, too.
Mr. BALL. Did he have the same clothing on that the man had that you saw shoot the officer?
Mrs. MARKHAM. He had, these dark trousers on.
Mr. BALL. Did he have a jacket or a shirt? The man that you saw shoot Officer Tippit and run away, did you notice if he had a jacket on?
Mrs. MARKHAM. He had a jacket on when he done it.
Mr. BALL. What kind of a jacket, what general colour of jacket?
Mrs. MARKHAM. It was a short jacket open in the front, kind of a greyish tan.
Mr. BALL. Did you tell the police that?
Mrs. MARKHAM. Yes, I did.
Mr. BALL. Did any man in the line-up have a jacket on?
Mrs. MARKHAM. I can't remember that.
Mr. BALL. Did this number two man that you mentioned to the police have any jacket on when he was in the line-up?
Mrs. MARKHAM. No, sir.
Mr. BALL. What did he have on?
Mrs. MARKHAM. He had on a light shirt and dark trousers. (Representative Ford is now in the Commission hearing room.)
Mr. BALL. Did you recognize the man from his clothing or from his face?
Mrs. MARKHAM. Mostly from his face.
Mr. BALL. Were you sure it was the same man you had seen before?
Mrs. MARKHAM. I am sure.
Mr. BALL. Now, what time of day was it that you saw this man in the line-up?
Mrs. MARKHAM. I would say it was four, a little after.
Mr. BALL. That was four in the afternoon?
Mrs. MARKHAM. I was so upset I couldn't even tell you the time. In fact, I wasn't interested in the time.
Mr. BALL. Yes.
Mr. DULLES. Could I ask just one question?
Mr. BALL. Yes.
Mr. DULLES. You referred to his eyes; they were rather striking. Can you give any impression of how his eyes looked to you? I realize that is a very vague question.
Mrs. MARKHAM. Yes. He looked wild. They were glassy looking, because I could see--
Mr. DULLES. He had no glasses on?
Mrs. MARKHAM. No. When we looked at each other, he just stared, just like that. I just don't know. I just seen him--I would know the man anywhere, I know I would.
Mr. DULLES. Thank you.

Markham clearly had been pressured into choosing someone.

- Will Fritz had a few words to say on this line-up during his W.C. testimony.
Mr. BALL. You had a showup that afternoon?
Mr. FRITZ. That first showup was for a lady who was an eye witness and we were trying to get that show-up as soon as we could because she was beginning to faint and getting sick.
In fact, I had to leave the office and carry some ammonia across the hall, they were about to send her to the hospital or something and we needed that identification real quickly, and she got to feeling all right after using this ammonia.
Mr. BALL. Do you remember her name?
Mr. FRITZ. I have her name here.
Mr. BALL. Was that Mrs. Markham?
Mr. FRITZ. Yes, Helen Markham.
Mr. BALL. That was the first show-up, was it?
Mr. FRITZ. Yes, sir.
Mr. BALL. Were you there?
Mr. FRITZ. Yes, sir.
Mr. BALL. With her?
Mr. FRITZ. Yes, sir.
Mr. BALL. Will you tell me what happened there?
Mr. FRITZ. She looked at these people very carefully, and she picked him out and made the positive identification.
Mr. BALL. What did she say?
Mr. FRITZ. She said that is the man that I saw shoot the officer.
Mr. BALL. Who did she point out?
Mr. FRITZ. She pointed out Oswald; yes, sir.
Mr. BALL. In your showup room you have the prisoners separated from the visitors?
Mr. FRITZ. There is a screen. They are on a stage with numbers over their heads for identification, and measurements to show their height, and this is lighted back there so the people can see them plainly, probably as far as here from that window from the showup screen.
Mr. BALL. Near the window, you mean about 15, 20 feet.
Mr. FRITZ. Yes; about that far.
Mr. BALL. And then, now in this show-up there were two officers of the vice squad and an officer and a clerk from the jail that were in the show-up with Oswald?
Mr. FRITZ. That is true. I borrowed those officers, I was a little bit afraid some prisoner might hurt him, there was a lot of excitement and a lot of feeling fight about that time so we didn't have an officer in my office the right size to show with him so I asked two of the special service officers if they would help me and they said they would be glad to, so they took off their coats and neckties and fixed themselves where they would look like prisoners and they were good enough to stand on each side of him in the showup and we used a man who works in the jail office, a civilian employee as a third man.
Mr. BALL. Now, were they dressed a little better than Oswald, do you think, these three people?
Mr. FRITZ. Well, I don't think there was a great deal of difference. They had on their regular working clothes and after they opened their shirts and took off their ties, why they looked very much like anyone else.
Mr. BALL. They were all handcuffed together, were they?
Mr. FRITZ. I am not sure, I don't remember for sure if they were all handcuffed together or not. They probably did. I couldn't be positive about that.

- L.C. Graves in his W.C. testimony

Mr. GRAVES. Well, I held a showup along with Leavelle and the Chief and Captain Fritz, and I don't remember who else, about a roomful.
Mr. BELIN. Could you state what occurred in that show up? How many people were in this show-up?
Mr. GRAVES. I don't remember exactly how many people.
Mr. BELIN. You mean of the men that were actually lined up?
Mr. GRAVES. I don't know. I believe four or five, I think. He was identified as No. 2 man. Let me see. He was identified as No. 2 man in a four-man line-up, yes.
Mr. BELIN. Do you know who the people were who were in this particular line-up?
Mr. GRAVES. I don't know. Nobody but Oswald.
Mr. BELIN. Do you know that Lee Harvey Oswald was No. 2 man in that line-up?
Mr. GRAVES. Yes, I do.

And a little later during the same testimony.

Mr. BELIN. Now, could you tell us what Mrs. or Miss Markham did or said when this particular showup took place? Were you standing right next to her?
Mr. GRAVES. About as close as I am to you, which would be approximately 4 or 5 feet.
Mr. BELIN. All right; the men walked in, I assume, is that correct?
Mr. GRAVES. That's right.
Mr. BELIN. Where was Mrs. Markham at that particular time?
Mr. GRAVES. She was standing in the centre of the room, approximately in the first row of seats near the front.
Mr. BELIN. She was seated?
Mr. GRAVES. No; she was standing.
Mr. BELIN. She was standing?
Mr. GRAVES. Yes.
Mr. BELIN. Did she look through an opening in the wall?
Mr. GRAVES. No; this is a screen, a nylon screen of some kind. I am sure you have seen
them?
Mr. BELIN. She can see through, as I understand, but the people in the showup room
cannot see the people on the other side of the screen. Is that correct?
Mr. GRAVES. That's correct.
Mr. BELIN. All right. Do you remember what she said or did after the men in the showup
came in?
Mr. GRAVES. Well, she began to cry when he came in. He was next to the last man that
come in in that order. No. 4, 3, 2, 1, and so forth that came in.
Mr. BELIN. You mean No. 4 came first, then No. 3 and then No. 2 and then No.1.
Mr. GRAVES. That's right.
Mr. BELIN. When did she start crying?
Mr. GRAVES. When the No. 2 man walked in.
Mr. BELIN. You mean when the No. 2 man walked in?
Mr. GRAVES. Yes.
Mr. BELIN. Were they still walking at the time she started crying?
Mr. GRAVES. Yes. As soon as she saw him; yes. He would have to walk as far as from here
to that stand, approximately.
Mr. BELIN. That would be about 6 or 8 feet?
Mr. GRAVES. Yes, sir; roughly.
Mr. BELIN. All right. What did she do or say?
Mr. GRAVES. Well, of course she said that was the man that she saw, Oswald. I mean at
this particular time.
Mr. BELIN. Did she ask to have the men turn so that she would see their profiles?
Mr. GRAVES. Well, I don't recall if she asked that or not, but that is the normal procedure
that we do that. We turn him profile, right, left and to the rear, and back to the front, in
that order.
Mr. BELIN. Do you remember anything specific that she said at the time that she made
the identification?
Mr. GRAVES. Nothing other than he is the one, No. 2 is the one.
Mr. BELIN. Was anything said by any of the men in the showup that would--did they
speak any words or say anything at all?
Mr. GRAVES. If they did, I don't recall if she asked that or not, but that is the normal procedure
that we do that. We turn him profile, right, left and to the rear, and back to the front, in
that order.
Mr. BELIN. Do you remember the dress of the people in the showup?
Mr. GRAVES. No; positively not.
Mr. BELIN. Does your police department ever take any photograph of an actual show-up,
I mean, insofar as still shots, to have any written or pictorial record of the men in the
showup, as to what they were wearing or what they looked like?
Mr. GRAVES. That was not a policy or an order at this time, but it has been done,
however, in the past.
But for various reasons, as I say, it is not the customary thing, because we have quite a
number of showups that would necessitate a time element there, sometimes waiting on
the proper people to take the picture, and so forth.
Mr. BELIN. Anything else that you have any recollection of in connection with this show-
up of Mrs. Markham or Miss Markham's identification?
Mr. GRAVES. I don't remember anything outstanding at this moment; no.
Mr. BELIN. Do you remember about when this took place, this actual show-up?
Mr. GRAVES. Well, let's see if I have it written down here. We put Lee Oswald in a four-
man line-up in the city hall on November 22, 1963, at 4:30 p.m., and had Helen Markham
view this line-up. She was positive on the identification of Oswald, and he was the No. 2
man in the four-man line-up.
Graves in *Larry Sneed’s No More Silence*: After I got to headquarters, my first duty was to take a statement from a lady named Helen Markham who was an eyeball witness to the shooting of Tippit. That took a little while because she was quite upset, rather hysterical really, but I finally got a statement from her. She was a terribly upset lady. Under the circumstances her reaction was fairly typical considering she was close by when it happened, had heard the gun and saw him fall. I had no doubt about the validity of her statement because we verified everything she said. She identified Oswald in the line-up, so that pretty well established the fact that he was the one that did it as far as we were concerned. The line-up that Mrs. Markham observed was a typical line-up. The authorization was given by Captain Fritz, and the jail supervisor picked the line-up and brought them down. All those in the line-up were as similar as possible. The only thing different about this one was everybody that could get in got in which, in my opinion, wasn’t good. But I didn’t have any control over it. Other than just a lot of people being in there, though, that shouldn’t have been, it was conducted in the same manner as all others. The witness would stand or sit behind a one-way nylon screen so that they couldn’t be seen by those in the line-up. As I recall, and this was the only one I attended on Friday, there was definitely shock or excitement when she saw him. She said something to the effect, “That’s him! That’s the one that shot Tippit!” She didn’t have to be prompted; she knew him. As she identified him, Oswald remained quiet like the rest of them.
Jim Leavelle’s report regarding the circumstances surrounding this particular line-up.

REPORT ON OFFICER’S DUTIES IN REGARDS TO OFFICER TIPPIT’S MURDER

J. R. LEAVELE - #36

On my arrival in the block of E. 10th street I talked with Sgt. Bud Owens and Officer J. W. Poe. At the same time a call came out that a person fitting the description of the suspect was seen entering the Texas Theatre on West Jefferson.

I attempted to reach the Texas Theatre in the 200 block of West Jefferson but was unable to do so because of the traffic. Officer Poe had given me the name of a woman who was an eyewitness to the shooting. Her name was Helen Markham of 328 E. 9th Street, a waitress at the Lit Well Cafe on Main Street. Also that the manager of the used car lot, Sol B. Jefferson, had heard the shooting and seen the suspect running from the scene. Officer Poe also told me someone had picked up two empty .38 hulls from the street and given them to him, but he did not know who it was.

After the arrest of Oswald at the Texas Theatre I was told over the police radio that Squad 92 had the witness to the shooting and was en route to the city hall. I then returned to the city hall and my office. I assisted other officers in taking affidavits and answering the telephone. I took affidavits from Charles Douglas Divins and Billy Nolan Lovelady.

I was then directed by Captain Fritz to locate the woman witness to Tippit’s murder and take her to the show up room to view Lee Oswald in a lineup. I found Helen Markham in the Police Emergency Room with Det. L. C. Graves. She was suffering from shock. As soon as she was able, I took her to the show up room and called Captain Fritz who had Oswald brought down and placed in a lineup. At 1:35 pm, November 22, 1963 Helen Markham identified Oswald as the 2nd man in a 7-man lineup as the man who had shot Officer Tippit. Also present was Chief Curry, Captain Fritz and Det. L. C. Graves. There may have been others in the room, I don’t recall.
In his W.C. testimony Leavelle states.

Mr. BALL. Well, did Captain Fritz instruct you to go out and pick up the witness and come down to a showup, bring her down to a showup?
Mr. LEAVELLE. Yes; this Helen Markham, the witness, was in such a state of shock she had been unable to view the line-up.
Mr. BALL. Where did you see her the first time?
Mr. LEAVELLE. She was in the emergency room, in the hospital emergency room, first aid room, whatever you call it in the basement of the city hall, and I went over and talked with her and kind of got her calmed down where she thought she could stand to view the line-up, and when she told me that she felt like she was able to stand it, why, I called the captain and told him that we were ready for the showup, at which time some of the other officers brought Oswald down. I took her into the showup room myself and stood with her while she viewed the line-up.
Mr. BALL. Were you and Helen Markham the only two in what you call the showup room?
Mr. LEAVELLE. No, Captain Fritz and Chief Curry was in there also and possibly one or two others; I do not recall.
Mr. BALL. How about your partner, C. W. Brown?
Mr. LEAVELLE. I do not know whether he was there or not.
Mr. BALL. Any other witnesses?
Mr. LEAVELLE. Now Mr. Graves may have been in there.
Mr. BALL. Were there any other Witnesses in there?
Mr. LEAVELLE. No.

And later on

Mr. BALL. Now, what did Helen Markham say while she was in the showup room?
Mr. LEAVELLE. Well, she was very nervous and I do not recall what all she did say, but she was able to identify Oswald as the one.
Mr. BALL. What did she tell you?
Mr. LEAVELLE. She said he was the man that was at the scene she saw do the shooting over there in Oak Cliff.
Mr. BALL. Did you take a statement from her then?
Mr. LEAVELLE. I took one from her but I do not remember whether--just when I took it.

In 1993 Joe McBride interviews Leavelle for his book Into The Nightmare and on page 482 after asking whether she was hysterical he answered: “Well she was. See, L.C. Graves took her over to the first aid, to the doctor’s office, and they were doing something, I don’t know what they were doing because I wasn’t there, to kinda calm her down. Finally when I had the people all set, and she hadn’t gotten over there, Cap Fritz told me, “Well you’d better get over there and see what the holdup is.” I went over there and explained to her – she was calmed down quite a bit. Of course, she was nervous, and understandably so. They had had all kinds of stories that she passed out, and I broke smelling salts under her nose, and all this kinds of stuff. That didn’t happen, no. I did have some smelling salts with me, some of the little capsules that you break. And it’s possible, I don’t remember offhand, but I may have because I know that I asked the doctor for ‘em, I said “I don’t think she is going to pass out, but let me have a couple of ‘em anyway.” So I may have given her one, broke one and given it to her, after this.”
• Marlin G. Hall came in the office at 3 PM where he saw Fritz and Boyd
interrogating Oswald. He takes an affidavit of Lee Bowers and was then involved
with escorting Oswald for Oswald's first line up with Helen Markham. Not a word
of Boyd and Sims finding anything in Oswald’s pockets. His reports from Nov 22nd
and 23rd are giving a pretty precise picture as to the transfers.

REPORT ON OFFICER'S DUTIES IN REGARDS TO THE PRESIDENT'S MURDER

M. G. HALL - #510
November 22, 1963

On Nov. 22, 1963, I was on a day off and was at home doing some work
in my back yard. I went in the house sometime around 1:00 PM and turned
the radio on and heard that the President had been shot. I tried to call
the office, and the Riverside exchange was busy. I finally got the office
and talked to Lt. Baker, and he told me to report for work at the office.
I arrived at the office approximately 3:00 PM.

When I got to the office, my partners, R. M. Sims and E. L. Boyd, were
in Capt. Fritz's office with Oswald. At approximately 3:30 PM I took an
affidavit from Lee E. Bowers, 10508 Maplegrove.

At 4:05 PM, November 22, 1963, I assisted Sims and Boyd in taking
Oswald down for a show up. We handled the line up from backstage behind
the lights. The line up consisted of Bill Perry #1, Lee Oswald #2, R. L.
Clark #3, and Don Ables #4. This show up was over at 4:20 PM, and Oswald
was returned to Capt. Fritz's office, where he was questioned by Capt.
Fritz and F. B. I. and Secret Service agents.

At 6:20 PM, November 22, 1963, Sims, Boyd, and I carried Oswald down
for another show up. This show up consisted of the same people as the
first. Bill Perry #1, Lee Oswald #2, R. L. Clark #3, and Don Ables #4.
This show up was over at 6:37 PM, and Oswald was taken back to Capt. Fritz's
office, where he was questioned by Capt. Fritz and F. B. I. and Secret
Service agents.

M.G. Hall statement Nov 22 1963. From UNT.
16:20 - 18:20 Second Interrogation

Present:
D.P.D.: Will Fritz, Elmer Boyd and M.G. Hall.
F.B.I.: James Bookhout.
Secret Service: Forrest Sorrels.
U.S. Marshalls: Robert Nash.
It is possible that assistant D.A. Bill Alexander walked in just after 18:00.

Elmer Boyd’s W.C. testimony makes mention of this session.

Mr. BALL. You stayed there, didn’t you?
Mr. BOYD. Yes.
Mr. BALL. And you heard what was said?
Mr. BOYD. Yes, sir.
Mr. BALL. Tell us what you heard.
Mr. BOYD. Well, I know Mr. Nash asked him a question or two.
Mr. BILL. What were they?
Mr. BOYD. I don’t recall what questions he asked.
Mr. BALL. Who else asked questions?
Mr. BOYD. Captain Fritz talked to him and-let me see-I don’t remember if Mr. Bookhout, it seemed like Mr. Bookhout asked a question or two. I believe all of them asked him something.
Mr. BALL. Do you know what they asked?
Mr. BOYD. No, sir.
Mr. BALL. Do you remember what Oswald said?
Mr. BOYD. Well, let me see-no, sir; I can’t recall what he said; like I say, I didn’t keep notes there because I was sitting right near Oswald.

Marrion Baker, while Oswald is being interrogated, having his infamous first statement taken by Marvin Johnson only a short distance away from where Oswald is seated and questioned overhears them and mentions this in his HSCA testimony (HERE and HERE), saying: “Did you kill the President? Did you kill the President?” To which Oswald replied, “That’s absurd! I want a lawyer! I want a lawyer!”

During these particular interrogations someone else makes his entry
• **Roger Craig**, a Dallas deputy sheriff, was in Dealey Plaza when the shooting happened. He is captured by Jimmy Darnell signalling in the rail road yard shortly after the assassination.

Craig's relevance with this segment of the case is that he claimed that he saw Lee Oswald leave the TSBD and run down the grassy slope to get into a Nash Rambler and make his escape that way at about 12:40-ish. Just minutes after the above shot was taken.

This of course completely contradicts the official story of Oswald leaving in 3 minutes, after the shooting had finished, from the Depository, then going back to his room and grab a pistol and changed his shirt then make his way towards 10th and Patton. "Take care" of J.D. Tippit and then make his way to the Texas Theatre.

When Craig heard of Oswald's arrest over the police radio, he called Will Fritz and told him of the man he had seen running from the scene. After the description, Fritz said, "That sounds like the man we have in custody. Come down and see if you can identify him." Fritz met Craig outside his office. He looked through the glass and told Fritz that that was the man he had seen escape. The two men entered the little room where Oswald was being interrogated and Oswald is being confronted with this by Fritz, "This man saw you leave." Oswald's temper flared up and he replied that I told you people I did." Fritz said, "Calm down, son, we are just trying to find out what happened. What about that car?" Oswald answered, "That station wagon* belongs to Mrs. Paine, don't try to get her involved in this*. Then he leaned back in his chair. He said in a low voice, "Everybody will know who I am now." Craig has emphasized that Oswald made this statement in a dejected tone of voice. He said, "Everybody will know who I am now" as if his cover had just been blown. What is even more important is the fact that Fritz mentioned car, and that Oswald replied with station wagon. Something that weighs considerably towards the departure from the T.S.B.D. as noted by Craig and others.

But this is something that was denied by Fritz and that he only and possibly could have met up with Craig in the outer office only.

Roger Craig's story is being recited by Police Chief Dallas Curry in the evening of the 22nd and the F.B.I., James Bookhout no less, issues a report as well on the 23rd. And Bookhout reports the time of Craig going into Fritz's office at 17:18, not quarter or twenty minutes past, but 18 minutes past.
Craig's story also makes the front page of the Fort Worth Star Telegram in the morning edition of the 23rd.
Craig's Warren Commission testimony mentions the following on this happening.

Mr. CRAIG - And---uh---then I kept thinking about this man that had run down the hill and got in this car, so---uh---it was about, oh, I don't recall exactly the time, nearly 5 or something like that, or after, when---uh---the city had apprehended a suspect in the city officer's shooting. And---uh---information was floating around that they were trying to connect him with the assassination of the President---as the assassin. So---uh, in the meantime, I kept thinking about this subject that had run and got in the car. So, I called Captain Fritz' office and talked to one of his officers and---uh---told him what I had saw and give him a description of the man, asked him how it fit the man they had picked up as a suspect. And---uh---it was then they asked me to come up and look at him at Captain Fritz' office. Mr. BELIN - All right. Then what did you do? Mr. CRAIG - I drove up to Fritz' office about, oh, after 5---about 5:30 or something like that---and---uh---talked to Captain Fritz and told him what I had saw. And he took me in his office---I believe it was his office---it was a little office, and had the suspect setting in a chair behind a desk---beside the desk. And another gentleman, I didn't know him, he was sitting in another chair to my left as I walked in the office.
And Captain Fritz asked me was this the man I saw--and I said, "Yes," it was.
Mr. BELIN - All right.
Will you describe the man you saw in Captain Fritz' office?
Mr. CRAIG - Oh, he was sitting down but--uh--he had the same medium brown hair; it was still--well, it was kinda wild looking; he was slender, and--uh-- what I could toll of him sitting there, he was--uh---short. By that, I mean not--myself, I'm five eleven--he was shorter than I was. And--uh--fairly light build.
Mr. BELIN - Could you see his trousers?
Mr. CRAIG - No; I couldn't see his trousers at all.
Mr. BELIN - What about his shirt?
Mr. CRAIG - I believe, as close as I can remember, a T-shirt--a white T-shirt.
Mr. BELIN - All right. But you didn't see him in a line-up? You just saw him sitting there?
Mr. CRAIG - No; he was sitting there by himself in a chair--off to one side.
Mr. BELIN - All right. Then, what did Captain Fritz say and what did you say and what did the suspect say?
Mr. CRAIG - Captain Fritz then asked him about the---uh---he said, "What about this station wagon?"
And the suspect interrupted him and said, "That station wagon belongs to Mrs. Paine"---I believe is what he said. "Don't try to tie her into this. She had nothing to do with it."
And--uh--Captain Fritz then told him, as close as I can remember, that, "All we're trying to do is find out what happened, and this man saw you leave from the scene."
And the suspect again interrupted Captain Fritz and said, "I told you people I did." And--uh--yeah--then, he said--then he continued and he said, "Everybody will know who I am now."
And he was leaning over the desk. At this time, he had risen partially out of the chair and leaning over the desk, looking directly at Captain Fritz.
Mr. BELIN - What was he wearing-or could you see the colour of his trousers as he leaned over the desk?
Mr. CRAIG - No; because he never--he just leaned up, you know, sort of forward--not actually up, just out of his chair like that (indicating) forward.
Mr. BELIN - Then, did you say anything more?
Mr. CRAIG - No; I then left.
Mr. BELIN - Well, in other words, the only thing you ever said was, "This was the man,"--or words to that effect?
Mr. CRAIG - Yes.
Mr. BELIN - Did Captain Fritz say anything more.
Mr. CRAIG - No; I don't believe---not while. I was there.
Mr. BELIN - Did the suspect say anything more?
Mr. CRAIG - Not that I recall
Mr. BELIN - Did you say anything about that it was a Rambler station wagon there?
Mr. CRAIG - In the presence of the suspect?
Mr. BELIN - Yes.
Mr. CRAIG - No.
Mr. BELIN - You don't know whether Captain Fritz said anything to the suspect about this incident before you came, do you?
Mr. CRAIG - No; I don't.
Mr. BELIN - Is there anything else that you can think of involving this interrogation at which you were present?
Mr. CRAIG - No. Nothing else was said after that point. I then left and give 'my name to the---uh---Secret Service agent and the FBI agent that was outside the office.
And at the end of the same testimony

Mr. BELIN - Do you feel, in your own mind, that the man you saw at Captain Fritz's office was the same man that you saw running towards the station wagon?
Mr. CRAIG - Yes, I feel like it was.
Mr. BELIN - Do you feel that you might have been influenced by the fact that you knew
he was the suspect---subconsciously, or do you----
Mr. CRAIG - Well, it's---it's possible, but I still feel strongly that it was the same person.
Mr. BELIN - Okay. That's it. Thank you

Afterwards Craig claimed that some exchanges during his W.C. testimony had been changed.

Roger Craig also testifies during the Clay Shaw trial by Jim Garrison, and once again the matter of Oswald's 'escape' and the subsequent confrontation that very same evening is being brought up:

Q: Did you have occasion Mr. Craig, to see the individual that you saw running down the slope and getting in the station wagon, did you have occasion to see him again on that day?
A: Yes, later that evening.
Q: Where did you see him?
A: At Captain Will Fritz's Office who is Captain of Homicide & Robbery in the Dallas Police Department.
Q: What were you doing up there on that occasion?
A: I was filling out a report after the assassination in my office and of course I had known about the officer being killed and I possibly in my mind possibly tied the two together and I called Captain Fritz and gave him a description of the man I saw running down the grassy knoll and he said "That sounds like --"  
MR. DYMOND: I object, Your Honour.
THE COURT: You can't say what he said, Mr. Craig.

BY MR. ALCOCK:
Q: As a result of this telephone conversation did you have occasion to view anyone?
A: Yes, sir, I went to Police Headquarters.
Q: Did you recognize anyone at Police Headquarters?
A: Yes, sir, in Captain Fritz's office the same man that I had seen running down the hill.
Q: Who was in Captain Fritz's Office at the time you saw the individual?
A: There were two men in the office. The one seating to the left as I walked in I didn't know, and he was in a business suit with a white Stetson hat and I assumed he was one of Captain Fritz's men and the other man was Lee Harvey Oswald.
Q: Now I show you what has been marked for purposes of identification as State Exhibit 1 and I ask you if you recognize the person in this picture?
A: Yes, sir, that is the man I saw in Captain Fritz's Office.
Q: Is this the man you saw running down the slope?
A: Yes, it is.
Q: The one that got in the station wagon?
A: Yes.
Q: And who is the individual depicted in this picture?
A: Lee Harvey Oswald.
Q: Did you have occasion to go into Captain Fritz's Office at the time Lee Harvey Oswald was in there?
A: Yes, sir, Captain Fritz showed me into his office where the two gentlemen were sitting.
Q: Did you have occasion to confront or speak to Lee Harvey Oswald on this occasion?
A: I did not, Captain Fritz did.
Q: Were you there when he made any responses to anything Captain Fritz asked him?
A: Yes, I was.
Q: What did he say?
A: Captain Fritz, this man was --
MR. DYMOND: I object to what Captain Fritz said.
THE COURT: You can't say what Captain Fritz said but just what Lee Harvey Oswald said.
THE WITNESS: I made an identification of Lee Harvey Oswald as the man I saw running down the grassy knoll.
BY MR. ALCOCK:
Q: What if anything did he say?
A: He said "I told you people I did."
MR. DYMOND: What?
THE WITNESS: "I told you people I did."
BY MR. ALCOCK:
Q: Did he say anything else?
A: Yes.
Q: What was that?
A: I can't testify in answer to Captain Fritz's comments' cause it was in response --
Q: I am afraid you can't give us what Captain Fritz said 'cause that would be hearsay but
what if anything did Lee Harvey Oswald respond to the question of Captain Fritz?
A: He said that the station wagon belonged to Mrs. Paine, but "Don't try to drag her in
this."
Q: Did he make any other responses?
A: He leaned back in his chair and said "Everybody will know who I am now."
Q: Did you hear him say anything else on this occasion?
A: No, sir, I did not.
Q: How long did you stay in the office?
A: Approximately ten minutes.

- Will Fritz's testimony in front of the WC.

BALL. Did you ever know a man named Roger Craig, a deputy sheriff?
FRITZ: Roger Craig, I might if I knew which one he was. Do we have it here?
BALL. He was a witness from whom you took a statement in your office or some of your
men.
FRITZ. Some of my officers.
BALL. He is a deputy sheriff.
FRITZ. One deputy sheriff who started to talk to me but he was telling me some things
that I knew wouldn't help us and I didn't talk to him but someone else took an affidavit
from him. His story that he was telling didn't fit with what we knew to be true.
BALL. Roger Craig stated that about 15 minutes after the shooting he saw a man, a white
man, leave the Texas State Book Depository Building, run across a lawn, and get into a
white Rambler driven by a coloured man.
FRITZ. I don't think that is true.
BALL. I am stating this. You remember the witness now?
FRITZ. I remember the witness; yes, sir.
BALL. Did that man ever come into your office and talk to you in the presence of Oswald?
FRITZ. In the presence of Oswald?
BALL. Yes.
FRITZ. No, sir; I am sure he did not. I believe that man did come to my office in that little
hallway, you know outside my office, and I believe I stepped outside the door and talked
to him for a minute and I let someone else take an affidavit from him. We should have
that affidavit from him if it would help.
BALL. Now this man states that, has stated, that he came to your office and Oswald was
in your office, and you asked him to look at. Oswald and tell you whether or not this was
the man he saw, and he says that in your presence he identified Oswald as the man that
he had seen run across this lawn and get into the white Rambler sedan. Do you
remember that?
FRITZ. I think it was taken, I think it was one of my officers, and I think if he saw him he
looked through that glass and saw him from the outside because I am sure of one thing
that I didn't bring him in the office with Oswald.
BALL. You are sure you didn't?
FRITZ. I am sure of that. I feel positive of that. I would remember that I am sure.
BALL. He also says that in that office-
BALL. After he had said, “That is the man,” that Oswald got up from his chair and slammed his hand on the table and said, “Now everybody will know who I am.” Did that ever occur in your presence?
FRITZ. If it did I never saw anything like that; no, sir.
BALL. That didn’t occur?
FRITZ. No, sir; it didn’t. That man is not telling a true story if that is what he said. Do you have any— could I ask a question, is it all right if I ask a question? MR. McCLOY. All right, go ahead.
BALL. Go ahead.
FRITZ. I was going to ask if we had any affidavits from any of our officers that would back that up? If they did I never heard of it.
BALL. If you are here tomorrow.
FRITZ. It is something I don’t know anything about.
BALL. If you are here tomorrow I would like to show you the deposition of the man for you to read it.
FRITZ. I am sure I would know that. The only time I saw the man hit the desk was when Mr. Hosty talked to him and he really got upset about that.

This last bit has been confirmed by Elmer Boyd as well. Yet denied by Bookhout in his W.C. testimony.

Strange though how Fritz barely knows the man, when he was also present when the rifle was found. And happen to work with the Sheriff’s Office for quite a few years.

Will Fritz’s follow-up W.C. testimony repeats what he said before during his primary W.C. testimony and it again contradicts Craig’s testimony, but Fritz’s account is hard to swallow. It is hard to accept that Will Fritz did not know Roger Craig.

I don’t remember the name Roger Craig, but I do remember a man coming into my outer office and I remember one of my officers calling me outside the door of my private office. I talked to this man for a minute or two, and he started telling me a story about seeing Oswald leaving the building. I don’t remember all the things that this man said, but I turned him over to Lt. Baker who talked to him. Lee Harvey Oswald was in my office at this time. I don’t remember anything about Lee Harvey Oswald jumping up or making any remarks or gestures to this man or to me at this time, and had I brought this officer into my inner office I feel sure that I would remember it. There were other officers in my inner office at the time, and I have found no one who knows about the remarks that you have asked about.
18:20 Second line-up for Cecil McWatters, Ted Callaway and Sam Guinyard

The same three guys, William Perry and Richard Clark from Vice and Don Ables the assistant jailer, who participated in the Helen Markham line-up are again attached to Oswald (who again is in the No. 2 position).

- Cecil McWatters was the bus driver allegedly seeing Oswald laugh out loud...... From McWatters W.C. testimony it becomes clear that he would not pick Oswald out, even though the W.C. makes it sound he did. Plus McWatters points out that overall everyone looked different of age, size and height. So much for equality.

Mr. McWATTERS - Yes, sir; when they stopped me over there and took me into the police department there, like I say, it was around 6:15 or 6:20, they took me down before the line-up there and asked me if I could identify anyone in that line-up as getting on my bus that day.
Mr. BALL - Did they take you down and show you a line-up?
Mr. McWATTERS - Yes, sir.
Mr. BALL - You sat there with police officers and they brought men in there?
Mr. McWATTERS - They brought four men out. In other words, four men under the lights; in other words, they was all--
Mr. BALL - All the same age?
Mr. McWATTERS - No, sir; they were different ages, different sizes and different heights. And they asked me if I could identify any man in particular there, and I told them that I couldn't identify any man in particular, but there was one man there that was about the size of the man. Now, I was referring back, after they done showed me this transfer at that time and I knew which trip, that I went through town on at that time, in other words, on the Lakewood trip and just like I recalled, I only put out two transfers and I told them that there was one man in the line-up was about the size and the height and complexion of a man that got on my bus, but as far as positively identifying the man I could not do it.
Then later during the same testimony
Mr. BALL - Anyway, you were not able to identify any man in the line-up as the passenger?
Mr. McWATTERS - No, sir.
Mr. BALL - As the passenger who had gotten on?
Mr. McWATTERS - No, sir.
Mr. BALL - You said there was one man who closely resembled in height, weight and colour?
Mr. McWATTERS - That is right.
Mr. BALL - Do you know who that was?
Mr. McWATTERS - Just like I told them, I didn't know who was who or anything.
Mr. BALL - Did you ever learn who that person was?
Mr. McWATTERS - Well, I don't know whether that was really the man or not, I don't know.
Mr. BALL - I see.

And later on.
Mr. BALL - You didn't--as I understand it, when you were at the police line-up, you told us that you didn't--weren't able to identify this man in the line-up as the man who got off, that you gave the transfer to.
Mr. McWATTERS - I told them to the best of my knowledge, I said the man that I picked out was the same height, about the same height, weight and description. But as far as actually saying that is the man I couldn't--
Mr. BALL - You couldn't do it?
Mr. McWATTERS - I wouldn't do it and I wouldn't do it now.

And later during the same testimony while The Commission is trying to really pin it all down.
Mr. BALL - "This man looks like the No. 1 man I saw in the line-up today."
Mr. McWATTERS - Yes.
Mr. BALL - Who was the No. 2 man you saw in the line-up on November 22, 1963?
Mr. McWATTERS - Well, just like I say, he was the shortest man in the line-up, in other words, when they brought these men out there, in other words, he was about the shortest, and the lightest weight one, I guess, was the reason I say that he looked like the man, because the rest of them were larger men than..
Mr. BALL - Well, now, at that time, when you saw the line-up.
Mr. McWATTERS - Yes.
Mr. BALL - Were you under the impression that this man that you saw in the line-up and whom you pointed out to the police, was the teenage boy who had been grinning?
Mr. McWATTERS - I was, yes, sir; I was under the impression--
Mr. BALL - That was the fellow?
Mr. McWATTERS - That was the fellow.
Mr. BALL - You were not under the impression then that night when you saw the line-up that the No. 2 man in the line-up was the man who got off the bus, to whom you had given a transfer?
Mr. McWATTERS - That is what I say. In other words, when I told them, I said, the only way is the man, that he is smaller, in other words, he kind of had a thin like face and he weighs less than any one of them. The only one I could identify at all would be the smaller man on account he was the only one who could come near fitting the description.
Mr. BALL - Let me ask you this, though. Did you tell them the man, the smaller man, you saw in the line-up, did you tell them that you thought he was the man who got off your bus and got the transfer or the man who was on the bus who was the teenager who was grinning?
Mr. McWATTERS - Well, I really thought he was the man who was on the bus.
Mr. BALL - That stayed on the bus?
Mr. McWATTERS - That stayed on the bus.
Mr. BALL - And you didn't think he was the man who got off the bus and to whom you gave a transfer?
Mr. McWATTERS - No, sir.
Mr. BALL - At that time you didn't?
Mr. McWATTERS - That is why I say I pinpointed that transfer on that boy as far as that is concerned. But at first, just like I say, I really thought from the height and weight of the two men, I mean was just like I say, was both of them were small. In the line-up they had, in other words, bigger men, in other words, he was the smallest man at the line-up. And the W.C. keeps returning to the line-up.
Mr. BALL - Now, that night of the line-up, when you identified this one short man.
Mr. McWATTERS - Yes.
Mr. BALL - As being probably the teenager that had been on the bus--
Mr. McWATTERS - Yes.
Mr. BALL - Was there anything unusual in the conduct of anyone in the line-up?
Mr. McWATTERS - No.
Mr. BALL - Did any man in the line-up talk more than anyone else?
Mr. McWATTERS - No, I believe they had a guy that asked them their address, and they said, "address" and I don't know, he asked them, I believe he asked some of them where they lived or some of them where they worked, or I don't remember just what, in other words, he asked some enough, every one of them to say some few words.
Mr. BALL - You could hear them talk?
Mr. McWATTERS - Yes, sir; you could hear them talk.
Mr. BALL - Was any one man boisterous, mean, loud, anything of that sort?
Mr. McWATTERS - No, not that I could tell any difference. They all talked to me as, in other words, you just asked them their name and address. If they did, I didn't pay any attention to it.
And clearly the W.C. cannot let go of this line-up which is nothing short of a mess.

Senator COOPER - You saw--was any of the men in the police line-up ever identified to you as being Lee Oswald?

Mr. McWATTERS - Any men in the--

Senator COOPER - Yes, I think you saw the men in the line-up, didn't you?

Mr. McWATTERS - Yes.

Senator COOPER - Before you were asked to select a man in the line-up, did the police or any officer identify any one of them as bearing the name of Lee Oswald?

Mr. McWATTERS - No, sir; they never stated anything.

Senator COOPER - Later was he identified to you in any way?
Mr. McWATTERS - Was he identified to me?
Senator COOPER - As being Lee Oswald?
Mr. McWATTERS - No, they didn't tell me as far as saying, mentioning any name Lee Oswald, it was never, the name Lee Oswald, I don't believe was ever mentioned while we was back there.
Senator COOPER - Did you ever see this same man you call No. 2 in the line-up again--did you ever go back there after that time and see this same person again?
Mr. McWATTERS - No, sir.
Senator COOPER - Identified as No. 2?
Mr. McWATTERS - No, sir; I never did go back any more, that was the only time I was ever there was the one on November 22, about 6 something in the afternoon.

- Sam Guinyard and Ted Callaway, both working at the same car repair shop, not far away from the scene of the crime, contradict each other during their W.C.
testimonies, something Gokay Hasan Yusuf has already succinctly brought forward in his blog post in 2013.

- Harold Weisberg is of the opinion that Guinyard was primed before the line-up and his W.C. testimony, something I tend to agree with.
- Guinyard mentioned a second person involved with the Tippit shooting.
- Jim Leavelle’s report states he took Galloway’s and Guinyard’s statements before the line-up! Something he reconfirms during his W.C. testimony. The two men’s handwritten statements are taken and the No. 2 ID is added on in the typed statement after. Calloway handwritten - Calloway typed. Guinyard handwritten - Guinyard typed statements.

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J. R. Leavelle - Page 2

Det. L. C. Graves and I then took Helen Harkham to her home in Oak Cliff. We stopped at the used car lot, 501 W. Jefferson, where we talked with the manager, Ted Calloway, who told me he had seen the suspect running from the scene with a gun in his hand and how he was dressed—with dark trousers, shirt light color, jacket and a T shirt; that the shirt and jacket were open and he could see the T shirt. A colored porter, Sam Guinyard, of Wazahachie, Texas said he also saw the suspect and could identify him. I also talked with another employee of the lot, Domingo Benavides, 509 E. Jefferson, who said he went to the scene of the shooting and picked up two empty hulls and gave them to Officer Poe.

We then returned to our office where Captain Pfitz told me to call the above people to come down for a lineup. I called Mr. Calloway who came down and brought Sam Guinyard with him. We went directly to the show-up room. While waiting for the show-up I took an affidavit from both of the above men. At 6:30 pm Oswald was brought down, where he was identified by both Calloway and Guinyard as the same men they had seen running from the scene of Officer Tippit’s killing with a gun in his hand. He was identified as #2 man in a 1-man lineup.

Mr. Calloway and Guinyard were then taken up to the crime lab on the 4th floor where Captain Doughty showed us a jacket that was found along the route taken by the suspect from the scene of the Tippit shooting. They identified it as the same one or one just like the one worn by the suspect.

I returned to the Homicide Office where I worked until 11:00 am Saturday morning. I went home and returned at 8:00 am Saturday, November 23, 1963.

During the day I did general office work and took two more affidavits: one from R. H. Tru, supervisor at the Texas School Book Depository, 111 Elm Street and another employee of this business, Mrs. R. M. Reel. I also took an affidavit from W. H. Scoggins, a cab driver who was near the scene of the Tippit shooting and
Mr. BALL. Later that day, did you go down to the police department?
Mr. GUINYARD. Yes, sir; I went down that night.
Mr. BALL. That same night?
Mr. GUINYARD. Yes.
Mr. BALL. Whom did you go down with?
Mr. GUINYARD. Me and Ted.
Mr. BALL. You and who?
Mr. GUINYARD. Ted---Ted Callaway.
Mr. BALL. Ted Callaway?
Mr. GUINYARD. Yes.
Mr. BALL. And where did you go when you went to the police station?
Mr. GUINYARD. I went to the identifying office.
Mr. BALL. You went into a place where there were police officers?
Mr. GUINYARD. Yes, sir.
Mr. BALL. And how did you identify him--tell me what happened to you, what you saw?
Mr. GUINYARD. Well, I just saw him.
Mr. BALL. Well, were you in a big room?
Mr. GUINYARD. Yes--in a big room.
Mr. BALL. With police officers?
Mr. GUINYARD. Yes, sir.
Mr. BALL. And what did you see?
Mr. GUINYARD. I don't understand you.
Mr. BALL. Did you see some men up ahead of you?
Mr. GUINYARD. Yes--four men.
Mr. BALL. Four men?
Mr. GUINYARD. Yes--four men--handcuffed together.
Mr. BALL. What did you say?
Mr. GUINYARD. They was handcuffed together.
Mr. BALL. They was handcuffed?
Mr. GUINYARD. Yes; all four of them.
Mr. BALL. Were they of different sizes?
Mr. GUINYARD. Well, they was pretty close together--there wasn't much difference in size.
Mr. BALL. In height--they were about the same?
Mr. GUINYARD. About the same.
Mr. BALL. Were they all about the same colour?
Mr. GUINYARD. No, sir; they wasn't all about the same colour.
Mr. BALL. All about the same colour?
Mr. GUINYARD. No, sir; they wasn't all about the same colour.
Mr. BALL. Did you say anything to any police officer there after you saw them?
Mr. GUINYARD. I talked to one---with the detective---after he came out there.
Mr. BALL. What did you tell him--I mean in this room---as you saw these four men up there?
Mr. GUINYARD. He just asked me reckon I could identify them and I said I sure could.
Mr. BALL. What did you tell him?
Mr. GUINYARD. I just told him I sure could.
Mr. BALL. What did you say to him about it?
Mr. GUINYARD. Well, I didn't say anything--I was just waiting on them to bring them in.
Mr. BALL. After they brought them in and after you looked at them, what did you tell the police officers?
Mr. GUINYARD. I told them that was him right there---I pointed him out right there. That was him right there.
Mr. BALL. Do you remember where he was standing in the line-up--what number he was?
Mr. GUINYARD. I don't know what his number was, but I can tell you where he was
standing at.
Mr. BALL. Where was he standing?
Mr. GUINYARD. He was standing--the second man from the east side, and that line-up was this way (indicating) and he was the second man from that there end.
Mr. BALL. And did you tell any police officer that you thought that was the man?
Mr. GUINYARD. Yes, sir.
Mr. BALL. Whom did you tell; what police officer was it?
Mr. GUINYARD. I don't know his name.
Mr. BALL. You don't know his name?
Mr. GUINYARD. No, sir; I don't know his name but I know him now if I would see him.
Mr. BALL. Before you went in there, did the police officers show you any pictures?
Mr. GUINYARD. No, sir.
Mr. BALL. Did the police officer say anything to you before you went in there?
Mr. GUINYARD. No, sir.
Mr. BALL. Did he say that he thought they had the man that killed the police officer?
Mr. GUINYARD. No, sir; he didn't tell me that.
Mr. BALL. Did you hear Ted Callaway say anything before you said you thought that was the man?
Mr. GUINYARD. No, sir.
Mr. BALL. Were you with Ted at the time?
Mr. GUINYARD. Yes, sir.
Mr. BALL. How close was Ted to you?
Mr. GUINYARD. Oh--sitting about like that.
Mr. BALL. You mean 3 or 4 feet away from you?
Mr. GUINYARD. Yes; something like that.

Ted Callaway has his say during his W.C. testimony.
Mr. BALL. Did you go down to the police station later?
Mr. CALLAWAY. That evening.
Mr. BALL. What time?
Mr. CALLAWAY. I think it was around 6:30 or 7 o'clock. I remember it was after dark.
Mr. BALL. Did you go down there alone?
Mr. CALLAWAY. No. I went with Sam Guinyard, a coloured porter of ours. He saw him, also.
(At this point, Representative Ford withdrew from the hearing room.)
Mr. CALLAWAY. We drove down. Officer--Detective Jim Leavelle met us, and took us into this room where they showed us the line-up.
Mr. BALL. Now, before you went down there, had you seen any newspaper accounts of this incident?
Mr. CALLAWAY. No, sir; I had been out there on the lot. I hadn't seen a newspaper, hadn't even heard a radio, really.
Mr. BALL. Had you seen any television?
Mr. CALLAWAY. No sir.
Mr. BALL. Had you seen a picture of a man?
Mr. CALLAWAY. No.
Mr. BALL. The officer show you any pictures?
Mr. CALLAWAY. No, sir.
Mr. BALL. You went into a police line-up, in a room where they had a line-up of men?
Mr. CALLAWAY. Yes.
Mr. BALL. How many?
Mr. CALLAWAY. Four.
Mr. BALL. And were they all the same size, or different sizes?
Mr. CALLAWAY. They were about the same build, but the man that I identified was the shortest one of the bunch.
Mr. BALL. Were they anywhere near the same age?
Mr. CALLAWAY. They were about the same age, yes, sir. They looked-- you know.
Mr. BALL. And you say you identified a man. How did you do that?
Mr. CALLAWAY. Well
Mr. BALL. Tell us what happened.
Mr. CALLAWAY. We first went into the room. There was Jim Leavelle, the detective, Sam Guinyard, and then this bus driver and myself. We waited down there for probably 20 or 30 minutes. And Jim told us, "When I show you these guys, be sure, take your time, see if you can make a positive identification."
Mr. BALL. Had you known him before?
Mr. CALLAWAY. No. And he said, "We want to be sure, we want to try to wrap him up real tight on killing this officer. We think he is the same one that shot the President. But if we can wrap him up tight on killing this officer, we have got him." So they brought four men in. (This indicates that Leavelle tipped off the witnesses that the killer of Tippit and The President was in the line-up-B.K.)
I stepped to the back of the room, so I could kind of see him from the same distance which I had seen him before. And when he came out, I knew him.
Mr. BALL. You mean he looked like the same man?
Mr. CALLAWAY. Yes.
Mr. BALL. About what distance was he away from you--the closest that he ever was to you?
Mr. CALLAWAY. About 56 feet.
Mr. BALL. You measured that, did you?
Mr. CALLAWAY. Yes, sir.
Mr. BALL. Last Saturday morning?
Mr. CALLAWAY. Yes, sir.
Mr. BALL. Measured it with a tape measure?
Mr. CALLAWAY. Yes, sir.
Then there is the so called grey jacket, and this jacket was found pretty quickly by the police, but by the looks of it Oswald was never confronted with that jacket, nor were there any finger prints found on the jacket either.

- Sam Guinyard’s W.C. testimony.

Mr. BALL. How was this man dressed that had the pistol in his hand?
Mr. GUINYARD. He had on a pair of black britches and a brown shirt and a lithe sort of light-gray-looking jacket.
Mr. BALL. A gray jacket.
Mr. GUINYARD. Yes; a light gray jacket and a white T-shirt.
Mr. BALL. A white T-shirt?
Mr. GUINYARD. Yes; a white T-shirt on under it. And a brown shirt on.
Mr. BALL. And a white T-shirt on?
Mr. GUINYARD. Underneath it, because this brown shirt was open at the throat and the white T-shirt under it like this [indicating].
Mr. BALL. Sam, I’ll show you an exhibit here, which is a piece of clothing and which is marked Commission Exhibit No. 150. Have you ever seen this before?
Mr. GUINYARD. Yes, sir.
Mr. BALL. When and where?
Mr. GUINYARD. In Oak Cliff.
Mr. BALL. Did you ever see anybody wearing it?
Mr. GUINYARD. Yes, sir.
Mr. BALL. Who?
Mr. GUINYARD. Oswald.
Mr. BALL. Where?
Mr. GUINYARD. Oak Cliff.
Mr. BALL. Tell me a little more about it.
Mr. GUINYARD. In Oak Cliff and down in the courtroom.
Mr. BALL. Where?
Mr. GUINYARD. Down in the examining room.
Mr. BALL. When this man came down Patton Street toward Jefferson with his gun, you have mentioned he had a shirt on?
Mr. GUINYARD. Yes, sir.
Mr. BALL. You described that shirt as a brown shirt?
Mr. GUINYARD. Yes.
Mr. BALL. Does this look anything like the shirt?
Mr. GUINYARD. It looks just like it does.
Mr. BALL. You saw that shirt before?
Mr. GUINYARD. Yes.
Mr. BALL. Where?
Mr. GUINYARD. Down at the city hall.
Mr. BALL. At the police station?
Mr. GUINYARD. Yes.
Mr. BALL. And what did you tell them when they showed you this shirt?
Mr. GUINYARD. I told them that that's the shirt he had on.
Mr. BALL. Now, the next exhibit here is Commission Exhibit No. 162; have you ever seen this before?
Mr. GUINYARD. That's the jacket.
Mr. BALL. This is a gray jacket?
Mr. GUINYARD. Yes; that's the gray jacket.
Mr. BALL. It has a zipper on it?
Mr. GUINYARD. Yes.
Mr. BALL. You say that's the jacket?
Mr. GUINYARD. Yes; that he had on in Oak Cliff when he passed the lot.
Mr. BALL. That the man with the pistol had on?
Mr. GUINYARD. Yes, sir.

Ted Callaway goes through similar motions during his W.C. testimony.

Mr. BALL. Did he have the same clothes on in the line-up--did the man have the same clothes?
Mr. CALLAWAY. He had the same trousers and shirt, but he didn't have his jacket on. He had ditched his jacket.
Mr. BALL. What kind--when you talked to the police officers before you saw this man, did you give them a description of the clothing he had on?
Mr. CALLAWAY. Yes, sir.
Mr. BALL. What did you tell them you saw?
Mr. CALLAWAY. I told them he had some dark trousers and a light tannish gray windbreaker jacket, and I told him that he was fair complexion, dark hair.
Mr. BALL. Tell them the size?
Mr. CALLAWAY. Yes; I told them--I think I told them about 5'10".
Mr. DULLES. Did you see his front face at any time, or did you only have a side view of him?
Mr. CALLAWAY. He looked right at me, sir. When I called to him, he looked right at me.
Mr. DULLES. You saw front face?
Mr. CALLAWAY. Yes.
Mr. BALL. I have a jacket here Commission's Exhibit No. 162. Does this look anything like the jacket that the man had on that you saw across the street with a gun?
Mr. CALLAWAY. Yes; it sure does. Yes, that is the same type jacket. Actually, I thought it had a little more tan to it.
Mr. BALL. Same type?
Mr. CALLAWAY. Yes.
Mr. BALL. I show you a shirt, 150. Does it look anything like the shirt he had on under the jacket?
Mr. CALLAWAY. Sir, when I saw him he didn't have--I couldn't see this shirt. I saw--he had
it open. That shirt was open, and I could see his white T-shirt underneath.
Mr. BALL. He had a white T-shirt underneath?
Mr. CALLAWAY. Yes. That is the shirt he had on in the line-up that night.
Callaway had no problem ID-ing Oswald according to the video below (click pic.).

Ted Callaway.Screengrab-B.K.

In Accessories After the Fact (P. 258) according to Domingo Benavides, Callaway had to
ask him what had happened. And Callaway also had to ask him which way the
perpetrator fled so he could chase him.

- Domingo Benavides the biggest absentee during this or any other line-up. He
  was the witness who was positioned closest to the whole shooting, his pick-up
  truck was parked 15-20 feet diagonally across from Tippit's patrol car, and
  refused to I.D. Oswald as the killer of J.D. Tippit and naturally was not asked to
  come by L.C. Graves and Jim Leavelle. L.C. Graves makes mention of Domingo
  Benavides in his report. The other peculiar fact is that, there is absolutely no
  statement of him present from the D.P.D., nor the F.B.I., nor the Sheriff's Dept.
  Which just begs the question why was he 
  not used for the line-ups, I mean it
  would have been a cake walk for the D.P.D. and Oswald could have been tagged
  and bagged and everyone could have gone home. But they didn’t

His first official record is his Warren Commission testimony, 4 months after the
happening.
Here's a snippet with regards Oswald's ID.

Mr. BELIN - You used the name Oswald. How did you know this man was Oswald?
Mr. BENAVIDES - From the pictures I had seen. It looked like a guy, resembled the guy.
That was the reason I figured it was Oswald.
Mr. BELIN - Were they newspaper pictures or television pictures, or both, or neither?
Mr. BENAVIDES - Well, television pictures and newspaper pictures. The thing lasted about
a month, I believe, it seemed like.
Mr. BELIN - Pardon.
Mr. BENAVIDES - I showed--I believe they showed pictures of him every day for a long
time there.

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19:10 Arraigned for the murder of J.D. Tippit

Just after 7 PM Oswald was arraigned for the Tippit murder in Will Fritz’s office, which doesn’t resemble a court of law at all. An arraignment is defined as “the formal summoning of a prisoner in a court of law to answer an indictment”.

- Will Fritz’s W.C. testimony.

Mr. BALL. What happened at 7:10?

Mr. FRITZ. 7:10 we had this arraignment with Judge David Johnston, and present, I was present, and Officers Sims, Boyd, Hall, and Mr. Alexander from the district attorney’s office, and that was in my office.

Mr. BALL. How was the arraignment conducted?

Mr. FRITZ. Well, the judge gave him a warning, talked to him for a little bit.

Mr. BALL. What warning did he give him?

Mr. FRITZ. He advised him of his rights. I believe he had a form; I couldn’t repeat it, of course, but I believe he had some forms that he went over with him.

Later on during the same testimony.

Mr. BALL. Now, at 7:10, he was arraigned in your office?

Mr. FRITZ. Yes, sir.

Mr. BALL. By arraign you mean he was informed of the charge against him?

Mr. FRITZ. That is right.

Mr. BALL. He wasn’t asked to plea.

Mr. FRITZ. Before a judge, before a justice of the peace, a magistrate.

Mr. BALL. It is not your practice to ask for a plea at that stage, is it?

Mr. FRITZ. No, sir; we don’t.

Mr. BALL. All you do is advise him of his rights and the charge against him?

Mr. FRITZ. That is right, I am not a lawyer, you might feel--I don’t want to leave a bad impression, I am just telling you what we do.

Mr. BALL. What the practice is in Texas.

Mr. FRITZ. Yes, sir.

Mr. BALL. Did Oswald make any reply to Judge Johnston?

Mr. FRITZ. He said a lot of sarcastic things to him.

Mr. BALL. What did he say?

Mr. FRITZ. Irritable, I can’t remember all the things that he said. He was that way at each arraignment. He said little sarcastic things, some of the things were a little impudent things.

- Richard Sims’ W.C. testimony.

Mr. BALL. Now, in your report, you mentioned that a murder complaint was signed by Fritz that evening?

Mr. SIMS. Yes, sir.

Mr. BALL. Were you present when that happened?

Mr. SIMS. Yes.

Mr. BALL. Was Oswald present also?

Mr. SIMS. Yes, sir.

Mr. BALL. He was present when the murder complaint was signed?

Mr. SIMS. Yes, sir.

Mr. BALL. Where did this take place?

Mr. SIMS. In Captain Fritz’ office.

Mr. BALL. And who was present?
Mr. SIMS. Well, let me see Justice of the Peace Dave Johnston, and Assistant District Attorney Bill Alexander, and I don't know who else was there--I don't know who else was present.

Mr. BALL. Was the judge there--the justice judge--the J.P., Dave Johnston?

Mr. SIMS. Yes, sir.

Mr. BALL. And Bill Alexander and Fritz?

Mr. SIMS. Yes.

Mr. BALL. And you? And Boyd?

Mr. SIMS. Yes, sir.

Mr. BALL. And Oswald was there?

Mr. SIMS. Yes, sir.

Mr. BALL. Was anything said to Oswald about the signing of a murder complaint?

Mr. SIMS. Yes, sir.

Mr. BALL. What was said, and who said it?

Mr. SIMS. I don't remember what was said--I know Judge Johnston talked to him and Captain Fritz talked to him.

Mr. BALL. And did Alexander talk to him?

Mr. SIMS. I believe he did, but I'm not positive about that.

Mr. BALL. Do you remember what Judge Johnston said?

Mr. SIMS. No, sir; I don't.

Mr. BALL. Do you remember what Oswald said?

Mr. SIMS. No, sir.

Mr. BALL. Did anyone tell him that a murder complaint was being filed against him?

Mr. SIMS. I believe so; yes, sir.

Mr. BALL. For what murder?

Mr. SIMS. For Officer Tippit.

Mr. BALL. Do you remember what Oswald said?

Mr. SIMS. No, sir; I don't.

- Elmer Boyd's W.C. testimony.

Mr. BALL. Who was present in Captain Fritz' office at that time?

Mr. BOYD. Well that was when Justice of the Peace David Johnston [spelling] J-o-h-n-s-o-n, and our assistant district attorney, Bill Alexander, William F. Alexander, I believe is his true name they came in with Captain Fritz.

Mr. BALL. Oswald was there too, was he?

Mr. BOYD. Yes.

Mr. BALL. What took place there?

Mr. BOYD. Well, Captain Fritz signed a murder complaint against Lee Harvey Oswald and that was for the murder of J. D. Tippit.

Mr. BALL. Was there some conversation that took place there at that time in front of Oswald?

Mr. BOYD. Yes, sir.

Mr. BALL. What was it that you can remember?

Mr. BOYD. Well, I believe Judge Johnston, I believe, read the charge to Oswald, and--well I don't recall the rest of that conversation.

Mr. BALL. Do you remember what Oswald said?

Mr. BOYD. No, sir.

From the so called Tippit arraignment the four men present besides Oswald do not remember anything of what the man accused had to say. Nor did the person doing the handy work.

- Justice of the Peace David L. Johnston according to his Warren Commission testimony states:

Mr. HUBERT. Were you the justice of peace that arraigned Oswald?

Mr. JOHNSTON. Yes; I arraigned Lee Harvey Oswald--let me give you the sequence of
them—that’s the easiest thing to do. I brought the complete record and I have everything here. The first charge that was filed was for murder with malice of Officer J. D. Tippit of the Dallas Police Department in cause No. F-153, The State of Texas versus Lee Harvey Oswald. This complaint was filed at 7:05 p.m. on the 22nd day of November 1963.

Mr. HUBERT. By whom?

Mr. JOHNSTON. By Capt. J. W. Fritz, captain of the homicide bureau, Dallas Police Department, was accepted by W. F. Alexander who is William F. Alexander, an assistant criminal district attorney of Dallas County, Tex., which was passed over to me at 7:05 p.m. The actual complaint was signed at 7:04 p.m. and I arraigned Lee Harvey Oswald at 7:10 p.m. on November 22, 1963, advising him of his constitutional rights and that he had to make no statement at all, and that any statement he made may be used in evidence against him for the offense concerning which this affidavit was taken, and remanded the defendant to the custody of the sheriff of Dallas County, Tex., with no bond as capital offense.

Mr. HUBERT. Is it within your jurisdiction to do that?

Mr. JOHNSTON. Yes, sir.

Mr. HUBERT. Where did that occur?

Mr. JOHNSTON. That was in Captain Fritz’ office of the Dallas Police Department.

Mr. HUBERT. Who else was present?

Mr. JOHNSTON. Mr. Bill Alexander--William Alexander--an assistant district attorney; Captain Fritz--these are--if I can remember them either two or three of the other homicide detectives; at least one Federal Bureau of Investigation agent (which must have been James Bookhout-B.K.), and which one I couldn’t say at this time because we were just all in and out of there, and I’m almost sure it was one of the FBI agents, and which one, I couldn’t say at this time because we were just all in and out of there, and I’m almost sure there was one of the FBI agents in the room and possibly a Secret Service agent.

And a little later

Mr. HUBERT. Under Texas law is a man charged with murder required to be brought before a committing magistrate, such as you, right away?

Mr. JOHNSTON. This can be done immediately forthwith before the magistrate or a reasonable period of time within a reasonable period of time of the filing.

Mr. HUBERT. What occurs at such time at such a proceeding?

Mr. JOHNSTON. In this particular incident, the complaint--the affidavit--was read to the defendant, Lee Harvey Oswald, at which time I advised him that this was merely to appraise him of his constitutional rights and what he was charged with.

Mr. HUBERT. This was not a court proceeding?

Mr. JOHNSTON. This was not the examining trial; no, sir. It was not the examining trial.

Mr. HUBERT. It did not call for a plea?

Mr. JOHNSTON. It required no pleadings whatsoever; no, sir. This was merely to appraise him of what he was charged with and to advise him of his constitutional rights.

Mr. HUBERT. Did he make any comment upon that at all?

Mr. JOHNSTON. Yes, sir; but I can’t recall what it was. At this particular time he made some remark. Also at the second arraignment for the murder of President Kennedy, when he was brought through the door at this time, he said, "Well, I guess this is the trial," was the statement that he made then, but I don’t remember what he said at the arraignment regarding Officer Tippit.

- Bill Alexander in No More Silence (page 537): *Oswald’s demeanour was that of one of the most arrogant people that I have ever run into in a situation like that. He just disclaimed any knowledge of anything.*
Below two videos showing Oswald as he is being escorted out by Boyd, Sims and Hall. He complains that he has been given a hearing without any legal representation present, he also denies that he has shot anyone.

These two films taken from opposite angles show Oswald and co. on their way to the jail elevator to have him appear for his third line-up.
19:55 Third line-up for the Davis sisters

Oswald, during this third line-up, is accompanied by:

- Don R. Ables, a civilian Jail Clerk employed by the DPD at City Hall. Ables was in his mid-20s, 5’9” tall, weighed around 165 pounds, and had dark hair, brown eyes and a ruddy complexion. On each of the three line-ups he attended, he wore a white shirt, a grey-knit sweater and dark trousers.

- Richard Walter Borchardt, a remand prisoner being held on suspicion of firearms, burglary and theft offences. He was 23 years old, 5’9”, 161 pounds and had brown hair, blue eyes and a fair complexion.

- Ellis Carl Brazel, another prisoner, on remand for motoring offences. He was 21 years old, 5’10”, weighed 169 pounds had blond hair, green eyes and a ruddy complexion.

Even though Barbara Jeanette and Virginia Davis point Oswald out, they fail to give a description of the assailant in their affidavits, and again in their Secret Service / Secret Service reports. The D.P.D. affidavits were taken after the line-up.

From: UNT. From: UNT.
Virginia Davis recites Detective Dhority as the police officer she gave the shell to in her affidavit, during her W.C. testimony (page 11) she is quoted as “I didn’t hear the detective’s name called”

The Dallas Police put two blonds in the lineup with Oswald and Ables for this lineup. The Davis sisters eventually (during their W.C. testimonies) described the man they saw running across their lawn as a white male, slender, light complexion, with either light brown or black hair. But both fillers Richard Walter Borchgardt and Ellis Carl Brazel had blond hair, and a ruddy complexion. And Don Ables also had a ruddy complexion.

In her March 12th 1964 F.B.I. affidavit Barbara Jeanette states that the killer wore a dark jacket and black pants.
Mr. BALL. Now, did you have some difficulty in identifying this No. 2 man in the showup when you saw him?

Mrs. DAVIS. Well, they made us look at him a long time before they let us say anything.

Mr. BALL. What about you? I am not talking about what you told them.

What was your reaction when you saw this man?

Mrs. DAVIS. Well, I was pretty sure it was the same man I saw. When they made him turn sideways, I was positive that was the one I seen.

Mr. BALL. I have no further questions.

Mr. BELIN. Thank you, Mrs. Davis.

Mr. DULLES. Did your sister-in-law go with you to the line-up?

Mrs. DAVIS. Yes, sir.

Mr. DULLES. Did she make an identification?

Mrs. DAVIS. Yes, sir.

Mr. DULLES. At the same time as you did?

Mrs. DAVIS. Yes, sir.

Mr. DULLES. Did you see her identification?

Mrs. DAVIS. We didn't discuss it.

Mr. DULLES. I mean, but after she had made it, did you see what identification she had made?

Mrs. DAVIS. Do you mean--I don't understand what you mean.

Mr. DULLES. Well, let me start over again.

Did you identify the man in the line-up before your sister-in-law?

Mrs. DAVIS. Yes, sir.

Mr. DULLES. Before your sister-in-law?

Mrs. DAVIS. Yes, sir; I was the first one.

Mr. DULLES. All right. Did your sister-in-law, to your knowledge, make the same identification?

Mrs. DAVIS. Yes, sir; she was there with me at the same time.

Mr. DULLES. She was standing with you. And she saw the identification you had made?

Mrs. DAVIS. All I done was just lean over and tell the man.

Mr. DULLES. How did you make your identification? By pointing or holding up your fingers.

Mrs. DAVIS. The man that was sitting next to me just asked me which one I thought it was, and I leaned over and told him. And then he leaned around me and asked her.

Mr. DULLES. He did what?

Mrs. DAVIS. He leaned around--he was behind me, and asked her.

Mr. DULLES. I see.

Mrs. DAVIS. I sort of set up where he could talk to her.

Mr. DULLES. And did you identify the man by number or by pointing?

Mrs. DAVIS. By number.

Mr. DULLES. Do you remember what number it was?

Mrs. DAVIS. It was number 2. From the left.

Virginia Davis' W.C. testimony.

Mr. BELIN. All, right, you went with the detective to a dark room?

Mrs. DAVIS. Yes.

Mr. BELIN. What did you do when you got to the dark room?

Mrs. DAVIS. He told us to sit down.

Mr. BELIN. All right.

Mrs. DAVIS. And then these five boys, or men walked up on this platform, and he was No. 2.

Mr. BELIN. You say he was No. 2. Who was No. 2?

Mrs. DAVIS. The boy that shot Tippit.

Mr. BELIN. You mean the man--did you see him shoot Tippit? Or you mean the man you saw with the gun?

Mrs. DAVIS. The man I saw carrying the gun.
Mr. BELIN. Was he white or a Negro man?
Mrs. DAVIS. He was white.
Mr. BELIN. Were all the men in the line-up white men or some Negroes?
Mrs. DAVIS. All of them were white.
Mr. BELIN. Could you describe any other people in the line-up as to whether they might be fat or thin or short or tall?
Mrs. DAVIS. Well, one of them was sort, well, he was tall and slim. And then the other one there, he was sort of chubby and he was short. Then this other one, he was about the same height as the other one, the last one I told you about, short and chubby. And the other one was about—medium tall.
Mr. BELIN. Now you identified someone in that line-up?
Mrs. DAVIS. Yes, sir.
Mr. BELIN. Did you hear your sister-in-law identify him first, or not?
Mrs. DAVIS. No, sir; I identified him first.
Mr. BELIN. Where was your sister when you identified him?
Mrs. DAVIS. She was sitting right next to me.
Mr. BELIN. How did you identify him? Did you yell that this is the man I saw?
Mrs. DAVIS. No; I just leaned over and told the detective it was No. 2.
Mr. BELIN. Where was the detective? Was he to your right or to your left?
Mrs. DAVIS. Let's see, to my right.
Mr. BELIN. Where was your sister, to your right or to your left?
Mrs. DAVIS. Right.
Mr. BELIN. As she was to your right, so you leaned over to the detective and told the detective it was No. 2?
Mrs. DAVIS. Yes, sir.
Mr. BELIN. Anything else that you can think of that happened that day?
Mrs. DAVIS. No, sir.
Mr. BELIN. Later did you ever see a picture of Lee Harvey Oswald on television?
Mrs. DAVIS. Yes, sir.
Mr. BELIN. When did you first see it on television?
Mrs. DAVIS. When they was bringing him out of the jail out here.
Mr. BELIN. When?
Mrs. DAVIS. When they were bringing him out of the jail.
Mr. BELIN. You mean Sunday when he got shot?
Mrs. DAVIS. Yes.
Mr. BELIN. Did this look, could you tell whether this was the same man you saw running with the gun?
Mrs. DAVIS. I wouldn't say for sure.
Mr. BELIN. You mean from seeing his picture on television?
Mrs. DAVIS. Yes, sir.
Mr. BELIN. What about the man you identified as No. 2? Would you say for sure that he was the man you saw running with the gun?
Mrs. DAVIS. I would say that was him for sure.
Mr. BELIN. What you are saying is that you couldn’t necessarily tell from the television picture?
Mrs. DAVIS. No, sir. Our television was blurred anyway, so we couldn’t hardly tell.
19:50 Oswald exclaims to be a patsy

- Henry "Hank" Moore was mostly occupied with the searches at Beckley and at Ruth Pain's residences, but was also around Oswald on Friday eve, but his WC testimony did not make any mention of it.

Hank Moore escorting Oswald while he is about to exclaim being a patsy at 19:50 hrs on the 22nd of Nov.
PBS American Experience - Oswald's Ghost-B.K.

At 19:50 hrs in the evening of the 22nd, Oswald declared himself a patsy after being denied legal representation during his arraignment for killing J.D. Tippit shortly before. Lee Oswald vehemently denied shooting anyone, and complained about being deprived of his legal rights.
Oswald: “I’d like to have some legal representation, these police officers have not allowed me to have any.” “I don’t know what this is all about”

Reporters: “Did you kill The President?”
Oswald: “No Sir I didn’t, people keep asking me that.”

Reporters: inaudible as another reporter is asking “Did you shoot The President”
Oswald: “I work in that building”
Reporters: “Where you in the building at the time?”
Oswald: “Naturally if I work in that building, yes Sir.”

Reporters: “Did you shoot The President?”
Oswald: “No, they are taking me in because of the fact that I lived in The Soviet Union.” “I’m just a patsy!”

Reporters: “Did you shoot The President?”

- Henry Wade does not arrive until early evening at City Hall. He speaks to Chief of Police Curry who shows him the Revill memo about James Hosty and his remarks with regards to Oswald’s guilt. Then he makes his way towards Captain Fritz’s office and, to his surprise, sees Jim Allen there. Wade makes mention of James K. Allen in his Warren Commission testimony:

Mr. Wade. Bill Alexander. There was another one of another man there, Jim Allen, who was a former first assistant who is practising law there in Dallas, frankly I was a little surprised of seeing him there, he is a real capable boy but he was there in homicide with Captain Fritz. They were good friends. And I know there is no question about his intentions and everything was good, but he is just a lawyer there, but he had tried many death penalty cases with Fritz, of Fritz’s cases.

Later on during that same testimony Wade mentions him again as per Oswald’s guilt of assassinating The President.

Mr. Rankin: The conversation you described when Jim Alexander was there and the others?
Mr. WADE. Yes; I first asked Jim Allen, a man whom I have a lot of confidence in, do they have a case and he said it looks like a case, you can try.
Mr. RANKIN. Is that the case about the assassination?
Mr. WADE. Yes; we are talking entirely about the assassination. On the Tippit thing, I didn’t take the charge on that and I think they had some witnesses who had identified him there at the scene, but I was more worried about the assassination of them filing on somebody that we couldn’t prove was guilty.
Jim Allen, like Bill Alexander was an assistant D.A. and known for his hardcore attitude against criminals and was renowned for his death penalty prosecutions, he oversaw at least 20 of them. Jim Allen was a friend of Fritz and had tried many of Fritz’s cases and Wade trusted him.
19:55 Third interrogation

D.P.D.: Will Fritz
Assistant D.A. Bill Alexander.
F.B.I.: James Bookhout a.o.
Secret Service: Forrest Sorrels.

There is not much available about this particular interrogation so it is hard to ascertain who was actually there and what questions were asked. Fritz's notes do not mention this session in detail at all.

- Bill Alexander, an assistant D.A. to Henry Wade, and along with Jim Allen, tried most Dallas' death penalty cases during the 50's and 60's. Alexander said in Larry Sneed's *No More Silence*, to have been present in the early evening, with Will Fritz, to interrogate Oswald. *As I understand, Oswald had arrived at the City Hall around two o'clock in the afternoon. Early that evening Captain Fritz asked me to come in and talk with Oswald. I don't know, but if all the people who have claimed to have interviewed Oswald were put in one group, I doubt if the city auditorium would accommodate them. Every son of a bitch wants to claim he interviewed Oswald, but I know this: I know that Captain Fritz and I were alone with Oswald in Captain Fritz's office the first time that I saw him and Fritz tried to question him. At that time, Fritz tried to get some information from him and Oswald was not responsive. He would answer a question with a question. Fritz asked him if he had a lawyer or wanted a lawyer, and he said yes, that he wanted John Abt. Well, I'd never heard of John Abt, but I found out after I left the office, through a discreet inquiry, that Abt was a Communist lawyer in New York. Captain Fritz said, "We'll pay for the phone call if you want to call him." Oswald didn't pursue that. So the Captain said, "Well, do you want us to get you a local lawyer?" But he didn't want a local lawyer. Fritz tried to talk to him about Tippit. "Who's Tippit?" As I've said, he responded to almost every question with a question.*

*I had some phone calls to make to find out this and that. When I returned, a couple of FBI agents were there. At that time, FBI agents wouldn't write notes down in front of a suspect. They'd listen until they thought they'd gotten all they could remember, then they'd go outside to write up whatever they heard, then others would come in and out. Throughout these two sessions, Oswald was in command of himself and aware of his surroundings. He seemed intelligent, used good English and expressed himself well. In fact, he almost seemed rehearsed for the questions. He wasn't giving any meaningful answers. Personally, I don't think that he would have ever talked. As time wore on, there was always the question of conspiracy and what next?*

*Anyway, Captain Fritz wanted a chance to talk about what evidence we had, so we went over to the Majestic Cafe along with Forrest Sorrels, the local head of the Secret Service, an FBI guy, a couple of Dallas police, and I don't remember who else. We went and got a big table, ordered, and then began to talk about the evidence we had and whether we had enough to file. In working closely with Fritz, I had the benefit of whatever information he had, and the case looked solid to me.*
In the book *Where Were You* by Gus Russo and Harry Moses, Buell Wesley Frazier relates his part in this chapter.

*Before I got off to Irving, the radio said they had captured a man outside of the Texas Theatre in Oak Cliff, and the more they talked about what went on, I put things together and realized they were talking about Lee. I said, “My gosh. I can’t believe what I’m hearing.” Since I’d gotten off early, my mother and my stepfather were up visiting one of my sisters and her husband and three children. He had had a heart attack, so he was in the hospital at Irving Boulevard and Pioneer. I thought, I can stop by and check on him, so that’s what I did. I was in his room, and then a nurse came to the door and said, “I have a phone call for you at the desk.” I said, “Just patch it through here to the room.” She said, “I’m new; I don’t really know how to do that.” I said, “OK, I’ll be there in just a minute.” Well, I opened the door to go to the nurses’ station, and two guys grabbed me and threw me up against the wall; I was totally shocked. I said to them, “What is going on here? Why are you doing this to me?” They said, “We’re arresting you.” I said, “For what? I haven’t done anything.” That was Detective Rose and Detective Stovall. They took me to their car, and we stopped at the Irving Police Station.* *(The paper work from Irving Police Station disputes this arrest scenario-B.K.) They talked with someone there, and then they took me on to downtown Dallas. They asked about everything you could think of. It was just repetitious—over and over and over for hours. Detective Rose and Stovall started off; then they took a break, and two more detectives come in and quizzed me with the same questions, over and over. They just asked me things about Lee and my work and stuff like that. Things I knew I could tell them. They asked about the package Lee had with him. I said, “He did bring a package with him this morning.” They asked me about the length of the package, and I told them, “It was roughly two feet, give or take an inch or two either way.”

*Every answer I gave them was the answer I knew. One time, Captain Will Fritz, who was head of the Homicide Department, brought in a typed statement, and he wanted me to sign it. Now, Captain Fritz, I’m sure, did a lot of good things for the Dallas Police Department, but over the years, I’ve asked myself: Somewhere along the line did he become like the people he hunted? When he put the paper down in front of me, I started to read it. He wanted me to sign a paper that I was confessing to being part of the assassination and that I knew of it—that I had knowledge of it and that it was going happen. I told him I wasn’t signing that. I told him it wasn’t the truth. Well, Captain Will Fritz was quite hot-tempered. When I told him I wasn’t signing it, he drew back his hand to hit me, and I took my arm up to block. I was sitting there at the table, and all during the questioning, I just had to look straight into a wall. I couldn’t look sideways or anything, and when I told him I wasn’t going to sign it, I think he really could have struck me. But I told him, “Outside that door are some policemen, and before they get in here, we’re going to have one hell of a fight. I’m going to get some punches in.” He walked out, and I never did see the man again. I don’t want to come across as though I hated the man. I just was so unhappy with the way he treated me. On Saturday morning I was cleared to go home. They cleared me one time, and we were on the way out to Irving when they got a call and turned around and brought me back. That’s when they did the fingerprints and a mug shot. I couldn’t believe what was going on. This was kind of like a nightmare to me. We went back, and after more questioning and so forth, they finally let me go. I didn’t know anything about Lee shooting the policeman, J. D. Tippit. When I’d tell them something, they’d come back and say, “That’s not true.” But I knew it was. I knew what I was telling them was the truth, and I didn’t deviate from that.*

In the *Richmond Times Dispatch* Frazier makes mention of those same interrogations which take several hours and the Fritz incident is being told as well. And again in the video on the next page.
Capt. Will Fritz came into the room with a typed statement. He handed Frazier a pen and demanded he sign it. It was a confession. Frazier refused. “I said I was not signing that. This was ridiculous,” he said. “Captain Fritz got very red-faced, and he put up his hand to hit me and I put my arm up to block. I told him we’d have a hell of a fight and I would get some good licks in on him. Then he stormed out the door.”

Frazier also discusses Fritz and the Lee Enfield rifle at the AARC Conference at 19:05. He starts with his arrest while in the hospital visiting his father in law. They then go via his place, to confiscate his Lee Enfield and a shotgun, to the police station. He then relays that two homicide detectives (probably Rose and Stovall) interrogated him for hours. More like a military interrogation. Telling him where to look and slap him down and when these two got tired a new crew would walk in and start all over again with the same questions. At 24:55 he brings up Will Fritz and again states the same as before that Fritz was walking in with a prepared statement and wanted Frazier to sign it.

And repeats the same story in this video with Hugh Aynesworth. “The way he treated me was totally uncalled for.”

Gus Rose behind Buell Wesley Frazier. Part of this walk was filmed as well. Photo: Jim Murray – Black Star. ROKC Scan of the Richard E. Sprague Collection at the National Archives.
Frazier is taken back home and just when he was about to be dropped off he is brought back in again and submitted to a polygraph test. This polygraph test has not seen the light of day, and I doubt it ever will be. I myself tried to obtain it from the national archives, but other than a set of pages with correspondence between law enforcement agencies enquiring about trying to get hold of the polygraph there is nothing to be had.
21:00 Oswald is fingerprinted and has paraffin casts taken

It is hard to determine when Oswald’s finger prints were taken, but more importantly which set was taken and which set belongs to which time. This is impossible to determine as there are no details present, but there are other anomalies which I will get into soon.

Recently (Dec. 2017) with the document releases by the National Archives an Oswald fingerprint files document was released in which it states that his finger prints are absent on the rifle. Go figure! And there is another document with photos made by the HSCA.

Here is a collage of a set of photos of Oswald’s finger prints and paraffin tests which were paraded around the third floor corridor for the world’s press to see by Captain George Max Doughty, Detective J.B. “Johnny” Hicks and Sergeant William E “Pete” Barnes. The whole thing is playing out like a dog and pony show.
Careful study of the finger print set above and the ones put on display by the coppers in the collage on the previous page shows that these two sets are not identical.

But it gets better!

The paraffin tests are interesting for the fact that W.E. ‘Pete’ Barnes who had been doing these tests for quite a few years, in his entire career, had not applied this test to a suspect’s face ever before. He did this test on orders of Will Fritz. And it would not have made any difference in determining whether Oswald had fired a rifle that day!

For this I refer you to Barnes’ W.C. testimony.

Mr. BELIN. In this case, did you take it of any other portion of the body other than the hands?
Mr. BARNES. Yes; I did.
Mr. BELIN. What other portion of the body did you take it off?
Mr. BARNES. The right side of his cheek and face.
Mr. BELIN. The right side of Lee Harvey Oswald’s cheek and face?
Mr. BARNES. Yes.
Mr. BELIN. Who directed you to take it there?
Mr. BARNES. Captain Fritz.
Mr. BELIN. Did he particularly say why he wanted it taken there?
Mr. BARNES. I didn’t ask the questions why he wanted it. I was ordered to take it from him, and I took it because I had the order to take the test.
Mr. BELIN. Was there an order to take the left cheek also, or not?
Mr. BARNES. No.
Mr. BELIN. How long did you say that you had been making paraffin tests?
Mr. BARNES. Since 1956.
Mr. BELIN. Roughly, how many of those do you do in a month on an average?
Mr. BARNES. It would be hard to say. If I hit it lucky, I won’t make too many. If it hits on some other man’s duty. It would be hard to say how many I have made over a period of time. I can say that I have made many.
Mr. BELIN. Over these years, do you think you have made as many as 100?
Mr. BARNES. It would be hard to say. I am not going to go into any actual figures because it would be guesswork.
Mr. BELIN. Well, let me ask you this. Of the paraffin tests that you have made, how many have you made of a cheek or cheeks?
Mr. BARNES. One.
Mr. BELIN. Was that with Lee Harvey Oswald?
Mr. BARNES. It was.
Mr. BELIN. Other than that, you have never made a paraffin test of anyone's cheek?
Mr. BARNES. No.
Mr. BELIN. Any particular reason why you might not have in any other case?
Mr. BARNES. It has never been requested of me before.
Mr. BELIN. Based on your knowledge and information about the science of paraffin tests, do you know whether or not it is a common practice or not a common practice to make it of one cheek?
Mr. BARNES. It is not a common practice.
Mr. BELIN. Any particular reason it is not a common practice that you can think of or know of?
Mr. BARNES. Firing a revolver, should he fire a revolver, I would say the revolver most likely would be far enough away where powder residue wouldn't reach his cheek.
Mr. BELIN. What about a rifle?
Mr. BARNES. Firing a rifle, you get your chamber enclosed with steel metal around it, and the chances of powder residue would be very remote.
Mr. BELIN. Have you fired a bolt-action rifle at all before?
Mr. BARNES. Many times.
Mr. BELIN. How close would the chamber be to the cheek as you would be looking through the sight of the gun.
Mr. BARNES. Be several inches to the rear of the chamber.
Mr. BELIN. Would this have any effect on the paraffin test at all?
Mr. BARNES. It sure would.
Mr. BELIN. What about telescopic sights? Would that push your face back further or not?
Mr. BARNES. Push it even further back.
Mr. BELIN. Would this have an effect on the paraffin test?
Mr. BARNES. The further you get from the chamber, the less possibility of getting powder residue on it would be.

A little later during the same testimony,
Mr. BELIN. Did Lee Harvey Oswald say anything to you as you were removing these casts, that you remember?
Mr. BARNES. Very little, other than what I repeated to you before, that he knew what I was trying to do, and that I was wasting my time, that he didn't know anything about what we were accusing him of.

And later

Mr. BELIN. Were any conclusions made because of either the positive results from the test on his hands or the negative result on the test of the cheek?
Mr. BARNES. In my own mind, I didn't expect any positive report from the cheek to start with. But to cut down criticism and to satisfy the public and to show the world that we tried to cover it very well, we did it for possibly any future I don't know how to word it--any complaints that might come later on.
Mr. BELIN. By complaints, you mean people that might----
Mr. BARNES. Might question why you did or why you didn't do it on something this big. We felt like the public should know that we done the best that we knew how.
Mr. BELIN. Even though you didn't expect to have results?
Mr. BARNES. I didn't personally, and I am the one that made it. From my experience with
paraffin casts and from my experience in shooting rifles, common sense will tell you that a man firing a rifle has got very little chance of getting powder residue on his cheek.

- Carl Day says the pretty much the same during his W.C. testimony.
  Mr. DAY. I directed them to make it, and also paraffin casts or just of a piece of paraffin on the left side of the face to see if there were any nitrates there.
  Mr. BELIN. On the left side or right side of the face?
  Mr. DAY. Right side.
  Mr. BELIN. Do you know what the results of the paraffin tests were?
  Mr. DAY. The test on the face was negative.
  Mr. BELIN. Had you ever done a paraffin test on a face before?
  Mr. DAY. No; actually--had it not been for the particular type of case and this particular situation here we would not have at this time. It was just something that was done to actually keep from someone saying later on, "Why didn't you do it?" Actually, in my experience there, shooting a rifle with a telescopic sight there would be no chance for nitrates to get way back or on the side of the face from a rifle.

And finally detective Johnny Hicks in his W.C. testimony.

Mr. BALL. Did you do any identification work on either the assassination of President Kennedy or the investigation of Tippit's murder?
Mr. HICKS. Do you mean as far as fingerprints?
Mr. BALL. Yes; and things of that sort.
Mr. HICKS. Let me see now, I took a set of Oswald's prints from him that night some time. I do not recall.
Mr. BALL. 9 o'clock or so?
Mr. HICKS. It was some time in that area.
Mr. BALL. Where were you when you took the prints?
Mr. HICKS. I was in Captain Fritz' office. In other words, I made those on an inkless pad. That's a pad we use for fingerprinting people without the black ink that they make for the records.
Mr. BALL. What else did you do there?
Mr. HICKS. I was one of the two who made the paraffin east on Oswald.
Mr. BALL. You and who else?
Mr. HICKS. Sergeant Barnes.
Mr. BALL. Have you ever done that before, the paraffin east?
Mr. HICKS. Oh, yes, sir.
Mr. BALL. Did Oswald protest any or did he permit you to do that?
Mr. HICKS. No, sir; he was willing and had no comment on it as far as the making of them.
Mr. BALL. Did you test the paraffin east; did you make any test on it?
Mr. HICKS. No, sir; that's done by the lab at Parkland Hospital which Lieutenant Alexander, I believe is in charge there.
Mr. BALL. But you did not do it yourself?
Mr. HICKS. No, sir.
Mr. BALL. What has been your experience with paraffin casts? How accurate are they in determining whether or not a person has fired a firearm previously?
Mr. HICKS. My own personal opinion is that it is not an exact conclusive evidence that, if you are familiar with that test, anything containing nitrate might show up on a test of that sort.
Mr. BALL. Is it usual to find any trace of nitrate on the face if a rifle has been fired?
Mr. HICKS. That is the first time that I had the opportunity to make a paraffin test on a person's face.
Mr. BALL. You never made one before?
Mr. HICKS. Never before.
Mr. BALL. The other tests were always on the hands?
Mr. HICKS. Yes, sir.
Mr. BALL. Was there some reason for that?
Mr. HICKS. I had never had the occasion arise that I know of where anyone had that suggested, that a paraffin test be made of a cheek. On other occasions they were only interested in the hand.

These admissions during the W.C. testimonies of Barnes and Day mean that the paraffin cast of Oswald’s right cheek was pointless from the word get go. This could have been a bluff on Fritz’s part. . . .
Then during Barnes’ testimony two things jump out:
1/ The reason why they went from the 4th floor to Fritz’s office to administer these tests, instead of bringing Oswald one floor up. The reader should ask themselves, why the D.P.D. can transport Oswald many times through the corridor from jail to Fritz’s office and from that same office to the basement for line-ups, but not one floor up to have these tests administered with no one else present!
2/ Whether the finger prints and palm prints were administered before or after the paraffin tests. If they did them before then these paraffin tests would have been useless from the beginning!

Mr. BELIN. All right, in any event, you were working on the fourth floor?
Mr. BARNES. Yes.
Mr. BELIN. Then where did you go?
Mr. BARNES. Later we went to the third floor, to the office of Captain Fritz.
Mr. BELIN. What did you go to Captain Fritz’ office for?
Mr. BARNES. To make a paraffin test of Lee Harvey Oswald’s hand.
Mr. BELIN. About when would this have been, approximately, if you know?
Mr. BARNES. I tell you, the time didn’t mean anything there, and it was after I returned to the city hall, and after 6 o’clock.
Mr. BELIN. Sometime after 6 o’clock?
Mr. BARNES. Yes.
Mr. BELIN. Did Captain Fritz call you up and tell you to come down and make the paraffin test?
Mr. BARNES. He didn’t talk to me. I was advised to go to that office to help make the paraffin test.
Mr. BELIN. By your supervisor?
Mr. BARNES. Yes.
Mr. BELIN. Who would that have been?
Mr. BARNES. Lt. J. C. Day.
Mr. BELIN. Now is this the usual procedure when you are going to make a paraffin test, to go to an office such as Captain Fritz’ office to do it?
Mr. BARNES. No.
Mr. BELIN. What would the usual procedure be?
Mr. BARNES. If he is alive, they usually bring them to our bureau.
Mr. BELIN. That would be to bring them up to the fourth floor?
Mr. BARNES. Yes.
Mr. BELIN. This would have necessitated, I would assume, moving the prisoner from Captain Fritz’ office through the hallway up to the fourth floor?
Mr. BARNES. It would.
Mr. BELIN. Were there any people in the hallways at this time, or did anyone tell you why?
Mr. BARNES. Well----
Mr. BELIN. That is, tell you why they were going to make a paraffin test down in Captain Fritz’ office rather than in your laboratory?
Mr. BARNES. No, sir; nobody said anything to me about it.
Mr. BELIN. Was there any particular problem that you saw insofar as taking the prisoner up to your office from Captain Fritz’ office?
Mr. BARNES. Yes; you would have to take him through the throng of newspapermen and
photographers who were in the hallway.
Mr. BELIN. What is the fact as to whether this might have presented a security problem in any way?
Mr. BARNES. It would.

Mr. BELIN. Sergeant, did you make any other tests or obtain any other evidence or information from Lee Harvey Oswald other than the paraffin that you made?
Mr. BARNES. I obtained palm prints from Lee Harvey Oswald.
Mr. BELIN. When did you do this?
Mr. BARNES. Immediately before we made----no, immediately after, I am sorry, immediately after we made the paraffin test.
Mr. BELIN. I would assume you did it afterwards?
Mr. BARNES. That is right. It was after we made the tests.
Mr. BELIN. Now, when you used the phrase a while ago--I mean that when we were discussing shortly before we were taking this deposition just what you did do insofar as you're being involved in this investigation----
Mr. BARNES. That's right.
Mr. BELIN. In that discussion did I in any way tell you what to say, or did you just tell me what you did in the nature of the proceedings here?
Mr. BARNES. I told you just what I did. I haven't been prompted by no one.
Mr. BELIN. Now, what did you do when you took the palm print?
Mr. BARNES. We took them back upstairs to the ID bureau for comparison purposes.
Mr. BELIN. At the time you carried back the paraffin casts?
Mr. BARNES. No. We came back and got the palm prints after I delivered the paraffin tests upstairs.
Mr. BELIN. Again, would this be normal procedure to take a palm print in Captain Fritz' office as opposed to your own laboratory?
Mr. BARNES. No; it would be something different. Usually we have them coming up to our identification bureau for that purpose.
Mr. BELIN. Any particular reason that you know of why Lee Harvey Oswald wasn't brought up to your identification bureau?
Mr. BARNES. Yes.
Mr. BELIN. What?
Mr. BARNES. Security.
Mr. BELIN. Because of the people in the hall?
Mr. BARNES. The news media in the hallways, and danger of removing Lee Harvey Oswald through the mass of newspapermen.

But Lt. Carl Day contradicts this in his W.C. testimony as one set of the three sets of palm prints was taken in the identification bureau.

Mr. BELIN. Handing you what has been marked "Exhibit 629" I ask you to state if you know what this is.
Mr. DAY. That is the right palm of Lee Harvey Oswald.
Mr. BELIN. Do you know where this print was taken?
Mr. DAY. Yes, sir; it was taken by Detective J. B. Hicks in Captain Fritz' office on November 22, 1963.
Mr. BELIN. Did you take more than one right palm print on that day, if you know?
Mr. DAY. Yes, sir; we took two, actually we took three. Two of them were taken in Captain Fritz' office, and one set which I witnessed taking myself in the identification bureau.

On the next page Richard Bernabei's notes which has a similar finding. But if, according to Ramparts Magazine (page 4), Oswald had his palm prints and finger prints taken before those paraffin tests then we have a whole other kettle of fish to deal with as Oswald's hands would be covered in nitrates already.
Evidence that he is innocent

paraffin tests
(dermal nitrate)
\{ both hands - positive
right cheek - negative \}

Comm. misrepresents the
value of these tests:
\{ of no value in establishing
if no value in establishing
presence of
presence of
mitrates is
mitrates is
not significant
not significant \}

\{ may be of considerable value
in indicating innocence
in indicating innocence
esp. if alleged murderer leaves
esp. if alleged murderer leaves
deposits nitrates in tests. (Quinn)
deposits nitrates in tests. (Quinn)

Agwalde's lead cast consistent with innocence
(w. resp. to any rifle)

Comm. cites:
- W. Newton (not Little's)
  17
  44
  60 man tested
- W. rifle
  1 man tested
  check - negative

Comm. fails to cite: neutron activation analysis
Dr. Quinn: (w. rifle like Little's)
8 tests (8 shots e.a. test)
8 positive rt. cheek
At cast of Little check - results are secret

(Quinn: claimed they were not to be released until report was issued)
But in a letter from the Texas A.G. and specifically in a report submitted by Richard Sims and Elmer Boyd it states that the fingerprints were taken before the paraffin casts which then nullifies the results completely.
21:00-23:00 Bill Alexander wants to charge Oswald for killing J.F.K. as part of an international communist conspiracy

Bill Alexander, after his return from the Beckley address, attending Oswald's third interrogation and meeting with Fritz and Allen and others in the Majestic Café to talk things over, wants to charge Oswald with the murder of J.F.K. as part of an international communist conspiracy with malice and forethought. Barefoot Sanders and others work hard that evening to make that phrase disappear from the up and coming charge sheet, a charge sheet that was never read out to Oswald at all. I have written a post about this particular instance on my website with more documents and detail.
I didn’t know where the oath was or where to find it or what it should be. For 19 minutes we looked thru the statute books in 3 libraries — our library here, Judge Hughes library and the library of Judge Joe Eaton, who was also a federal judge. Finally someone said, "what about the Constitution?" I had an annotated copy of the Constitution here by my telephone published by the West Publishing Company. Its the red statute book, as we call it, and has many volumes — this volume is the Constitution.

But the call never came from Sarah. She had another way of getting the presidential oath. Meanwhile I called the Secret Service and told them to clear Judge Hughes. But they — they were in Sorrell’s office — said they were having a communications problem.

Doctor Love at Parkland Hospital is a pitchfork.

At first Oswald didn’t look real hot, but then as the evidence piled in we put our charges aside.

About 6 or 7 or later, Gordon Shanklin, the agent in charge at the FBI office here, said that William F. (Stilley) Alexander, second assistant District attorney in Dallas County, wanted to charge Oswald, who was already charged with the murder of Tippit, with a violation of for five thought as part of an international communist conspiracy of killing the President.

I tried to get district attorney Wade and he was out to dinner. I felt the charge was outrageous. I told Shanklin to try to dissuade Alexander. I called Nick X in Washington, and he was alarmed. Then the whole thing was called off. Then 2 hours later Jesse Curry was in on it and they were doing it again. I was dissatisfied with my conversation with Wade — he did not take the thing seriously. I was dissatisfied with Judge, but he did go down to the police station. I think Shanklin stopped it; the FBI boys are thick with the cops. At 11:30 p.m., or whenever the charge was filed (it was early Saturday morning) that conspiracy thing was stopped. I may have talked to Jim Bowie about it.

Mallory of the FBI came in on Sunday.

On Saturday we were all concerned with the fact that the police station was a bad house. Oswald had no lawyer. It was difficult and delicate. We couldn’t appear to be worrying about Lee Oswald; I talked to Nick and Reaney Clark, assistant attorney general who is from Dallas, and I talked to Jim Bowie.

I was exasperated because Wade had been out to dinner an unavailable when the world was going to hell on Friday.

They were to bring Oswald in and have an attorney appointed for him. Oswald was asking for Abt. This came out when Louis Nichols of the Dallas bar went down to see Oswald. Abt couldn’t be found. If he was unavailable we were to get a court-appointed lawyer. Meanwhile Nichols went down to see...
Bill Alexander:

"There would be no reason for skull X-rays. Sometimes Earl Rose did take skull X-rays just for the... If I had to bet I would bet that he did because there's always a certain amount of controversy and there's always a matter of speculation among pathologists whether bizarre or aggressive behavior is caused by a tumor in the brain or some sort of a disease process in the brain that X-rays would reveal. Now here's what may have happened. Earl could very well have done it and the findings been negative so that he did not dictate--made no mention of it--in his autopsy report. But Earl Rose is one of the most competent forensic pathologists in the United States. And it is a damn shame that he wasn't allowed to do the one on Kennedy."

(Overlooked mastoidectomy?) "Uh uh. Not overlooked by Earl Rose."

(Dallas authorities told by White House not to mention international conspiracy?)

"Well that's true. That did come down. No, I think he's wrong on that (Waggoner Carr got WH call). I think the way it came was, it came from that. Now I can't remember--oh shit, it's been so long ago. The call came from--I think it came from Cliff Cassidy to Barefoot Sanders and Barefoot to Wade and Wade called me and told me, 'Knock that shit off. What are you trying to do, start a war with Russia?""

"That guy came back from Russia reading, writing and speaking Russian like a native. And if you'll look at those diaries of his that were written in Russian that--you know"
After Wade warned Alexander, he talked to Justice of the Peace David L. Johnston during the same telephone conversation and told him "don't say--don't use that word conspiracy," Johnston told The News. However, Johnston said the warning was unnecessary because "no factual evidence had ever come to my attention" that a conspiracy existed.

Johnston said Alexander began talking conspiracy after they had accompanied police officers to Oswald's apartment at 1026 N. Beckley on Johnston's search warrant shortly after the assassination.

"All the stuff now that was picked up out at his (Oswald's) room," Alexander said, "well, we were the first ones to recognize that we were dealing with a card-carrying Communist . . . .

"Earl Warren (then chief justice of the U.S. Supreme Court and later appointed by President Johnson to chair the Warren Commission) came on the air saying that it was right wing radicals in Dallas that were responsible for the assassination. And here I
am holding all this Communist crap (from Oswald's room).

See, there's quite a difference.

"But to get to the point, the FBI wanted to pick up all that stuff. And I refused to give it to them. As Wade's representative I did what I thought was right, and I wouldn't turn it over to them. Then, when Wade and Curry (Dallas Police Chief Jesse Curry) said that it should be turned over to them, I made Capt. Fritz (chief of police homicide Will Fritz) have that stuff all Xeroxed, photographed and inventoried. Up there in city hall somewhere should be a detailed description, page by page, of what was turned over to the FBI.

"Now, I myself noticed that a bunch of that stuff was not listed in the Warren Report . . . I wouldn't say that it wasn't in there, but I couldn't find it just casually looking for it.

"This is what I kept screaming about and Waggoner (Carr, than Texas attorney general) kept screaming about back there: Damn it, we would like to know something about the outside
David Johnston speaks to Earl Golz as well, in 1975. Golz’s handwritten notes mention that Alexander and Jim Allen were involved in doing this.
21:30 The Howard Brennan Line-up

Howard Brennan, a steam pipe fitter who sat directly opposite the T.S.B.D. became an important witness, but the way how it all got to this raises more questions than answers.

During Brennan’s W.C. testimony a few things jump out:

- He has seen Oswald’s face on TV twice before going to City Hall.
- He cannot remember how many people he was looking at during the line-up.
- He does not remember whether there were people of a different race present either.
- He mentions talking to Fritz and Sorrels after the line-up.
There are no D.P.D. records present for this line-up besides a little card (Box 6, Folder# 1, Item# 73, page 3) which states that he “failed to identify”
The Secret Service has difficulty finding him, but William Patterson manages to locate him and brings Brennan in and have him attend a line-up. A line-up that is nothing short of a huge let down for the Secret Service that is. Let's have a look at a part of his W.C. testimony regarding this during the evening of Nov 22nd. Howard Brennan the star witness in identifying Oswald as the sixth floor shooter,

Mr. BELIN. Now, taking you down to the Dallas Police Station, I believe you said you talked to Captain Fritz. And then what happened?
Mr. BRENNAN. Well, I was just more or less introduced to him in Mr. Sorrels' room, and they told me they were going to conduct a line-up and wanted me to view it, which I did.
Mr. BELIN. Do you remember how many people were in the line-up?
Mr. BRENNAN. No; I don't. A possibility seven more or less one.
Mr. BELIN. All right. Did you see anyone in the line-up you recognized?
Mr. BRENNAN. Yes.
Mr. BELIN. And what did you say?
Mr. BRENNAN. I told Mr. Sorrels and Captain Fritz at that time that Oswald--or the man in the line-up that I identified looking more like a closest resemblance to the man in the window than anyone in the line-up.
Mr. BELIN. Were the other people in the line-up, do you remember--were they all white, or were there some Negroes in there, or what?
Mr. BRENNAN. I do not remember. 
Mr. BELIN. As I understand your testimony, then, you said that you told him that this particular person looked the most like the man you saw on the sixth floor of the building there.
Mr. BRENNAN. Yes, sir.
Mr. BELIN. In the meantime, had you seen any pictures of Lee Harvey Oswald on television or in the newspapers?
Mr. BRENNAN. Yes, on television.
Mr. BELIN. About when was that, do you believe?
Mr. BRENNAN. I believe I reached home quarter to three or something of that, 15 minutes either way, and I saw his picture twice on television before I went down to the police station for the line-up.
Mr. BELIN. Now, is there anything else you told the officers at the time of the line-up?
Mr. BRENNAN. Well, I told them I could not make a positive identification.
Mr. BELIN. When you told them that, did you ever later tell any officer or investigating person anything different?
Mr. BRENNAN. Yes.
Mr. BELIN. When did that happen?
Mr. BRENNAN. I believe some days later--I don't recall exactly--and I believe the Secret Service man identified himself as being Williams, I believe, from Houston. I won't swear to that--whether his name was Williams or not.
Mr. BELIN. All right.
Mr. BRENNAN. And he could have been an FBI. As far as I remember, it could have been FBI instead of Secret Service.
But I believe it was a Secret Service man from Houston. And I--
Mr. BELIN. What did he say to you and what did you say to him?
Mr. BRENNAN. Well, he asked me he said, "You said you couldn't make a positive identification."
He said, "Did you do that for security reasons personally, or couldn't you?"
And I told him I could with all honesty, but I did it more or less for security reasons--my family and myself.
Mr. BELIN. What do you mean by security reasons for your family and yourself?
Mr. BRENNAN. I believe at that time, and I still believe it was a Communist activity, and I felt like there hadn't been more than one eyewitness, and if it got to be a known fact
that I was an eyewitness, my family or I, either one, might not be safe.
Mr. BELIN. Well, if you wouldn't have identified him, might he not have been released by
the police?
Mr. BRENNAN. Beg pardon?
Mr. BELIN. If you would not have identified that man positively, might he not have been
released by the police?
Mr. BRENNAN. No. That had a great contributing factor--greater contributing factor than
my personal reasons was that I already knew they had the man for murder, and I knew
he would not be released.
Mr. BELIN. The murder of whom?
Mr. BRENNAN. Of Officer Tippit.
Mr. BELIN. Well, what happened in between to change your mind that you later decided
to come forth and tell them you could identify him?
Mr. BRENNAN. After Oswald was killed, I was relieved quite a bit that as far as pressure
on myself of somebody not wanting me to identify anybody, there was no longer that
immediate danger.
Mr. BELIN. What is the fact as to whether or not your having seen Oswald on television
would have affected your identification of him one way or the other?
Mr. BRENNAN. That is something I do not know.
Mr. BELIN. Mr. Brennan, could you tell us now whether you can or cannot positively
identify the man you saw on the sixth floor window as the same man that you saw in
the police station?
Mr. BRENNAN. I could at that time I could, with all sincerity, identify him as being the
same man.

Brennan also wrote a book, *Eye Witness to History*, about the happenings of that day. In
it he describes the situation inside the D.P.D. and the line-up.

While we were discussing this latest news, I saw something on the television that made
me quake. I'm not certain of the exact time, but I believe it was about 5:30 p.m. that the
first picture of Lee Harvey Oswald was flashed on the screen. I remember thinking, "It's
him! He's the one who did it!" But I never said a word at the time, not even to Louise.
Showing the picture of Oswald before any identification was made seemed very strange
to me. Millions of people were seeing Oswald before I, the one person who could
positively identify him, had been taken to an official line-up. I felt a sense of resistance
within myself. How is this man going to get a fair trial?" I thought. "He is already guilty in
the minds of everyone who is seeing him?"

And.

The officer walked over to me sticking out his hand to shake. He greeted me by name
and I knew if he knew who I was and what my connection with the case was, then others
must know. He asked me, "Does the second man from the left look most like the
man you saw?" He was talking about Oswald and I knew what he wanted me to say.
I felt even more angry and betrayed. I hadn't agreed to make an identification to the
local authorities. I knew that there were ways my identity could become known though
the leaks in the police department and I didn't want any part of it. I knew that they had
Oswald on enough charges that he wasn't going anywhere. He had been charged with
resisting arrest and carrying a firearm without a permit. There was overwhelming
evidence that he had killed Officer Tippit and so my identification in that moment wasn't
absolutely necessary. If they needed me later, I knew I could identify him.
I said brusquely, "He looks like the man, but I can't say for sure!" I needed some time to
think. I turned to Mr. Lish, who had detected my resentment and said, "Let's go back to
the office. We have some talking to do." As we went, I commented that the man in the
line-up wasn't dressed the same way the man in the window had been.
"We forgot to tell you that he changed his clothes immediately after leaving the Depository, Lish said. When we reached the office I responded angrily, "You promised me anonymity. You people haven't kept your word." Sorrels looked genuinely puzzled. "What do you mean?" "If this Detective knows who I am and what my connection with the assassination is, then it won't be long before everybody finds out." Sorrels tried to be reassuring, "We'll do everything we can to protect your identity, Mr. Brennan, but this isn't entirely our jurisdiction." I wasn't sure just what he meant, and said so. "There isn't anything we could do about it," Sorrels explained. "The law is clear that murder, even assassination, is a state offense and must be turned over to local officials for investigation and prosecution!

So it was out and I had to deal with it. No matter how hard they might try, it was only a matter of time before people would find out that the unidentified witness whose description had helped catch Oswald was really Howard Brennan. Suddenly, I didn't feel very good. I felt very vulnerable, exposed to naked light, and I didn't like it one bit. I knew I was going to be sorry that I decided to become involved.

While we were talking, Captain Fritz came in and asked me, "Can you make a positive identification of any of those we showed you in the line-up?" Having felt betrayed in my quest for anonymity, I was in no mood to hurry the process of exposure. I said, "You already have your man on enough charges to hold him for a long time. I'm not going to make a positive identification at the moment. If and when the time comes and you need it or have to let him go, we'll deal with it then." I wasn't saying, "Yes, Oswald is the man," nor was I saying, "No, he isn't the one."....
Memo from Samuel Stern and John Hart Ely to J. Lee Rankin April 7th 1964 concerning Will Fritz's statements.

Fritz's ‘amnesia’ regarding his attendance during Brennan’s line-up is quite a thing and is ample proof of avoiding any questions that could prove to be uncomfortable to answer.

Mr. McCoy. Were you present at the show-up at which Brennan was the witness?
Mr. Fritz. Brennan?
Mr. McCoy. Brennan was the alleged----
Mr. Fritz. Is that the man that the Secret Service brought over, Mr. Sorrels brought over?
Mr. McCoy. I don't know whether Mr. Sorrels----
Mr. Fritz. I don't think I was present but I will tell you what, I helped Mr. Sorrels find the time that that man--we didn't show that he was shown at all on our records, but Mr. Sorrels called me and said he did show him and he wanted me to give him the time of the show-up. I asked him to find out from his officers who were with Mr. Brennan the names of the people that we had there, and he gave me those two Davis sisters, and he said, when he told me that, of course, I could tell what showup it was and then I gave him the time.
Mr. McCoy. But you were not present to the best of your recollection when Brennan
was in the showup?
Mr. FRITZ. I don’t believe I was there, I doubt it.


at the scene, but he was scared by the cop who found him in the TD60 lunchroom.

Brennan was the first man talking to me. He wasn’t the one who saw LHO holding the rifle at port arms. He heard 2 shots and thought they were firecrackers. Then he locked up and saw LHO talking careful his, saw his fire and then step back into the shadows with icy calm.

I had high hopes Brennan would identify LHO at the police station. I had trouble locating him. He wasn’t living together with his wife and wasn’t at the address in the phone book. When I got him to the police station, he said he wanted to sit way back, so he’d see LHO from the same distance he’d seen him first before. Already I could see he was starting to back off; he was terrified. They’d already had a firelineup. But they had another. He refused to identify LHO.

I talked to Zapruder. He was on that committee above the embankment, near a sign to the freeway that’s gone now. It was between the Stemmons Freeway sign and the Fort Worth sign. As Kennedy went into the sign he was okay; as he came out he was reeling back. So Zapruder has no shot of when Kennedy was killed.

I watched LHO that Friday afternoon. He was calm. I kept watching him. I saw two apples, usually a tall tale, but it never happened.

Saturday morning Captain Fritz asked LHO how he slept. LHO said, never slept better.

Saturday I felt he was beating Fritz, hoping Fritz would beat him up, so he’d have a police brutality charge.

He told me, “I’m not a communist, I’m not a __________. I’m a __________. I was very sickly.

Sunday morning I asked him the last question that was asked of him. I showed him the New Orleans charge of address card, “H. Midall,” and he said curiously “I never used that name.” But I felt he was less arrogant, more ready to break. An last sheriff had a plan to go in at midnight and say “you’re going to the electric chair, but would you rather burn as a cop killer or for an ideal?” With LHO’s egotism it might have worked.

Sunday I was in Chief Batchelor’s reception room on the 3rd floor of the police department when an officer came in and said “Could it be shot in the stomach.” As you know, LHO never got to the garage. He was shot in the door and he lay on the floor of the jail office. When I came down on the elevator he was lying on that floor and a man was giving his artificial respiration, kneeling between LHO’s knees. (Worst thing for an abdominal wound. Dallas police were Keystone cops to the last—oh.)

I called Jerry Beha and told him what had happened. After Jerry was convinced
"but could not give a positive identification."

- 6 -

Sorrels also attended a show-up Friday evening which was held for witness Brennan at Sorrels' request. Sorrels had one of his Secret Service agents pick up Brennan and bring him to the police headquarters at about 7:00 P.M. on Friday. When Brennan arrived, Fritz said they had just finished a show-up, but had it reconstituted with the same persons. Brennan said before he went to the show-up that he was not certain that he could give a valid identification since he had seen Oswald on television. Brennan stood at the far end of the show-up room to try to approximate the distance at which he had seen a person in the sixth floor window. He said that Oswald (in position #2) looked more like the person he had seen than the other three men in the show-up but could not give a positive identification. Sorrels was at the Dallas Police Department all day Friday and Saturday and after church Sunday morning performing liaison functions and helping to deal with the many telephone inquiries from Secret Service headquarters in Washington.

Throughout the period of his detention, Oswald's physical appearance did not change and there was no evidence that force or any other form of coercion was used. Sorrels believes that the Dallas Police Department is
And of course this very same matter is being discussed during Sorrell's W.C. testimony, but he is not as forthcoming with the fact that Brennan did not ID Oswald as the shooter.

Mr. HUBERT. Now, were you present at a meeting at which the news media were present and Oswald was brought into an assembly room, in which the news media were assembled?
Mr. SORRELS. I was present when Oswald was brought into what is called the line-up room, which is also the assembly room. They have the line-up section at one end of it. That was on the evening of November 22. At that time it was my request, because a witness who had been interviewed by me, and who had seen the person fire the-third shot from the window of the Book Depository Building, I had gotten in touch with him through one of our agents, and he was brought down there for the specific purpose of being able to see Oswald, because when he was first interviewed by me he stated that he thought he could identify him.
Mr. HUBERT. That was in fact, however, a true line-up for the purpose of identification.
Mr. SORRELS. I am sorry--I did not understand the question.
Mr. HUBERT. I said that was a true line-up for the purpose of identification.
Mr. SORRELS. Yes, sir.
Mr. HUBERT. I was speaking of another meeting where the assembly room usually used for the line-up was used to give the press an opportunity to see Oswald.
Mr. SORRELS. I was not present. That is the only time I saw Oswald in the line-up.

You wonder why all this was obfuscated from the Warren Commission. Brennan was useless as a witness that day, but somehow managed to change his mind 4-5 months after the event.


Mr. STERN. When did you next see Oswald?
Mr. LAWSON. I recall seeing him in another room in homicide headquarters with a couple of plainclothes people and their talking to him. I saw him later in the evening, perhaps 9:30, 10 o'clock, when he was brought down to a showup room, because we had information that a gentleman had seen someone at a window, and so----
Mr. STERN. Do you know who that was, the witness?
Mr. LAWSON. I do not know; no, sir.
Mr. STERN. Could it have been someone named Brennan?
Mr. LAWSON. The name doesn't mean anything to me. Mr. Sorrells had sent an agent out to bring him down to police headquarters to talk to him, and he informed us he had seen someone in the window, but he had also seen Lee Oswald on television in the meantime, and he didn't know of how much, value he would be.
Mr. STERN. Did he say anything about whether he thought----
Mr. LAWSON. He could not say yes or no, whether Oswald was the individual or not.
Mr. STERN. Did you notice any irregularity in the way the showup was conducted?
Mr. LAWSON. No, sir.
Mr. STERN. Did it seem like a normal one to you, the size of the people?
Mr. LAWSON. I didn't notice any irregularity.
Mr. STERN. And their dress?
Representative FORD. Had Oswald had any additional physical damage done?
Mr. LAWSON. No, sir.
Manning Clements, interrogated Oswald on his own. But his questions were of a different nature. He would ask for biographical data, physical descriptions and background data instead.

In his Warren Commission testimony Clements indicates that Oswald was not at all hostile or resentful. And answered all questions, except when asked about the Hidell ID.

Mr. STERN. I understand that you participated in an interrogation of Oswald. Would you tell me about that?

Mr. CLEMENTS. Sometime during the evening I did go to the homicide bureau office for some purpose I don't immediately recall, and there I saw one of our other agents, James Bookhout, and I asked him if anyone had, to his knowledge, taken a detailed physical description and detailed background information from Oswald. He told me that such description and background data had not been obtained, and suggested that I do it. I learned from Bookhout, as I recall, that Oswald was, at the time, in a small office, the door of which was closed.

I sought out Captain Fritz, in charge of the homicide bureau, or one of high ranking officers and asked if there was any objection to my interviewing Oswald in the regard mentioned. I was told there was no objection. I entered this room and found that Oswald was in the room, and being guarded by two officers who I presumed to be members of the Dallas Police Department, but whom I did not personally know.

Mr. STERN. They were not interrogating him?

Mr. CLEMENTS. No; they were apparently just sitting on guard duty.

Mr. STERN. Then what happened?

Mr. CLEMENTS. I introduced myself to the officers whose names I do not believe that I got, and also introduced myself to Oswald Exhibited my credentials and told him that I would like to obtain from him some physical description, background, biographical data. He was agreeable, and I began my interview with him.

Mr. STERN. Can you approximate the time of day that this occurred--roughly?

Mr. CLEMENTS. I would say the interview began roughly at 10 p.m.

Mr. STERN. How long did it last? And was it interrupted?

Mr. CLEMENTS. I estimate the overall interview was approximately 30 or 35 minutes. I was interrupted twice, perhaps, during the interview, being informed that he was being taken out for a line-up. While he was gone I examined the contents of his wallet which was there on the desk, and identified to me as Oswald's wallet. When he returned I continued the interview.
Lee Harvey Oswald, interviewed in offices of the Dallas Police Department, was advised that he did not have to make any statement, any statement he made could be used against him in court and of his right to an attorney. He was requested to furnish descriptive and biographical data concerning himself.

The following was obtained from his responses and examination of contents of his wallet:

OSWALD declined to explain his possession of a photograph of a Selective Service card in the name of "Alek James Hidell".

When interview had been substantially completed and OSWALD was asked as to his present employment, he stated he thought perhaps interview to obtain descriptive information was too prolonged, that he had declined to be interviewed by any other officers previously, and did not desire to be interviewed by this agent. He remarked "I know your tactics, there is a similar agency in Russia. You are using the soft touch and, of course, the procedure in Russia would be quite different."

OSWALD was advised questions were intended to obtain his complete physical description and background. Upon repetition of the question as to his present employment, he furnished same without further discussion.

Race                      White
Sex                       Male
Date of Birth             October 18, 1939
Place of Birth            New Orleans, Louisiana
Height                    5' 9"
Weight                    140
Hair                      Medium brown, worn medium length,
                          needs haircut
Eyes                      Blue-gray
Scars                     No tattoos or permanent scars
Relatives                 Mother - JOSUEZERITA OSWALD, unknown
                          address, Arlington, Texas, practical nurse (has not seen for about one year)

On 11/22/63 at Dallas, Texas File # 89-43
by Special Agent MANNING C. CLEMENTS / mac Date dictated 11/23/63

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Relatives (cont'd)  
Father - ROBERT LEE OSWALD, deceased, August 31, 1939, New Orleans, Louisiana. 
Wife - MARINA; two infant children 
Brothers - JOHN OSWALD, address unknown, last known at Fort Worth, Texas, five or six years ago, age about 30, works with pharmaceuticals, but not graduate pharmacist; 
ROBERT OSWALD, 7212 Davenport, Fort Worth, Texas (wife - VADA, two small children), works for brick company (believed Acme) 

Dress at Time of Interview  
Black trousers, brown “salt and pepper”, long sleeved shirt, bareheaded 

Contents of Wallet  
Had card in possession, LEE HARVEY OSWALD, Social Security No. 433-54-3937 

Photo of Selective Service System card with photo of OSWALD, “Notice of Classification” and name “ALEX JAMES HIDEH”, SEN 42-234-39-5321”. Card shows classification IV (?). Bears date February 5, 1962, reverse side shows card from Texas Local Board, 400 West Vickery, Fort Worth, Texas. Card shows erasures and retyping of the information indicated and bears longhand signature “ALEX J. HIDEH”. Signature of member or clerk of local board (indistinct, may be GOOD _____. 

Local Board 114, Fort Worth, LEE HARVEY OSWALD, SEN 41-114-39-532, address 3124 West 5th Street, Fort Worth, Texas, registered September 14, 1959. Date of birth October 18, 1939, New Orleans, 5’ 11”, 150 lbs., blue eyes, brown hair. Mrs. ZOLA Z. BURGER, Clerk.
Snapshot photo of woman, apparently wife

Snapshot photo of infant

White card with longhand, "Embassy USSR, 1609 Decatur, NW, Washington, D. C., Consular KERZUYEKO" (indistinct)

Department of Defense Identification No. 42,714,617, issued to LEE H. OSWALD, expiration date December 7, 1962, Private First Class, E-2, MCR/INAC, Service No. 1653290. Card shows date of birth October 18, 1939, 5'11", 145 lbs., brown hair, gray eyes.

Dallas Public Library card, undated, expiration date December 7, 1965, issued to LEE HARVEY OSWALD, 602 Elizabeth, Dallas, school or business - Jaggers - Chiles - Stovall, followed by the name JACK L. BOVYEN, 1916 Stevens Forest Drive, WH S-8997.


Card, "Compliments GA - JO Enkanko Hotel, telephone number ED 5-0755 of reverse side.

Certificate of Service in Armed Forces of United States, issued to LEE HARVEY OSWALD, 1653290, reflected honorably served on active duty, U. S. Marine Corps, October 24, 1956 - September 11, 1959.
Card of "Fair Play for Cuba Committee, 799 Broadway, New York 3, New York, telephone CHicago 4-8298", issued to LEE H. OSWALD, May 28, 1963, filed by V. T. LEE as Executive Secretary

Card of "Fair Play for Cuba, New Orleans Chapter", issued to L. H. OSWALD, June 15, 1963, filed by A. T. (?), HIDEALL, Chapter President (note name HIDEALL on fictitious Selective Service card)

Selective Service notice of classification card to LEE HARVEY OSWALD, Selective Service No. 41-114-39-532, IV-A, dated February 2, 1960, from Local Board 114, Fort Worth, Texas

$13.00 in currency, consisting of one $5.00 bill and eight $1.00 bills

Residence

2515 West 5th Street, Irving, Texas, phone BL 3-1628 (residence of wife for past five weeks)

Room in rooming house, 1026 North Beckley, for about five weeks. Phone number unknown.

Previous Residences

4706 Magazine Street, New Orleans, Louisiana, no phone (about three months)

602 Elsbeth, no phone (about seven months), Dallas, Texas

Unrecalled street in Fort Worth, Texas, (a few months), with brother in Fort Worth, Texas, for a few months.

Occupations

Photography - Jaggars - Chiles - Stovall, 522 Browder, Dallas, Texas

Factory worker, William B. Riley Company (Coffee and Coffee Canisters), 644 Magazine Street, New Orleans, Louisiana

Unemployed for several months

Employed with Texas State Book Depository, Dallas, Texas, September, 1963, stock work, filing orders, etc.

INSTRUCTORS AND PRESIDENT—Three of the widely known instructors who will participate in the East Texas Municipal Police Academy course of instruction are shown in Longview Monday with the academy president as the first classes began on LeTourneau College Campus. Left to right, they are Carl Hansson, retired chief of police of Dallas; Manning C. Clements, of the FBI Dallas office; Major Guy Smith, chief of the Dallas district of the Texas Department of Public Safety, and Academy head, Chief of Police Roy Stone of Longview. Starting of the academy was the realization of a dream that Stone has had for a number of years. (STAFF PHOTO).
23:00 Interrogation by John Adamcik

Detective John P. Adamcik talks to Oswald as well, this is while Fritz is gone. During his Warren Commission testimony the following exchange occurs:

Mr. BELIN. What did you do when you got back to the office?
Mr. ADAMCIK. Went to the office and I stayed there a while, and I guess it was around 11 o'clock, I mean the interrogation room in the captain's office, and spent about 15 minutes.
Mr. BELIN. Why did you go in the interrogation room?
Mr. ADAMCIK. Well, at that time I think somebody else just finished talking to him, and I think the captain had to go see somebody or something, and nobody was in the room at the time, and he told us to go on in there for a little while and see whether we could talk to Oswald. I think Detective Montgomery went in there with me, I am not sure.
Mr. BELIN. Were you the only two in there at that time?
Mr. ADAMCIK. Yes; I think so. The ID Bureau came in there and either fingerprinted him or
done something. When they came in there, I left. It was just a short period of time.
Mr. BELIN. Do you remember any conversation that took place there?
Mr. ADAMCIK. No; except I asked him whether he drove a car. I did ask him that. And I
remember him saying something that he didn’t.
Mr. BELIN. That he did or did not?
Mr. ADAMCIK. That he did not. And I asked him how long he was in Russia and whether
he liked it there, and I remember him telling me how long he was there. I think it was
two years, or something like that.
Mr. BELIN. Well----
Mr. ADAMCIK. I don’t remember exactly what he said, and he liked it okay, and that is
just about it.
Mr. BELIN. Did you talk about the assassination at all?
Mr. ADAMCIK. No; it wasn’t anything at all concerned with the assassination.
Mr. BELIN. Did you ask him any questions?
Mr. ADAMCIK. We did.
Mr. BELIN. Like what kind of questions?
Mr. ADAMCIK. Like where were you at the time this assassination occurred; and he just
wouldn’t say anything.
Mr. BELIN. Did he just keep quiet?
Mr. ADAMCIK. He just sat there and stared straight ahead.
Mr. BELIN. Didn’t talk at all?
Mr. ADAMCIK. No.
Mr. BELIN. Did he ask for an attorney while you were there?
Mr. ADAMCIK. Not in my presence.
Mr. BELIN. Did you ask him any questions about Officer Tippit’s murder?
Mr. ADAMCIK. No; I don’t believe that I did.
Mr. BELIN. Anyone else there that did?
Mr. ADAMCIK. I didn’t hear anybody.
Mr. BELIN. All right, then what happened?
Mr. ADAMCIK. Well, I just stayed at the office until about 2 o’clock in the morning.
Mr. BELIN. Ever see Oswald again?
Mr. ADAMCIK. I seen him being led out of the office from the interview, I believe. I didn’t
go down there.
Mr. BELIN. What interview?
Mr. ADAMCIK. I think they had--I don’t know whether it was an interview or some kind of
press conference down in the assembly room.
Mr. BELIN. When would that have been?
Mr. ADAMCIK. It would have been about midnight.
Mr. BELIN. Do you know if Oswald requested it or if someone else did?
Mr. ADAMCIK. I don’t recall.
Mr. BELIN. Then what happened?
Mr. ADAMCIK. I stayed in the office after Captain Fritz and the other men came back. He
told us to go on home and come back the next morning about 10 o’clock.

Adamcik, who spoke Russian (!), spends 15 minutes with Oswald and he barely
remembers what was being said. A young detective left alone with Oswald. Boyd and
Sims never had that opportunity and they had been around a lot longer than him.
23:00 Greg Olds, Greer Raggio and two colleagues of the A.C.L.U. arrive at D.P.D.

On the next three pages a newsletter from DCLU President Greg Olds, explaining the D.C.L.U.’s activities during Oswald’s incarceration.

Oswald had not asked for counsel to that time (10:30 PM), which is a complete and utter lie. Oswald did nothing but ask for counsel from the moment he was arrested, in the Texas Theatre. This is followed by Fritz’s cop out: “offered the partial explanation that Oswald had been pretty busy with paraffin tests, questioning and the like.”
of New York City to represent him, or, if he couldn't, then he wanted an ACLU lawyer. Mr. Nichols said Oswald had said he was an ACLU member. Still at this time, over 24 hours later, Oswald had no attorney. Reportedly, his family was trying to contact Mr. Abt.

I called the ACLU's New York office Saturday night to inquire whether Mr. Oswald was a member and to determine what our policy would be in answer to any request to provide legal counsel.

I discussed the matter with Alan Reitman, associate director in charge of public relations, at his home in New Jersey. He said he would call someone nearer the ACLU office in New York City to check the membership records.

Concerning any request for providing Mr. Oswald counsel, we agreed that this would be likely only concerning any violations of the suspect's civil liberties in his arrest and questioning. Mr. Reitman pointed out that we deal with civil cases, not criminal ones. Too, ACLU entry into a law suit usually occurs when there is a significant constitutional question involved. The Dallas Bar Assn. would be able to provide competent counsel for a criminal case.

Later Saturday night Mr. Reitman called again to say a thorough check of the ACLU records shows no member named Lee H. Oswald from either Dallas, Fort Worth, or New Orleans. The ACLU also found no membership under the name Hidell, which Mr. Oswald used when ordering the rifle from a Chicago mail order house and when renting a Dallas post office box.

The New York office worked over the weekend on a statement for publication concerning those aspects of the case as they relate to the ACLU, The Dallas News carried part of the release Tuesday morning.

Tuesday afternoon I was called by Mr. Reitman. In checking additions to the membership rolls received recently in New York, it was found Mr. Oswald had indeed joined the ACLU on Nov. 4. This was discovered by processing some 350 checks received and deposited Nov. 4 in the bank, checking the deposit for new names. Mr. Reitman said this new information has been given the US Justice Dept. and a second statement released to the press.

Wednesday morning I received a call from the Times Herald inquiring about Mr. Oswald's membership. The reporter told me that Mr. Oswald had, when filling out a card to rent his Dallas post office box, listed under "organizations" the Fair Play for Cuba Committee and the ACLU. The reporter wanted to know if that was the local ACLU box. I assured him, whatever number Mr. Oswald's box was, it wasn't ours, telling him our box number is 2281.

Wednesday afternoon I talked to New York again, asking if memberships are refused or donations refunded, considering the statement that appears on donation envelopes and membership applications: "The ACLU needs and welcomes the support of all those -- and only those -- whose devotion to civil liberties is not qualified by adherence to Communist, Fascist, KKK, or other totalitarian doctrine."
Overall my feeling is that Greg Olds and the A.C.L.U. representatives were discouraged from opening a proper line of communication with Lee Oswald. And they got deflected towards Captain Glenn D. King.
From Greg Olds' WC testimony

Mr. OLDS. Yes. I got a phone call about 10:30 that night from one of our board members saying they had been called by the President of the Austin affiliate who was concerned about the reports that were being circulated on the air. I think Oswald was directly quoted as saying he had not been given the opportunity to have counsel, and the suggestion was made that it might be well to check into this matter, and I believe I called this--I first called the police department to inquire about this, and finally talked to Captain Fritz, Capt. Will Fritz, and was--raised the question, and he said, "No--" that Oswald had been given the opportunity and declined. And I called--then I called the board member back who had called me----

Mr. STERN. Excuse me. Did Captain Fritz say that Oswald did not want counsel at that time, or that he was trying to obtain his own counsel?

Mr. OLDS. What I was told, that he had been given the opportunity and had not made any requests. So, I called our board member back and conferred with him and he suggested that we go down and see about it at the police department, in person, to get further assurances.
They go down there and try to get hold of Mayor Earl Cabell on the phone, to no avail as he is too busy! Then they encounter Professor Charles Webster who has been there for most part of the day. Webster is a professor of law at S.M.U.

The A.C.L.U. lawyers wish to get some better assurances, and accompanied by Charles Webster their first port of call is Captain Glen D. King.
Let’s continue with Old’s testimony:

Mr. OLDS. We went-first, we talked-- conferred with Captain King, I believe is the right name, who is, I believe, assistant to the chief of police. I’m not sure on that. We all went in with Mr. Webster, and this was shortly after 11:35, or 11:40, and Captain King was, at this time, talking to somebody and said that Oswald had just been charged with the
assassination of President Kennedy. He had here--earlier been charged with the assassination--I mean the murder of the policeman, Tippit, and we told Captain King what we were there for, and he said, he assured us that Oswald had not made any requests for counsel. And we went outside of the office and went downstairs, at least I didn't, but two of the others, I believe, went downstairs to the basement where Justice of the Peace David Johnston was. He was the one that had held then believe an arraignment, I believe is the right term, at 7:30 when the first charge of murder was filed against Oswald, and he also assured us that there had been an opportunity of Oswald's rights had been explained, and he had declined counsel. Said nothing beyond that. I think that was the extent of our inquiry.

Mr. OLDS. Also we were-I believe Chief Curry was quoted to us as having said some-also that Oswald had been advised of his rights to counsel. I am not sure who told me that. I believe that it was Mr. Webster. That was about all. We felt fairly well satisfied that Oswald probably had not been deprived of his rights, so, we then broke up.

- Will Fritz's W.C. testimony regarding this whole lawyer matter.

Mr. BALL. What rights did he advise him of; do you know?
Mr. FRITZ. Of his rights for an attorney, and everything that he told was supposed to be voluntary and things of that kind.
Mr. BALL. He was advised that he had a right to an attorney, was he?
Mr. FRITZ. Yes, sir; I am sure he was; I advised him on that on two or three different occasions.
Mr. BALL. Did---you have a rule in Texas, do you, that whatever a witness, a person in custody, says cannot be used against him unless he is warned?
Mr. FRITZ. We do have; yes, sir. We have to warn them before we can use the testimony. We have to warn them in the beginning before he is questioned.
Mr. BALL. Before he is questioned you must warn him?
Mr. FRITZ. Yes.
Mr. BALL. Before you questioned Oswald the first time, did you warn him?
Mr. FRITZ. Yes, sir.
Mr. BALL. What did you tell him? What were the words you used?
Mr. FRITZ. I told him that any evidence that he gave me would be used against him, and the offense for which the statement was made, that it would have to be voluntary, made of his own accord.
Mr. BALL. Did he reply to that?
Mr. FRITZ. He told me that he didn't want a lawyer and he told me once or twice that he didn't want to answer any questions at all. And once or twice he did quit answering any questions and he told me he did want to talk to his attorney, and I told him each time he didn't have to if he didn't want to. So, later he sometimes would start talking to me again.
Mr. BALL. Do you remember when you warned him again?
Mr. FRITZ. Yes, sir; I warned him two or three different times; yes, sir.
Mr. BALL. Do you remember when those times were?
Mr. FRITZ. No, sir; but during the afternoon.
Mr. BALL. They were you were more or less continuously questioning through the afternoon, were you?
Mr. FRITZ. Yes, sir.
BER 6, 1963

DALLAS POLICE HIT ON OSWALD RIGHTS

Basic Guarantees Infringed. Liberties Union Says

BY HOMER BIGART
Special to The New York Times

The American Civil Liberties Union charged yesterday that the police and presenting officials of Dallas committed gross violations of civil liberties in their handling of Lee H. Os- 
wald, the accused assassin of President Kennedy.

The group said that it would have been "simply impossible" for Oswald to have been tried, to obtain a fair trial because he had already been arrested, tried, and convicted by the public statements of Dallas law enforcement officials.

The organization proposed that the special panel created by President Johnson to investigate the assassination of President Kennedy should also examine the treatment accorded Oswald. The Dallas police and District Attorney Henry Wade have contended that Oswald's rights were not infringed.

The liberties union raised these questions:

"How much time elapsed before he (Oswald) was advised to his right to counsel?"

"How much time elapsed before he was permitted access to a telephone to call his family and an attorney?"

"During what periods and for how long was Oswald interrogated?"

"What methods of interrogation were used?"

"Was his expressed wish to remain silent respected?"

The organization indicted television, radio, and the press for the "pressure" they exerted on Dallas officials. It described the transfer of Oswald from the city jail as "a theatrical production for the benefit of the television cameras." It held the Dallas police responsible for the shooting of Oswald, saying that minimum security considerations were ignored by their "capitalization to publicity."

"By-milling with a crowd of television cameramen, announcers and reporters that Jack Ruby, Oswald's alleged slayer, was able to gain access to the police headquarters basement while Oswald was being transferred.

Trial Rights Infringed

But even had he lived, Oswald would have been deprived of all opportunity to receive a fair trial by the conduct of the police and prosecuting officials in Dallas," the union said.

"From the moment of his arrest in November, two days later, Oswald was tried and convicted many times over in the newspapers, on the radio and over television by the public statements of Dallas law enforcement officials," the report said, continuing:

"Time and again high-ranking police and prosecution officials stated their complete satisfaction that Oswald was the assassin. As their investigation uncovered one piece of evidence after another, the results were broadcast to the public.

All this evidence was described by the Dallas officials as authentic and incontrovertible proof that Oswald was the President's assassin.

"The cumulative effect of these public pronouncements was to impress indelibly on the public's mind that Oswald was indeed the slayer.

With such publicity, it would have been impossible for Oswald to get a fair trial in Dallas or anywhere else in the country, the report said. The trial would have been nothing but a hollow formality.

The report supported President Johnson's appointment of a special investigation commis- sion under the chairmanship of Chief Justice Earl Warren. It would be dangerous to allow any lingering uncertainty over who killed the President," the statement said.

It warned that the assassination of the President "must not lead to a political witch-hunt either of the left or right, nor be made an excuse for impairing any political freedom."

"There may be, in the days and months ahead, in the emotion discharged by the assassination, a demand for restrictive action, including legislation, against certain political organizations and individuals—restrictions which could do great harm to such fundamental civil liberties as freedom of speech, press, or association," the statement said, continuing.

"Fortunately, there seems to this point to have been a mature and sober reaction, in contrast to earlier periods of national distress. We are confident that this atmosphere of reason will contribute to the continuing strength of our free society."

The Libertines Union statement, released by its executive director, John de J. Pemberton Jr., was prepared after consultation with the Dallas Civil Liberties Union.

It recalled that Greg Ode, president of the Dallas Civil Liberties Union, and three vol- unteer lawyers went to the jailhouse in the evening of Nov. 22 the day President Kennedy was assassinated.

Ode was told of the police arrest, including Capt. Will Fritz, head of the homicide bureau, and by Justice of the Peace David Johnson before whom Oswald was first arraigned. It was contended that Oswald had been advised of his right to counsel but that he had declined to re- quest counsel.

The (A.C.L.U.) attorneys had not been retained by either Oswald or his family, they had no right to see the prisoner nor to give him legal advice," the statement said.

"(which) exposed Oswald to the very danger that took his life."

The A.C.L.U. said the case illustrated a "waxing problem" of conflicting rights: the rights of an accused person vs. freedom of the press and the public's right to know.

The Dallas police would not say whether Oswald had been given access to a telephone, nor would they comment on the duration and intensity of the questioning. The report said: "The Dallas police would not say whether Oswald had been given access to a telephone."

"When Chief Jesse Curry said: "We were conscious of the fact that it was necessary that he (Oswald) be given his civil rights.""

"Capt. Fritz said: "I wouldn't be any trouble at all to answer that statement and the answer would show that there was nothing unfavorable as far as the Police Department is concerned. He (Oswald) did have all his rights."

Fair Trial For Oswald 'Impossible'

NEW YORK

Lee Harvey Oswald could not have received a fair trial, and his conviction likely would have been overturned because of prejudicial publicity, the American Civil Liberties Union asserted yesterday.

Oswald, accused assassin of President Kennedy who was slain himself, was tried and convicted many times over in the newspapers, on the radio, and over television by the public statements of the Dallas law enforcement officials, the statement said.

"Where in Dallas, or anywhere else in the State or Nation, has that matter," the Civil Liberties Union asked, "could there be found 12 citizens who had not formed a firm and fixed opinion that he was guilty."

The organization also related Oswald's death directly to "the police capitalization to the glare of publicity..." (which) exposed Oswald to the very danger that took his life."

The A.C.L.U. said the case illustrated a "waxing problem" of conflicting rights: the rights of an accused person vs. freedom of the press and the public's right to know.
23:30 The Press ask to see Oswald

- Vincent Drain in *Larry Sneed's No More Silence*

At the police department, I was with Henry Wade, the district attorney, and the chief of police during the rest of the afternoon. There it was a three-ring circus because the White House Press Corps was there and, if you've ever dealt with them, you've really got something to deal with. Later that evening Oswald attended a so-called press conference. The reason that he was brought to the show-up down in the basement was really more for the purpose of demonstrating to the press that the allegations that the police had beaten up Oswald were untrue. I first knew about it when the District Attorney Henry Wade and I were talking to the Chief of Police, Jesse Curry, and Curry said, “Let’s go down to the show-up.” As to how this happened can be explained much easier with this video. Drain was right in the midst of it all how this came together. The reporters asked them for it.

“So Wade, Curry, and I walked down to the basement where it was being held and stood partially in the doorway. The press was already there including Jack Ruby, who was sitting on the second row. That was on Friday night, the night of the assassination. I can’t recall just what all he was saying other than his shouting some remarks and throwing his fist in the air and that sort of thing. It’s hard to say what kind of opinion you’d have of a fellow that you’d just observed there, but considering the stress he must have been under, he seemed pretty cool and not overly excited. He seemed to be very sure of himself with a feeling of a sense of accomplishment.”

This final part of this paragraph above is utter rubbish. If one were to study the videos of Oswald’s press conference then one could only conclude that he was humble, did not shout during the event and did his utmost to stay composed after being told he was being charged with killing J.F.K. Oswald showed his cuffs when asked by the photographers in the corridor, hardly a defiant stance.

Vincent Drain to the right of Henry Wade, Will Fritz and Jesse Curry to the left. Screen grab-B.K.
23:45 Alfred Hodge arrives at the D.P.D.

Many of you probably do not know Alfred D. Hodge, he was a gun shop owner, and also owned the bar next to it. Will Fritz rang him just after 11 in the evening and asked him to come over to the Robbery & Homicide Bureau and have a look at the revolver and the rifle. I would not have spent much time reading and researching this if it were not for the discrepancies that show up between his F.B.I. reports, his W.C. testimony and his H.S.C.A. interview.

Most of the paperwork mention his altercation with Jack Ruby while being in the elevator going down, this is while Hodge is being escorted down by two D.P.D detectives whose names to this day are not known (click the link above for all the statements and the W.C. testimony by him). Nothing too serious but it does indicate that no one wants to be associated with Ruby

In his W.C. testimony he states:
Mr. HUBERT. Who was in Captain Fritz’ office when you went in first?
Mr. HODGE. Well---
Mr. HUBERT. Was Oswald there?
Mr. HODGE. I didn’t see Oswald. I have never seen him except on TV, but Captain Fritz has one office I don’t know which office is his, but the one on the left has a glass window in it, and when I went in this hallway, out in the hallway where all the TV cameras was, there was another hallway, and Captain Fritz waved at me--he seen me through this glass and there was several people in there with him, and I went on in a little office not quite as big as this and sat down.

But in his H.S.C.A. interview, he mentions three (!) sightings of Oswald, alone with Fritz no less. There has been no recording of Fritz being alone with Oswald at all.
Interview with Alfred D. Hodge

A police officer asked Mr. Hodge, what he was doing there and Mr. Hodge told him that Capt. Fritz had sent for him. The officer left and then came back with two detectives. They were escorting Mr. Hodge to an office and as they walked past a large window, Mr. Hodge saw Capt. Fritz sitting on the edge of a table talking to Oswald, who was sitting in a chair under a light. Mr. Hodge stated that he doesn’t believe there was anyone else in the room, except Capt. Fritz and Oswald.

Before Mr. Hodge reached the office he was going to, someone told him that he was blocking a detectives car and he would have to move it. The two detectives told Mr. Hodge they would escort him down and then back up. As they got on the elevator (third floor), Jack Ruby got on also. Jack Ruby and Mr. Hodge knew each other, well. Jack Ruby asked Mr. Hodge what he was doing there and Mr. Hodge, thinking that it was not any of Ruby’s business told him that he was under arrest. Ruby asked Mr. Hodge, what he knew about this thing, meaning the assassination. Mr. Hodge didn’t say anything and Ruby asked the detectives why Mr. Hodge was arrested and everybody began laughing.

Jack Ruby got off at the first floor and Mr. Hodge continued on to the basement and moved his car. After going back to the third-floor, Mr. Hodge walked past the same window again and saw Capt. Fritz and Oswald talking. Mr. Hodge doesn’t believe there was anyone else in the room. Mr. Hodge was
Interview with Alfred D. Hodge

escorted into an office and observed what he described as two F.B.I. agents examining the hand gun, the cylinder was open. Mr. Hodge asked the agents for the serial numbers, so that he could check to see if he had sold them. Mr. Hodge stated that he had Carcanos and cut down Smith and Wessons in his gun shop but after checking later found that he had not sold those particular weapons. After getting the serial numbers, Mr. Hodge was walking back to the elevator and for the third time, saw Capt. Fritz and Oswald talking. Mr. Hodge stated that he cannot remember anyone else in the room or any of the three times, he passed the office but he was looking mainly at Oswald and is not positive about anyone else being in the room. Mr. Hodge stated that after seeing Oswald, three times that night, he thought it may have been Oswald who came into his gun shop, three or four days prior to the assassination, carrying something wrapped in paper, that could have been a long gun. Mr. Hodge stated that this man was looking at different rifles in the shop. Mr. Hodge emphasized that it could have been Oswald, he did not say positively.

Mr. Hodge stated that he became acquainted with Jack Ruby because Ruby had a club called the Silver Spur, not too far from Mr. Hodge's bar and gun shop and Ruby would come into his bar and talk with him.
Nov 23rd
00:15 Oswald’s Press Conference.

The photograph above brilliantly demonstrates how things happened while Oswald was on his way to his press conference. Oswald, while in transit, is surrounded by various robbery & homicide detectives and officers (Baker, Sims, Hall, Boyd and others) followed closely by Secret Service Agents Kelley, Grant and Lawson.


"After discussion of this problem with District Attorney Henry Wade, a news conference was arranged shortly before midnight. Press representatives from all over the world were carefully screened and brought to the Police Assembly Room. Oswald was then escorted to the Assembly Room to allow photographs to be taken by newsmen. The press had agreed to only photograph and observe Oswald’s physical condition. The minute Oswald entered the room newsmen caused an uproar and tried to get statements from him. Oswald was taken from the room and returned to his cell after only a few minutes with the newsmen. He seemed to rather enjoy the attention."
That last sentence is not true, Oswald’s appearance was one of humility and at the end of complete shock after being told he was being charged with murdering President J.F.K. See how composed he is for the follow-up question, after he has been told that “he had been charged……”

Please pay careful attention and make yourself aware of Oswald’s silence while he is moving inside the corridor to the room where the press conference is about to be held. Before during that day on the 22nd, Oswald used every opportunity to speak to the press yet in this instance he kept schtumm until he was “lined-up” for them.

If you were to ask me then some sort of agreement was made with him so he could speak freely if he kept quiet on the way down there. Of course he did not know he was about to be yanked out of that room and dumped back into his cell in a couple of heartbeats.

Lee Oswald’s Press Conference shown as in Four Days In November.

And here the same press conference as shown by CNN in 2013 as part of a documentary series: “The 60’s: The JFK Assassination.”
Oswald: "I positively know nothing about this situation here. I would like to have legal representation.

Reporters: [unintelligible]

Oswald: "I was questioned by a judge. However I protested at that time that I was not allowed legal counsel ... [noise] ... during that short and sweet hearing. I really don't know what the situation is about. Nobody has told me anything except I'm accused of murdering a policeman. I know nothing more than that."

Someone from the crowd: "At ease!"

Oswald: "I do request someone to come forward to give me legal assistance."

Reporters: "Did you kill the President?"

Oswald: "No. I've not been charged with that: In fact nobody has said that to me yet. The first thing I heard about it was when the newspaper reporters in the hall asked me that question."

Reporters: "Somebody said what?"

Oswald: "Sir?"

Reporters: "Somebody said what?" Followed by something unintelligible from a different reporter.

Reporters: "You have been charged with killing The President."

This creates an unforgettable expression of shock by Oswald. Below on this page two still grabs of the video above (CNN, The 60's: The JFK Assassination) of that particular moment.
The press conference is abruptly stopped by Jesse Curry who signals Lt. Baker who tells the escort of detectives to take Oswald away.  

Reporter: “What did you do in Russia?”, but Oswald is led away and does not answer that question.  

Reporter: Mr. Oswald, how did you hurt your eye?  
Oswald: “A policeman hit me.”

What ought to be brought to everyone’s attention here is how composed Oswald is answering that last question, a few seconds after being charged for murdering J.F.K.

- Winston Lawson during his W.C. testimony on the Oswald Press Conference.

Representative FORD. The last time you saw him?

Mr. LAWSON. No, he had not. That was not the last time I saw him, however. Then I later, approximately 11:30, or around midnight, it was announced that there would be a press conference again down in the showup room, and Inspector Kelley had arrived by that time, not too long before that, and Inspector Kelley and I and another agent or two went down to this press conference where it was just completely packed. Everyone couldn’t get in the room, the cameramen, reporters, broadcasters, and so forth. Upon a signal----

Mr. DULLES. Who conducted that meeting?  
Mr. LAWSON. I believe it was the assistant district attorney and Chief Curry and perhaps Captain Fritz. We were just there watching.  
Mr. STERN. Tell us more about what----

Mr. LAWSON. He was brought in through the crowd and through a side door there, through the corridors, brought in, and I believe the chief and the district attorney each gave statements, and Oswald was asked a few questions then by the press, but I don’t recall of it except that he was whisked out again fairly rapidly after that.
Mr. STERN. Do you remember what any of the questions were and his responses?
Mr. LAWSON. No, I don't.
Mr. STERN. How many people were in this room?
Mr. LAWSON. It was overflowing. You could hardly hear because everyone was shouting questions. That is why I don't remember what the specific questions were and what his responses were.
Mr. STERN. Do you have any impression why this interview was conducted?
Mr. LAWSON. No; I do not.
Mr. STERN. Do you recall anything else that was said by the eyewitness that Mr. Sorrels had arranged to be brought in for the showup, anything else that he said while he was standing talking to you or Mr. Sorrels or while Oswald and others were on the----
Mr. LAWSON. No; I don't
Mr. STERN. Then shortly after this show up, or shortly after this interview in the showup room, you left for Washington, I take it?
Mr. LAWSON. Yes; there had been quite a bit of discussion during the evening as to what evidence they had up to this time, the rifle, clothing, et cetera, would be brought to Washington to the FBI lab to be worked on, or whether the police would keep it in their custody for a little while longer for their investigation, and there was quite a-bit of discussion by various People all evening long.
And when it was finally decided it would be released by the Dallas Police, the rifle and other evidence to return to Washington, Inspector Kelley told me to return on the special plane that was flying the evidence and the accompanying FBI agent back to Washington.
Mr. DULLES. Was the evidence turned over to you or the FBI?
Mr. LAWSON. To the FBI, sir. I just returned on the plane.
Greg Olds' WC testimony

Mr. OLDS. I think the other men went home, and I went downstairs. I heard that there was going to be a press conference, so I thought I could stand in on that and do you want me to go ahead and detail that?

Later on during this testimony.

Mr. OLDS. He looked remarkably composed and determined. He had a - I remarked afterwards that I would have been very much distraught, and he seemed very well self-contained and determined and maintained his innocence. I heard that, and beyond that scratch above--on his forehead and the eye that was swollen and the little-he looked all right. He looked a little tired, of course, and I think his clothes were dirty, but he looked remarkably in good shape, I thought.

Mr. STERN. Did this give you any further assurance that-about the right to counsel question?

Mr. OLDS. Possibly so, it was

Mr. STERN. I don’t want to put the idea in your head.

Mr. OLDS. Well, I know, but we had the idea that Oswald was not being accurate when he said he had been denied, because in our dealings with the police here, we have had reason to believe that they are very careful of this sort of thing. And certainly in a case of this notoriety, certainly, our tendency was to believe that, but I have always been sorry that we didn’t talk with Oswald, because it was not clear whether we would be permitted to see him that night or not.

Mr. STERN. But, you did not ask to see him?

Mr. OLDS. NO; we did not, which I think was a mistake on my part.

Mr. STERN. Did anything transpire on Saturday, November 23?

Mr. OLDS. Not SO much. I was watching television most of the day.

So let’s see: we have a suspected cop killer who is also a possible assassin of the Commander In Chief. He states at many different times that he would like someone to come forward and give him legal representation and he protests his innocence wherever and whenever he can as well. Now Olds may not have been aware of all the outings by Oswald wanting a lawyer. But he was aware of some of it due to the phone calls he was getting. Had he known the amount of times Oswald asked for a layer he may have pressed more to get access.

But during Oswald’s Press Conference, where the defendant asked for someone to come forward and professing his innocence again he decides not to act any further…..

It is easy to talk about this with the benefit of 50 odd years of hindsight, but I would have gone along with Olds’ action up to the press conference, because if he had properly witnessed Oswald’s Press Conference, Olds should have demanded access to Oswald there and then, and clear the fog immediately!
12:23 Oswald is booked in jail.

Oswald was not officially booked in for more than ten hours and this document by itself is a good give away that Oswald had no phone calls allowed and recorded all that time he was inside, more than ten hours. And he had to wait another 13 before he was given the chance to do so.
Henry Wade during his press conference. Photo: UNT.

After Oswald has been led away to the jail elevator Henry Wade is holding his press conference. Part of this press conference can be seen HERE.

While watching the video at the link above it abruptly ends, but not before the reporters ask Wade whether Oswald has been charged yet. Then the following exchange takes place:

Justice of the Peace Johnston watched with fascination. The questioning turned a corner when the reporters reminded Wade that Oswald said he didn't know he had been charged with the assassination of the President. Wade said he had been filed on. Which was right? "I do not know," the D.A. replied. "He has just been charged. I know he has been advised of the other and taken before the magistrate." One of the newspapermen put the question to Johnston: "Did he answer that question whether the man had been advised that he's been charged? The man said here that he didn't know he had been, Dave. How about that?"

David Johnston thought it over. "He has not been advised that the charge of the murder of the President, because he is on capital offense on the other." The reporters could not decipher the sentence. "He has not been advised?" one asked. The judge said: "He has not been advised." "When will the arraignment be for the President?" Wade reclaimed his press conference. "I imagine in—tonight sometime." The interviewers could not seem to let go of the question. "He has not been arraigned on the assassination?" "No." (The Day Kennedy Was Killed by Jim Bishop, chapter 12 Midnight).

Hugh Aynesworth mentioned in a recent interview for BBC History magazine that: The District Attorney, Henry Wade, was asked at a press conference how Oswald got from the Book Depository to the place he killed a cop. Wade said, "he got a cab", and said a man named Deryl Click was the cab driver.
To this day, there has never been a cab driver in Dallas named Deryl Click. Aynesworth later asked Wade why he said what he said, and he told me “it just popped out”.

During Wade’s press conference another person appears in the picture, who stands rather close by him, David Johnston and Vincent Drain. His name James K. Allen, a former assistant D.A. and a close friend of Will Fritz. Henry Wade makes mention of James K. Allen in his Warren Commission testimony:

Mr. Wade. Bill Alexander. There was another one of another man there, Jim Allen, who was a former first assistant who is practising law there in Dallas, frankly I was a little surprised of seeing him there, he is a real capable boy but he was there in homicide with Captain Fritz. They were good friends. And I know there is no question about his intentions and everything was good, but he is just a lawyer there, but he had tried many death penalty cases with Fritz, of Fritz’s cases. Later on during that same testimony Wade mentions him again as per Oswald’s guilt of assassinating The President.
Mr. Rankin: The conversation you described when Jim Alexander was there and the others?
Mr. WADE. Yes; I first asked Jim Allen, a man whom I have a lot of confidence in, do they have a case and he said it looks like a case, you can try.
Mr. RANKIN. Is that the case about the assassination?
Mr. WADE. Yes; we are talking entirely about the assassination. On the Tippit thing, I didn’t take the charge on that and I think they had some witnesses who had identified him there at the scene, but I was more worried about the assassination of them filing on somebody that we couldn’t prove was guilty.
Jim Hosty even writes a report on Jim Allen.

**Memorandum**

**TO:** SAC, DALLAS (100-10461)  
**FROM:** SA JAMES P. HOSTY, JR.  
**SUBJECT:** LEE HARVEY OSWALD, aka.  
**IS - R - CUBA**

This is to make a matter of record the following information:

On the afternoon of 11/22/63, when this writer was in the office of Chief of Police WILL FRYTIC of the Dallas PD, for the purpose of interviewing the subject, an individual who identified himself as JIM ALLEN, with the DA’s Office, was present. ALLEN had complete access to all evidence at that time seized by the Dallas PD and was allowed complete freedom of the office of Captain FRITZ. It was actually ALLEN who first discovered my name among the evidence and brought it to the attention of the Dallas police officers. On this date this writer determined that JIM ALLEN is not now and was not at that time a member of the DA’s Office, having been an assistant DA in the past, but as of 11/22/63, he was in private law practice and had no legal right to be present at this time.
00:45 Oswald’s Mug Shot and fingerprints

After the press conference Oswald is being searched again, has his shirt taken away for the F.B.I. It is Vincent Drain who leaves with the rifle, the pistol and some of Oswald’s belongings on a special plane towards Washington. And while undergoing all this he has his mug short taken and is also photographed in between two police officers. And he has his finger prints taken.

Oswald’s mug shot, please note it was taken on Nov. 23rd.
01:35 Oswald's Arraignment for the Murder of J.F.K.

David Johnston, a Dallas Justice of the Peace, is being interviewed by A.B.C.'s Roger Sharp on the 23rd, after the Wade press conference, below, states that 'the complaint' was not read out to the accused at all. At about 1:17 in.

David Johnston's W.C. testimony.

Mr. HUBERT. Now, let's pass to the arraignment concerning President Kennedy, and I wish you would dictate into the record the same information you did as to the first one. Mr. JOHNSTON. All right, sir. This was the arraignment of Lee Harvey Oswald for the murder with malice of John F. Kennedy, cause No. F-154, The State of Texas versus Lee Harvey Oswald. The complaint was filed at 11:25 p.m., was accepted by me at 11:26 p.m. It was filed at approximately 11:25 p.m. by Capt. J. W. Fritz, homicide bureau of the Dallas Police Department, and was accepted by Henry Wade, criminal district attorney, Dallas County, Tex., and was docketed as cause No. 154, F-154 at 11:26 p.m. Shortly after this is when the defendant was taken to the detail room or the assembly room.

Mr. HUBERT. What happened at this arraignment--was it the same as before? Mr. JOHNSTON. He was not arraigned at this time. He was then arraigned after he was removed to the detail room where the press was allowed to have their first interview with the defendant, with Lee Harvey Oswald. Subsequently in a conference between Captain Fritz, Mr. Wade, and two or three of his assistants and myself, and Chief Curry--it was decided to go ahead and arraign him and that arraignment was held at 1:35 a.m., November 23, 1963, in the identification bureau of the Dallas Police Department, and once again I appraised him of his constitutional rights, read the affidavit, and advised him again that I remanded him to the custody of the sheriff, Dallas County, denying bond as capital offense. He was also told at both of
these instances that he would be given the right to contact an attorney of his choice.
Mr. HUBERT. Did he ask this at either of these occasions?
Mr. JOHNSTON. Yes, sir; that was one of the first things he said--that he wanted this man
from New York of the Civil Liberties Union.
Mr. HUBERT. He said that to you?
Mr. JOHNSTON. Yes [spelling] A-b-t; however that's pronounced. He said he would like to
have this gentleman and I told Oswald when he made that statement that he would be
given the opportunity to contact the attorney of his choice.
Mr. HUBERT. Whose duty was it to see that he was given that opportunity?
Mr. JOHNSTON. The telephone would be made available to him to make any call he
wished to make and that would have been advanced to him through the normal routine.
He possibly could have been given this permission at the city jail and also had he ever
made it to the county jail, here again he would have been given the opportunity to
contact a lawyer.
Mr. HUBERT. In any event, you made it clear to him that he had a right to contact a
lawyer?
Mr. JOHNSTON. That he had a right to be represented by counsel, that he had the right to
make a telephone call to contact any person of his choice, and the assault to murder
complaint, alleging the assault to murder of John B. Connally in cause No. F-155, The
State of Texas versus Lee Harvey Oswald, this complaint was filed by Lt. Robert E.
McKinney of the forgery bureau of the Dallas Police Department. This complaint was filed
in my office at Richardson, Tex., at 6:15 p.m., on November 23, 1963, and the defendant
was not arraigned in this case because he was already being held for two capital
offenses. He would have been arraigned in this probably the following week had he
lived.

- Jesse Curry in his W.C. testimony on those arraignments, has another case of that
particular amnesia:

Mr. RANKIN - Do you know when Lee Harvey Oswald was arraigned?
Mr. CURRY - It was about 1:30 in the morning. That would be on the morning of the 23d, I
believe.
Mr. RANKIN - How long did he, how long had he been in your custody then?
Mr. CURRY - About 11 hours. That was on the Tippit; yes, sir.
Mr. RANKIN - When you say that he was arraigned the following day early in the morning,
did you mean for the Tippit murder or for the assassination?
Mr. CURRY - No; that was for the assassination of the President.
Mr. RANKIN - All right, will you tell us when he was arraigned for the Tippit murder?
Mr. CURRY - I was not present but I believe it was about 7:30.
Mr. RANKIN - That same evening?
Mr. CURRY - Yes; that would be about 5 hours afterwards.
Mr. RANKIN - Do you recall whether he was arrested first for the assassination or for the
Tippit murder?
Mr. CURRY - For the Tippit murder. There were some witnesses to this murder and they
had observed him as he left the scene, and this was what he was arrested for.
The CHAIRMAN - May I interrupt Just to ask the chief a question?
Chief, on your arraignments does the magistrate advice the petitioner as to his right to
counsel?
Mr. CURRY - Yes, srr; he does.
The CHAIRMAN - Does he ask him if he has counsel?
Mr. CURRY - I don't recall him doing that. I am not customarily present when a person is
arraigned.
The CHAIRMAN - You were not present at the arraignment?
Mr. CURRY - I was present when he was arraigned for the assassination of the President.
I was not present when he was arraigned for the murder of Tippit.
The CHAIRMAN - I suppose they make a stenographic record of that, do they not?
Mr. CURRY - Yes, sir; I am sure they do.
The CHAIRMAN - That is all I have.
Mr. RANKIN - Chief, our people made an inquiry whether there was a stenographic record. They don't believe there was any.
Mr. CURRY - I am not sure of that. I know at the time he was arraigned for the assassination of the President I was present there at the time. It was decided that we should, district attorney was there at the city hall. He was there during most of the evening.
Mr. RANKIN - Will you just describe for the Commission what happened during the arraignment for the assassination, who was present, what you saw.
Mr. CURRY - As I recall, I know the Justice of the Peace David Johnston was there. It seemed like Sergeant Warren, but I couldn't be positive but some of the jail personnel brought him out into the identification bureau.
Mr. RANKIN - How was he taken out? Were there several people around him, what was the security arrangements?
Mr. CURRY - At that time there was only, we were inside the offices of the criminal identification section. He was brought out through a door that opens from the jail into the criminal identification section. There was only about a half dozen of us altogether there, I don't recall who all was there.
Mr. RANKIN - How was he taken out? Were there several people around him, what was the security arrangements?
Mr. CURRY - That is the identification bureau.
Mr. RANKIN - Does that have a room that this meeting occurred in?
Mr. CURRY - It is not a room such as this. It was in the little foyer or lobby, and it is separated from the jail lobby.
Mr. RANKIN - Did the justice of the peace sit or stand or what?
Mr. CURRY - He stood. He stood on one side of the counter and Oswald on the other side of the counter.
Mr. RANKIN - What floor is this on?
Mr. CURRY - The fourth floor.
Mr. RANKIN - That is nearest the place where there are some filing cabinets?
Mr. CURRY - Yes; it is.
Mr. RANKIN - And besides the people that you have described, I assume that you yourself were there as you have said?
Mr. CURRY - Yes; I was.
Mr. RANKIN - Was there anyone else that you recall?
Mr. CURRY - Not that I recall, other than the justice of the peace.
Mr. RANKIN - Will you describe what happened?
Mr. CURRY - Lee Harvey Oswald was brought in and the complaint was read to him, and here again he was very arrogant and he said, "I don't know what you are talking about. That is the deal, is it," and such remarks as this, and the Justice of the peace very patiently and courteously explained to him what the procedure was and why it was.
Mr. RANKIN - What did he say about that?
Mr. CURRY - I don't recall his exact words.
Mr. RANKIN - Just tell us in substance.
Mr. CURRY - He didn't--as I recall, he didn't think much of it. He just said, "I don't know what you are talking about."
Mr. RANKIN - What did the Justice of the peace say about the procedure and any rights and so forth?
Mr. CURRY - As I recall it, he read to him the fact that he was being charged with the assassination of the President of the United States, John Kennedy on such and such day at such and such time.
Mr. RANKIN - Did he say anything about his right to plead?
Mr. CURRY - I don't recall, sir.
Mr. RANKIN - Did he say anything about counsel?
Mr. CURRY - I don't recall whether he did or not.
Mr. RANKIN - What else happened at that time that you recall?
Mr. CURRY - That is about all. After it was read to him, he was taken back to his cell.

Jesse Curry's book *Retired Dallas Police Chief Jesse Curry Reveals His Personal JFK Assassination File by Jesse Curry (1969)*: Oswald stood with a sullen look on his face as the charges against him were read, in order to inform him that he was charged with the slaying of the President. Oswald’s response was typical. He said, I don’t know what you’re talking about. What’s the idea of this. What are you doing this for.” P.80.

Oswald, at that time, would have been required to be checked out of jail and there is no record of that.

Joseph McBride in his book *Into The Nightmare* manages to interview Jim Leavelle in the early nineties, and at this interview he lets his guard down a tad.

“Now the thing was, the Captain (Will Fritz, the Head of Homicide, who was running the interrogation of Oswald) asked me if I had enough to make a case on him for the Tippit killing. And I said, “OH yeah. I got plenty on that.” I had him identified by about three or four people. And so Cap said, “Well go ahead and make a tight case on him in case we have trouble making this one on the presidential shooting.” “So that was one reason he was arraigned early on the Tippit shooting. But I was thinking that we also arraigned him somewhere down the line on the shooting of the president. But I wouldn’t swear to that offhand.” (P.235/236).

Deputy Chief of D.P. M.W. Stevenson on Oswald’s arraignment to NBC’s Tom Petit. Just before midnight.

At the bottom of this page M.G. Hall states that Oswald was placed in his cell after the press conference.
At 7:03 PM, November 22, 1963, Capt. Fritz filed murder complaint with Bill Alexander, Assistant District Attorney, for the murder of Officer J. D. Tippit. Judge David Johnson was there and read the charge to Oswald.

At 7:10 PM, November 22, 1963, Sims, Boyd, and I took Oswald down for another show-up. This show-up consisted of Richard Walter Borchardt #1, Lou Oswald #2, Ellis Carl Reynolds #3, and Don Ables #4. The show-up was over at 7:55 PM, and Oswald was taken back to Capt. Fritz's office. Just before this show-up, F. B. I. Agent Clements was talking to Oswald. Clements was putting Oswald's physical description, and where he had lived and worked before coming to Dallas. Clements also checked and listed the contents of Oswald's billfold. Clements's interrogation was discontinued until we had the show-up. Agent Clements continued after we had brought Oswald back. Clements talked to him about 30 minutes more.

At 8:05 PM, Det. Hicks and Det. Studtaker of Crime Lab came to Capt. Fritz's office to make paraffin casts of Oswald.

At approximately 11:30 PM, November 22, 1963, Sims and Boyd wrote out arrest sheets on Oswald, and a short time later Chief Curry and Capt. Fritz came in and told us to take Oswald to Show Up Room out in the front. Chief Curry said for us not to let anyone get near him or touch him, and if they attempted to, for us to take him out immediately. Capt. Fritz told us we wanted all of his men to go with Oswald at this time. After a short time, we took Oswald down to the Show Up Room. The room was full of witnesses, and we kept him there about five minutes, and then we took Oswald to the Jail Office, and he was placed in jail.
POLICE DEPARTMENT
CITY OF DALLAS
CASE REPORT

Date: November 22, 1963
With: Alexander
By: Capt. Fritz

Investigating Officers: C. M. Doherty - C. W. Brown

Arresting Officers: H. N. W. McDermott

Defendant: Lee Harvey Oswald

Race: White Age: 24 Sex: Male Residence: 1026 North Beckley

Date of Arrest: November 22, 1963 - 2:00 PM Identification No. 51018

Place of Arrest: 231 West Jefferson Arrest No. 63-98135

Date and Time of Offense: November 22, 1963, approximately 12:30 PM. Offense No. F-85950

Complaint: John F. Kennedy, W/H/W, Deceased

Where and How Committed: On Elm West of Houston - Shot with rifle

Charge: Murder

Property Taken and Value:

Evidence and Seizures: Attached

Voluntary Statement: No

Accomplices:

List Witnesses and What Each Can Testify to on Reverse Side

Summary of Case: Deceased was riding in motorcade with his wife and Governor Connally and his wife. Witnesses heard gun shot and saw deceased slump forward. More shots were fired and deceased fell forward. Governor Connally was also shot. Officers determined where shots came from and covered the building and went inside the building. Capt. Fritz had name of Defendant, but Defendant was not in the building. Capt. Fritz received information that Defendant had killed Officer Tippit in Oak Cliff. Arresting officers brought Defendant to City Hall.

Any additional information may be placed on reverse side.
And on April 11th 1964 a super duper document has been created to show Oswald taken out of his cell at 01:35 to be arraigned on the fourth floor.
POLICE DEPARTMENT
CITY OF DALLAS

CASE REPORT

Date: November 22, 1963

With

Alexander

By

Capt. Frits

G. H. Forsey - C. W. Brown

Investigating Officers

P. J. M. F. Cunningham

Jr., W. & C. Donaldson

Arresting Officers

Deceased

Location of Defendant

Defendant: Deceased

Race: White

Age: 24

Sex: Male

Residence: 2026 North Beckley

Date of Arrest: November 22, 1963 - 2:00 PM

Identification No.: 20218

Place of Arrest: PX 71st Jefferson

 Arrest No.: 63-90105

Date and Time of Offense: November 22, 1963, approximately 2:30 PM

Offense No.: F-86950

Complainant: John R. Forsey, W/C/A, Deceased

Where and How Committed: On El Vito Post of Houston - shot with rifle

Charge: Murder

Property Taken and Value:

Evidence and Seizures: Attached

Voluntary Statement: No

Accomplices

List Witnesses and What Each Can Testify to on Reverse Side

Summary of Case: Deceased was riding in motorcade with his wife and Governor Connally and his wife. First shot was fired and covered building and went into the building. Capt. Frits and crew of defendant, but defendant was not in the building. Capt. Frits received information that defendant and killed officer Vipit in Oak Cliff. Arresting officers brought defendant to City Hall.

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Any additional information may be placed on reverse side.
In his Dec 5th report Inspector Thomas Kelley states he was present at the arraignment where Oswald was accused of the murder of The President.
Wade’s W.C. testimony:

Mr. WADE. Yes, sir; so they said, “Have you filed on him?” At that stage, started yelling has he been filed on, and I said yes, and filed on for murder with malice, and they asked Judge Johnston, is there-they asked him something. Then they started asking me questions everywhere, from all angles.

Mr. RANKIN. Under your practice, what do you mean by file on him? Is that something different than an arraignment?

Mr. WADE. Well, of course, it is according to the terminology and what you mean by arraignment. In Texas the only arraignment is when you get ready to try him. Like we arraigned Ruby just before we started putting on evidence. That is the only arraignment we have, actually.

Mr. RANKIN. I see. You don’t bring him before a magistrate?

Mr. WADE. Well, that is called-you can have an examining trial before the magistrate to see whether it is a bailable matter. At that time, I don’t believe he had been brought before the magistrate, because I told David Johnston as we left there, I said, “You ought to go up before the jail and have him brought before you and advise him of his rights and his right to counsel and this and that,” which, so far as I know, he did. But at that meeting you had two attorneys from the American Civil Liberties Union.

Timothy Cweik starts digging deeper into this shortly after and finds out that only 4 newspapers as reporting “the arraignment” that weekend; the Philadelphia Bulletin (see next page’s article), the Dallas Times-Herald, the New York Times and the Washington Evening Star. Of those, only the Bulletin and the Times actually used the word “arraignment”. And looking into this further, Timothy Cweik found no follow up stories in any of the 4 papers, including in “wraps-ups” of the entire weekend. Stranger still; no other publications picked up the story. In an effort to find out more, Cweik contacted
the reporter for the Bulletin who had landed this apparent major scoop, John McCullough. McCullough declined an interview. He did appear before the Warren Commission, but did not offer information about the arraignment, nor was he asked about it. The story got even stranger when Cweik looked more closely at the other 3 papers. The Times article appeared in the microfilm records of the newspaper, but not in any actual hard copies that were tracked down. And to top it off, the Evening Star reporter was Jeremiah O’Leary. O’Leary was once described by Carl Bernstein as having “a valuable personal relationship” with the CIA during the 1960s.

The article below is littered with mistakes, but the so called arraignment (fourth column on the right) is definitely the crown jewels of this whole fake news article of the Philadelphia Evening Bulletin.....

The Hosty affidavit in Warren Commission Document 5, page 400 below states that since Oswald was already arraigned for the Tippit murder there was no need to do this again with regards JFK’s slaying........
Jim Leavelle’s testimony about the session in the morning of the 24th states that Oswald is asking Fritz whether he is being filed on, which is more than 32 hours after the fake arraignment!

Mr. BALL. What did Oswald say?

Mr. LEAVELLE. Oswald turned and asked Captain Fritz, said “I am filed on for the President’s murder, is that right?”
Jim Hosty in chapter three of Assignment Oswald states Nov 23rd at 6 A.M. I was interrupted by Shanklin for the morning briefing and update. I took a seat on the corner of Bookout's desk. The agents had arrived in virtual silence, all of us in shocked mourning, whispering hesitantly about yesterday's event as we congregated. Our office had taken on the air of a funeral parlor. "While you've been sleeping there have been some important developments," Shanklin said. "Last night at about 1:30 A.M., the county prosecutor filed first-degree murder charges against Oswald for the killing of the president. Our agents in Chicago were able to trace the ownership of the rifle found on the sixth floor of the depository to Oswald. And one of our agents in New Orleans, DeBrueys, discovered that one of Oswald's aliases was A. J. Hidell. This alias was given to all FBI offices yesterday. Someone found out that rifles like the one found in the depository are advertised in certain magazines and can be mail ordered from Chicago. By using both Oswald's true name and his alias, the Chicago agents made a hit and traced the ownership to Oswald. "This trace apparently tipped the balance for the prosecutor and they filed on Oswald after you all left last night," Shanklin added. He pointed out that as much as the FBI wanted to take over the investigation, the Dallas police had jurisdiction over all matters.
The Day JFK Was Shot—Chapter 10

Jackie Snipped Lock of Husband's Hair as Robert Stood By

By Jim Bishop

II P.M. John F. Kennedy arrived at Washington National Airport, and a crowd of journalists gathered around the plane. As he exited the plane, he was greeted by his wife Jackie. She quickly approached him and lifted his head up, so that she could see his face more clearly. Then, she reached into her purse and pulled out a pair of scissors. Without hesitation, she snipped a lock of JFK's hair, right there and then.

A news report told how Jackie and JFK had driven to the airport together. They had been in a car, and on the way, Jackie had mentioned that she wanted to snip a lock of JFK's hair. JFK had laughed and said, “Sure, Jackie, go ahead.”

The report said that Jackie had been busy preparing for the upcoming inauguration of JFK. She had been putting on makeup, and JFK had been helping her. They had been discussing the day's events, and Jackie had mentioned that she wanted to snip a lock of JFK's hair.

The story continued that as they arrived at the airport, Jackie had said, “Now, JFK, I want to snip a lock of your hair.” JFK had said, “Okay, Jackie, go ahead.”

Jackie had taken out her pair of scissors and had snipped a lock of JFK's hair. Then, she had said, “I'm going to keep this as a memento of our special day.”

The story ended with Jackie and JFK driving away, with JFK's hair still in her purse. The crowd around the plane had been watching, and they had all been impressed by Jackie's actions.

His Was Brilliant Career

President Kennedy was assassinated on November 22, 1963, in Dallas, Texas. He was 46 years old and had been in office for just over two years. His legacy is still felt today, with his policies and his vision of a peaceful coexistence among nations.
And here is another statement by Elmer Boyd’s which clearly states when they dropped off Oswald and at what time they picked him up again.

Then add on M.G. Hall’s statement that he took Oswald from the press conference to his cell See page 185.
Finally Lt. T.L. Baker who in his W.C. testimony states:

Mr. BALL. You are up here with Captain Fritz?
Mr. BAKER. Yes, sir.
Mr. BALL. And you are the man who prepared Commission Document 81-B; is that correct?
Mr. BAKER. I assisted in it, sir.
Mr. BALL. You were sort of the editor, is that right?
Mr. BAKER. Something like that.
Mr. BALL. The question we addressed to Captain Fritz was where was Oswald between the 12:35 and, I believe, 1:10 in the evening, 1:10 a.m., on Saturday, November 23, that is right after midnight.
Mr. BAKER. Yes, sir; at 12:35 a.m. Lieutenant Knight of the I.D. bureau took him out of the jail on the fifth floor and with the assistance of Sergeant Warren and one of the jailers brought him to the fourth floor where the I. D. bureau was located.
Mr. McCLOY. The I. D. bureau is the identification bureau?
Mr. BAKER. Yes, sir. There in the presence of Sergeant Warren and this jailer, one of his assistants, he was processed through the I. D. bureau, which consists of taking his pictures and fingerprints and making up the different circulars that go to the FBI and so forth. When they had finished processing him, he returned him to the jail. Lieutenant Knight released him. He was placed back in the jail at 1:10. Approximately 1:30 Sergeant Warren received a call from Chief Curry, advising him to bring him back to the identification bureau the same place, for arraignment. Sergeant Warren and the same jailer returned him to the I. D. bureau, where he was arraigned by Judge Johnston at approximately 1:35 a.m. This arraignment took approximately 10 minutes, and he was returned to the fifth-floor jail by Sergeant Warren at approximately 1:45 a.m.

T.L. Baker's Report, on the next page, states pretty much the same. That after Oswald's press conference he is taken upstairs to the fourth floor for booking, and another search. Then taken to the fifth floor and then back to the fourth for his so called arraignment for killing The President.

Both directly contradicting all the other reports placing Oswald in his cell within minutes after the press conference and not being picked up again later that morning.

Robert Oswald tried to get hold of Will Fritz and finds out that his brother is being filed on. In his W.C. testimony the following is being told by him.

Mr. JENNER. Did you go to your room?
Mr. OSWALD. Yes, sir.
Mr. DULLES. Approximately what time was this?
Mr. OSWALD. Approximately 10:30 p.m., that night, sir.
Mr. JENNER. After registering, did you retire for the evening, or did you go somewhere?
Mr. OSWALD. No, sir; I did not retire for the evening. I did, in fact, go into the coffee room of the Statler Hilton Hotel in Dallas, and have a ham sandwich and some milk, and shortly after completing this, I walked across the street, which was approximately a half a block down the street, to the Dallas police station again.
Mr. JENNER. All right. Now, up to that moment, other than was necessary for you to register and your conversation with a waitress, in connection with your having some evening lunch, did you have any contact with anybody?
Mr. OSWALD. No, sir; I did not.
Mr. JENNER. Did you have any contact at all of any kind or character up to this moment with anybody in connection with the events of the day?
Mr. OSWALD. No, sir; I had not.
Mr. JENNER. All right. You went across the street to the Dallas City police station?
Mr. OSWALD. Yes, sir, I did.
Mr. JENNER. Had you had an appointment?
Mr. OSWALD. No, sir, I did not.
Mr. JENNER. What was your purpose in going across the street for that visit?
Mr. OSWALD. I wanted to speak to Captain Fritz, if possible.
Mr. JENNER. You record on page 8 that you entered the Dallas police station, you were
interviewed or consulted by some FBI agents in a small office.
Mr. OSWALD. That is correct.
Mr. JENNER. Do you recall their names?
Mr. OSWALD. No, sir; I do not.
Mr. JENNER. I take it in any event, however, that they questioned you, did they?
Mr. OSWALD. That is correct.
Mr. JENNER. And were all the answers that you gave the truth and nothing but the truth
to the best of your information, recollection, and belief, at that time?
Mr. OSWALD. It most certainly was, sir.
Mr. JENNER. All right, sir. When did you learn, if you ever learned, that your brother, Lee
Harvey Oswald, had in fact been charged with the assassination of President Kennedy?
Mr. OSWALD. At approximately midnight or a few minutes before midnight, November
22, 1963.
Mr. JENNER. And is that recorded on page 8 of your memorandum?
Mr. OSWALD. Yes, sir, it is.
Mr. JENNER. What was your reaction when that information was conveyed to you? What
were your thoughts?
Mr. OSWALD. I do not recall if I had any thoughts at that particular time, sir. I did not
make any comment that I recall. I believe I just shook my head.
Mr. JENNER. I was going to ask you in connection with page 8, your opinion respecting
the possible involvement of your brother, Lee Harvey Oswald, in the assassination of
President Kennedy, but Mr. Dulles this morning in his questions has covered that
subject, so I will skip it. Now, did you see Captain Fritz that evening?
Mr. OSWALD. No, sir, I did not.
Mr. JENNER. Did you attempt to see him?
Mr. OSWALD. Yes, sir; I did.
Mr. JENNER. Did you inquire further with respect to an opportunity on your part that
you wished to see your brother?
Mr. OSWALD. No, sir; I had been told so many times that Captain Fritz was quite busy, and
I realize, of course, he was, and I let it go at that.
Mr. JENNER. Now, following your visit to the police station, which you do record there,
and therefore I won't go into it further, what did you do that evening?
Mr. OSWALD. I returned to my hotel, sir.

And in the next chapter in Fritz's handwritten notes, 11:26 is mentioned as the time he
was filed on, but there is no mention of notifying Oswald just over two hours later. Bear
in mind that these notes were made after Oswald was shot.
During all interrogations there were representatives of the Secret Service and the F. B. I. present. Capt. Frits was unable to interrogate Oswald for any great length of time at one time because of the many other duties that he had to attend to during period that Oswald was brought into the office at 2:15 pm until he was placed in jail for the night at 2:20 am, November 23, 1963.

Approximately 11:20 pm Chief Curry came to the Homicide and Robbery office and instructed us to take Lee Oswald to the showup room on the first floor for a press conference. While Chief Curry and Henry Wade were present at this time, it was decided to file on Oswald for the murder of President Kennedy. Henry Wade and Bill Alexander, of the District Attorney's office, accepted the complaint at 11:26 pm, November 22, 1963 signed by Capt. Frits. Oswald was arraigned before Judge Johnston at 1:35 am, November 23, 1963 in the Identification Bureau.

Shortly after midnight Lee Oswald, accompanied by all the detectives in the Homicide and Robbery office and numerous other detectives and uniformed officers, was taken to the 1st floor showup room. There he remained for five minutes and was taken from there to the jail office elevator. He was taken upstairs to the 4th floor jail for searching and booking by Deputy Chief Lumpkin, Fite, Baker and Leavelle of the Homicide and Robbery Bureau. After booking and being searched, he was accompanied by the same officers to the 5th floor jail.

From this time until 7:00 am, November 23, 1963, the detectives of the Homicide and Robbery office remained on duty in the Homicide and Robbery office.

At 8:00 am, November 23, 1963, Detectives Fite and Leavelle returned to duty. All the rest of the Homicide and Robbery detectives reported back by
10:35 - 11:30 Fourth interrogation

Oswald has his breakfast which consists of oatmeal, apricots, bread and coffee. He eats this with a guard present who has handed him a spoon. As Captain Glenn D. King relates to journalist Holland McCombs that he could choke himself with that spoon. Then Oswald is taken down for that day’s first interrogation.

*****

Present:
D.P.D.: Will Fritz, Elmer Boyd and M.G. Hall.
US Marshal: Robert Nash.
FBI: SA James Bookhout.
Secret Service: David B. Grant, Forrest Sorrels and Thomas J. Kelley

- Robert Irvine Nash, an U.S. Marshall, was present. I still have to find any of his reports.

Here are Will Fritz’s notes with regards the interrogations.

The above notes also show the bus ride and the ticket transfer on as part of Oswald’s escape with more clothes changes than reported the day before. Steve Thomas has noted that from Fritz’s undated report, which was submitted to the W.C. the insertion of the bus ride and ticket transfer. And this being included in the typed up next version of his report.

On the morning of the 22nd “says two negr. came in. One Jnr. + short negro.”
Will Fritz's W.C. testimony on the Junior matter, shows that he never properly investigated it himself or had others do it for him so he would provide an adequate answer.

Mr. BALL. And you asked him again, didn't you, what he was doing at the time the President was shot?
Mr. FRITZ. Yes, sir.
Mr. BALL. What did he say?
Mr. FRITZ. Well, he told me about the same story about this lunch.
Mr. BALL. He mentioned who he was having lunch with, did he not?
Mr. FRITZ. Yes, sir; he told me he was having lunch when the President was shot.
Mr. BALL. With whom?
Mr. FRITZ. With someone called Junior, someone he worked with down there, but he didn't remember the other boy's name.
Mr. BALL. Did he tell you what he was eating?
Mr. FRITZ. He told me, I believe, that he had, I am doing this from memory, a cheese sandwich, and he also mentioned he had some fruit, I had forgotten about the fruit until I looked at this report.
Mr. BALL. Did he say that was in the package he had brought from home?
Mr. FRITZ. Yes, sir; there was one reason I asked him about what was in the package, we had had a story that had been circulated around the meantime about some chicken bones, I am sure you heard of that, and I wanted to find for sure what he did have in his lunch and he told me about having--he told me they did not have any chicken out there and I also talked with the Paines and they told me they didn't have any chicken in the icebox, they did have some cheese.
Mr. BALL. But he said he had had lunch with Junior?
Mr. FRITZ. Yes, sir; and with someone else.
Mr. BALL. Did you find out that there was an employee named Junior, a man that was nicknamed Junior at the Texas School Book Depository?
Mr. FRITZ. Probably we have it here, some of the officers probably did, we had all these people checked out. I didn't do it myself probably.
J. Edgar Hoover wanted to know more about this aspect of the case and remarked "handle promptly", see in the document, from Jan. 3rd 1964, below. And what Secret Service report is Hoover talking about? Nor is there, at this time, any follow-up found on this.
Pay close attention to the last section and compare to Kelley's report.

On being shown the bus transfer ticket Oswald had revised the story that he had told on the 22nd in which he had said that he had taken a bus to his rooming house, now admitting that he left the bus “because the traffic was heavy” and that he then took a taxi to his rooming house.
It has become clear to me that this interrogation and the next, report-wise, has been blended together by Fritz and Bookhout. It is thanks to Thomas Kelley's reporting that we can differentiate which info came from which interrogation.

- **Thomas Kelley** wrote a report on Nov 24th entitled "First interview with Lee Harvey Oswald". In this Kelley claims that Oswald had stated he had NOT seen the parade, an assertion which only comes from Kelley and is not supported by anyone else present such as Bookhout and Fritz.

The passage I ask you to pay close attention to is on page 2: "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."
Fritz's notes corroborate everything above except "I asked him if he viewed the parade and he said he had not." Kelley's report also confirms Fritz's notes with regards to eating lunch in the Domino Room and the mention of 'Junior' Jarman and a short little Negro boy (which in all likelihood is Harold Norman). And furthermore Oswald's lunch description coincides with Fritz's notes as well. You also have to consider a 'gem' like that in Kelley's report surely would have had a mention in Fritz's handwritten notes.
Then the James Bookhout solo report from the same interrogations on Nov. 23rd. These writings are almost an exact copy of Will Fritz interrogation notes above. Or is it the other way around?
In the second paragraph there is a slight mistake, since Oswald's bus ticket appeared during his first line-up and not during his arrest which was 2.5 hours earlier!
In the fourth and final paragraph the bus ride home story is being changed with the inclusion of a cab ride, which Fritz also included.
On the page below, Oswald apparently changed his shirt and trousers because they were dirty. Frit makes mention of 'shirts' in the handwritten notes, Bookhout on the other hand mentions just 'shirt'.

his fare was approximately 85 cents. He stated that after arriving at his apartment, he changed his shirt and trousers because they were dirty. He described his dirty clothes as being a reddish colored, long sleeved, shirt with a button-down collar and gray colored trousers. He indicated that he had placed these articles of clothing in the lower drawer of his dresser.

OSWALD stated that on November 22, 1963, he had eaten lunch in the lunch room at the Texas School Book Depository, alone, but recalled possibly two Negro employees walking through the room during this period. He stated possibly one of these employees was called "Junior" and the other was a short individual whose name he could not recall but whom he would be able to recognize. He stated that his lunch had consisted of a cheese sandwich and an apple which he had obtained at MRS. BUTH PAINE's residence in Irving, Texas, upon his leaving for work that morning.

OSWALD stated that MRS. PAINE receives no pay for keeping his wife and children at her residence. He stated that their presence in MRS. PAINE's residence is a good arrangement for her because of her language interest, indicating that his wife speaks Russian and MRS. PAINE is interested in the Russian language.

OSWALD denied having kept a rifle in MRS. PAINE's garage at Irving, Texas, but stated that he did have certain articles stored in her garage, consisting of two sea bags, a couple of suitcases, and several boxes of kitchen articles and also kept his clothes at MRS. PAINE's residence. He stated that all of the articles in MRS. PAINE's garage had been brought there about September, 1963, from New Orleans, Louisiana.

OSWALD stated that he had no visitors at his apartment on North Beckley.

OSWALD stated that he has no receipts for purchase of any guns and has never ordered any guns and does not own a rifle nor has he ever possessed a rifle.

OSWALD denied that he is a member of the Communist Party.

OSWALD stated that he purchased a pistol, which was taken off him by police officers November 22, 1963, about
In the third paragraph John Abt is mentioned for the first time during this interrogation on the 23rd. And so is the Hidell I.D. in the 9th paragraph.

six months ago. He declined to state where he had purchased it.

OSWALD stated that he arrived about July, 1962, from USSR and was interviewed by the FBI at Fort Worth, Texas. He stated that he felt they overstepped their bounds and had used various tactics in interviewing him.

He further complained that on interview of RUTH PAINE by the FBI regarding his wife, that he felt that his wife was intimidated.

OSWALD stated that he desired to contact Attorney ABT, New York City, indicating that ABT was the attorney who had defended the Smith Act case about 1949 - 1950. He stated that he does not know Attorney ABT personally. Captain FRITZ advised OSWALD that arrangements would be immediately made whereby he could call Attorney ABT.

OSWALD stated that prior to coming to Dallas from New Orleans he had resided at a furnished apartment at 4706 Magazine Street, New Orleans, Louisiana. While in New Orleans, he had been employed by WILLIAM B. RILEY Company, 640 Magazine Street, New Orleans.

OSWALD stated that he has nothing against President JOHN F. KENNEDY personally; however in view of the present charges against him, he did not desire to discuss this phase further.

OSWALD stated that he would not agree to take a polygraph examination without the advice of counsel. He added that in the past he has refused to take polygraph examinations.

OSWALD stated that he is a member of the American Civil Liberties Union and added that MRS. RUTH PAINE was also a member of same.

With regard to Selective Service card in the possession of OSWALD bearing photograph of OSWALD and the name of ALEK JAMES HIDEELL, OSWALD admitted that he carried this Selective Service card but declined to state that he wrote the signature of ALEK J. HIDEELL appearing on same. He further declined to state the purpose of carrying same or any use he has made of same.
OSWALD stated that an address book in his possession contains the names of various Russian immigrants residing in Dallas, Texas, with whom he has visited.

OSWALD denied shooting President JOHN F. KENNEDY on November 22, 1963, and added that he did not know that Governor JOHN CORNELL had been shot and denied any knowledge concerning this incident.
Bookhout's W.C. testimony states:

Mr. STERN - When did you next see Oswald?
Mr. BOOKHOUT - Well, it would be on the morning of November 23, 1963, in the homicide and robbery bureau.
Mr. STERN - This was another interrogation?
Mr. BOOKHOUT - Yes.
Mr. STERN - Conducted by Captain Fritz?
Mr. BOOKHOUT - That's correct.
Mr. STERN - Do you recall who else was present, and you may refer any time to your reports to refresh your recollection.
Mr. BOOKHOUT - All right; that will be the interrogation that was in the presence of myself, T. J. Kelley of the U.S. Secret Service, David B. Grant U.S. Secret Service, Robert I. Nash, U.S. marshal, and Detectives Billy L. Senkel and Fay M. Turner from the homicide and robbery bureau, Dallas Police Department. This interview was conducted, primarily, by Captain Fritz.
Mr. STERN - Did you ask any questions in the course of this interview?
Mr. BOOKHOUT - Yes.
Mr. STERN - What were they, and what were the responses, if you recall?
Mr. BOOKHOUT - One specific question was with regard to the selective service card in the possession of Oswald bearing a photograph of Oswald and the name Alek James Hidell. Oswald admitted he carried this selective service card, but declined to state that he wrote the signature of Alek J. Hidell appearing on same. Further declined to state the purpose of carrying same, and—or any use he made of same.
Mr. STERN - Did Oswald say anything in the course of this interview with regard to obtaining a lawyer?
Mr. BOOKHOUT - Yes, it was in this interview that he mentioned he wanted to contact Attorney Abt [spelling] A-b-t, New York City. I recall Captain Fritz asked him if he knew Abt personally and he said he did not, but he explained that he knew that Abt had defended the Smith Act cases in 1949, or 1950, and Captain Fritz asked him if he knew how to get ahold of Mr. Abt, and he stated that he did not know what his address was, but he was in New York.
I recall that Captain Fritz explained to him that he would allow him to place a long distance call for Abt, and he explained to Oswald how to ask the long distance operator to trace him down and locate him, even though Oswald didn't even know his address or telephone number.
Mr. STERN - Did he actually make the call in your presence?
Mr. BOOKHOUT - No; he didn't make the call in my presence. The next interview that we had with him, I recall that Captain Fritz asked him if he had been able to contact Mr. Abt. Oswald stated that he had made the telephone call and thanked Captain Fritz for allowing him to make the call, but actually he had not been able to talk to Abt. He wasn't available. Wasn't in his office or something----
Mr. STERN - Was he complaining about not having counsel furnished, or did he seem satisfied with the effort to reach Abt?
Mr. BOOKHOUT - No; he made no complaint about not being furnished an attorney. Actually, there was a good deal of conversation on that point, and he stated that he did not want any Dallas attorney representing him, and said that if he couldn't get in touch with Mr. Abt, that he would probably contact someone with the Civil Liberties Union, and have them furnish an attorney. I recall sometime during November 22 or 23, I believe it was, the head of the Dallas Bar Association appeared at the homicide and robbery bureau and requested permission to talk to Oswald. Captain Fritz gave him that permission, and when he got through talking to Oswald and came back in and told Captain Fritz that he had seen him, and that Oswald did not want anybody from Dallas to represent him.
Mr. STERN - You heard this?
Mr. BOOKHOUT - Yes; that was in my presence. I don't recall the name of the attorney, but I was there at the time or during that conversation.
Mr. STERN - Can you tell us approximately how long this Saturday morning interview took?
Mr. BOOKHOUT - Well, that would be approximately an hour. No interview that I participated in lasted over an hour, and I think roughly this one probably started around 10:35 in the morning and lasted for approximately an hour.
Mr. STERN - All right. What was his physical appearance at this time?
Mr. BOOKHOUT - His appearance was no different than it was on the 22d.
Mr. STERN - You saw no other bruises?
Mr. BOOKHOUT - No.
Mr. STERN - Did he seem rested, or tired?
Mr. BOOKHOUT - I saw no difference in his appearance on the 23d than it was on the 22d.
Mr. STERN - How about the way he handled himself? Was he any calmer, any more communicative Saturday morning than he had been Friday afternoon?
Mr. BOOKHOUT - Well, I think that he might not have been quite as belligerent on the 23d as he was on the 22d. But he still refused to discuss certain points indicated above, selective service card being one point that I recall. I remember he was asked if he would take a polygraph, and he said he would not; that it had always been his practice not to agree to take a polygraph.
Mr. STERN - Did he suggest that he had been asked before to take a polygraph?
Mr. BOOKHOUT - He made some comment along the line that it had never been his policy--before, to take a polygraph.
Mr. STERN - But he didn't elaborate on it?
Mr. BOOKHOUT - He didn't elaborate on it.
Mr. STERN - Did he make any further comment at this interview about his interviews with the FBI, or their interviews of his wife?
Mr. BOOKHOUT - I think probably this is the one I referred to a while ago. Yes, it would be in this interview that he made further comment that on the interview of Ruth Paine by the FBI, regarding his wife, that he felt that his wife was intimidated. Also, in this interview that he made mention as previously stated above that he had arrived about July 19, 1962, from Russia, and was interviewed by the FBI at Fort Worth, Tex. He stated that he felt that they had overstepped their bounds and used various tactics in interviewing him.
Mr. STERN - Did he specify what the tactics were?
Mr. BOOKHOUT - No; he did not.
Mr. STERN - In your report before this interview you mentioned that he again denied shooting President Kennedy, and apparently said that he didn't know until then that Governor Connally had been shot?
Mr. BOOKHOUT - That's correct. That was his statement, that he denied shooting President John F. Kennedy on November 22, 1963, and commented that he did not know that Governor John Connally had been shot.
Mr. STERN - Did you form any impression about whether he was genuinely surprised? Did he look genuinely surprised to you, or how did you feel about that? I am just asking for your impression. If you don't have one, say so.
Mr. BOOKHOUT - No; I have no impression on that. I arrived at no conclusion.
Mr. STERN - What did he say at this interview with respect to the purchase of a rifle, or possession of a rifle?
Mr. BOOKHOUT - Generally, he stated that he didn't own a rifle, hadn't ever made any mail order purchase of one.
Mr. STERN - Now, did anything transpire that you observed concerning Oswald between the end of that morning interview on Saturday, and the next interview of Oswald?
Mr. BOOKHOUT - No.

Forrest Sorrels': WC testimony:
Mr. STERN - Did you participate in or observe any other interrogation of Oswald following your own brief interrogation?
Mr. SORRELS - Yes, sir.
Mr. STERN - When was that?
Mr. SORRELS - On the following day----
Mr. STERN - That is Saturday, the 23d?
Mr. SORRELS - Yes, sir; I sat in on part of an interview with him, with Captain Fritz. And then, again, on Sunday the 24th, just before he was shot.
Mr. STERN - Did the question of counsel come up again--that is, a lawyer for Oswald?
Mr. SORRELS - Yes. During the interview with Captain Fritz, when I was in there, he mentioned the fact that he wanted to get a man by the name of Abt, or some similar name like that. I never had heard of him before. Apt, or some similar name. And Captain Fritz said, "Well you can use the phone and you can call him."
Mr. STERN - When was this?
Mr. SORRELS - That was Saturday morning. And it is my understanding that Oswald did attempt to reach this man on the phone.
Mr. STERN - But you didn’t observe it?
Mr. SORRELS - I did not observe that; no.
Mr. STERN - Did you hear him mention at any time a lawyer from the American Civil Liberties Union?
Mr. SORRELS - Yes. He said if he could not get this man--I wish I could remember his name a very short name, Apt or something like that.
Mr. STERN - A-b-t?
Mr. SORRELS - Yes, A-b-t. Yes--if he couldn’t get him, he wanted a lawyer supplied by the Civil Liberties Union.
Mr. STERN - What else occurred at the interview on Saturday that you can remember?
Mr. SORRELS - He was questioned about the rifle, because, at that time, as I recall it, it had been determined that the rifle had been purchased from Kleins in Chicago, and shipped to a person using the name of A. Hidell. And he was questioned by Captain Fritz along those lines. And he denied that the rifle was his. He denied knowing or using the name of A. Hidell, or Alek Hidell.
He was, of course, questioned about his background and he at that time still maintained an arrogant, defiant attitude. The questions were, of course, directed towards getting information. A lot of them he would not answer. And a lot of the answers, of course, were apparent falsehoods.
And he gave me the impression of lying to Captain Fritz, and deliberately doing so, maybe with an attempt to get Captain Fritz to become angered, because he, Oswald, would flare up in an angry manner from time to time.
Mr. STERN - But you think that was acting--not genuine?
Mr. SORRELS - That is the impression I got, that he was just deliberately doing that, possibly to agitate Captain Fritz and maybe get him to become angry, and maybe do or say something that he shouldn’t do.
That is just the impression I gained from him. And the reason--I guess one reason I gained that impression is because on the last interview, on Sunday morning, Oswald seemed to have taken a little bit different attitude. In other words, he was talking a little bit freer--he wasn’t giving out any information of any value particularly, but he wasn’t flaring up like he did before.
10:30 Joe Molina arrives at the D.P.D.

Joe Molina’s house has been searched early in the morning of the 23rd by Bill Alexander, Captain Pat Gannaway and Lieutenant Jack Revill. The search doesn’t bring much to nail Molina with, yet he is still ordered to come into the D.P.D. that same morning to give a statement. Molina is kept there all day and spends most of the time waiting.

Molina’s statement is taken by detective Billy Senkel. But what is really messing things up is Chief of Police and blabbermouth Jesse Curry stating Molina’s name on national radio and TV, and mentioning subversive activities in the same sentence. That being said without a shred of evidence of Molina being involved with anything of the kind. The damage has been done and 21 days after the assassination Molina is let go from the T.S.B.D. under the guise of modernisation, but the real reason is people calling and writing in complaints and threatening not buying from a company that harbours commie sympathisers. A true sign of those times. The F.B.I. report, C.E. 2036, on the next few pages gives a very good description what happened that night and there after.
Commission Exhibit No. 2036

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Commission Exhibit No. 2036—Continued

In the morning, he told them he would prefer to come to Police Headquarters later in the day, and the officers left.

At about 10:30 A.M., he arrived at Police Headquarters. On his way in, he met a few officers in the lobby and shook hands with them. He was also greeted by two women at the reception desk who seemed to be his friends. This greeting was cordial, and he was told he was going to be seen by the questionnaire in the state of New York. He also mentioned his connections with the New York State Police and his days as a police officer in the state of New York. He was told that he was needed for the questionnaire and that he would be seen by the detectives at Police Headquarters.

He was then told by the agents that he could leave, but when he tried to leave the building, a police officer stopped him and asked him to wait a moment. He was then told that he could leave and that he had been seen by the detectives. He was then told by another officer that he had to return at 11:00 A.M.

A police officer then came and told PALMER to follow him, taking him to the special service bureau. There he was interviewed by Interrogators (ACB NYPD) and another officer whom he did not know. This questioning had to do with the death of Palmer, apparently trying to prove that Palmer was endangered.
Date: 7/20/64

JOSEPH RODRIGUEZ MOLINA, 4306 Brown Street, Dallas, was interviewed at his place of employment, Neuhoff Brothers Packers, 2821 Alamo, Dallas.

He stated that between 1:30 A.M. and 2:00 A.M., on November 23, 1963, a large group of police officers came to his home. He was questioned by Captain WILLIAM P. GANNAWAY and Lieutenant JACK REVILL, primarily about his connection with the American GI Forum. They asked him about his acquaintance with several fellow members of that organization. They also asked him about his acquaintance with LEE HARVEY OSWALD, a fellow employee of the Texas School Book Depository, whom he had seen but did not know. He was not accused at that time, by Captain GANNAWAY or Lieutenant REVILL, of being subversive or of having subversive affiliations, and despite the late hour, MOLINA assumed they were conducting routine investigation in the assassination case because of his employment by the Texas School Book Depository.

During and after this questioning, other officers were searching his home. He does not remember that a search warrant was mentioned, but believes he was asked if he minded if they "looked around," and he gave permission for the search.

The officers never did say what they were searching for, but they spent from thirty to forty minutes searching his home. To the best of his knowledge, the only thing they found which appeared to interest them, and which they carried away, was a list of names his wife had been given by the Holy Trinity Mothers' Club of women to be contacted to help serve dinner at the Trade Mart in Dallas.

After the search, the group went into the kitchen, out of the presence of Mr. and Mrs. MOLINA, where they held a brief discussion. He was then asked if he would be willing to accompany them to Police Headquarters at that time, or if he preferred to come to Police Headquarters on his own later on 7/15/64 of Dallas, Texas

W. JAMES WOOD and by Special Agent JAMES P. HOSLEY, JR. 7/16/64 Date dictated 7/16/64

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is leased to your agency; it and its contents are not to be distributed outside your agency.
In Molina's W.C. testimony the visit to the D.P.D. is being discussed as well.

Mr. BALL. Did you go down to the police department?

Mr. MOLINA. Well, they asked me if I would go down the next morning and I said yes, I would go down the next morning. I would rather go down the next morning than now. It was already past 2, so the next morning my wife drove me down. I got there about 11. My wife drove me down and I got there about 10:30. The place was full of television people and reporters swarming all over the place and they told me to wait in the room
there and then I went into Chief Gannaway's office or whatever his name is. He said I was supposed to be questioned by Mr. Fritz down there but that he wanted to talk to me after they questioned me up there because they wanted to know more about the G.I. Forum so I said "I will come back when they get through questioning me." So I went up there and they told me to wait in an office and so I waited there for about 30, 40 minutes and, oh, must have been longer than that, they finally questioned me and they put me in a room and there was a man from the FBI or Secret Service, I don't recall which one it was. He was sitting on my right and there was a fellow from the Dallas Police Department taking a statement and a fellow from the FBI introduced himself, said I'm so and so, show me his badge and so forth. The other fellow didn't say who he was or anything, just sat there and so then they told me to wait there in that room and I did. I was there for about 45 minutes and then the fellow came back from the FBI, said "My God, are you still in here?" I said "Yes," he said "How long you been here?" Here it was about 2 or 3 o'clock. I said "I have been here since about 11; I haven't eaten lunch or haven't had a drink of water". You know, I was just there and which he told this fellow, said "Can't you let him go; he has been here. He has already given his testimony statement, whatever he is going to give; you should let him go." This fellow said "No, he got to wait in there" so I had to go back in there; about 10 or 15 minutes later, they came back and I went up to the office of Lieutenant Revill and he started asking a lot of questions about the G.I. Forum, did I know such and such fellow--some I knew, they had been in the club. Naturally, I knew them though we weren't intimate friends, some were, some weren't. Then he gave me a bunch of names, I imagine they were in their so-called subversive files that they claim they have; of course, I didn't know a lot of them. In fact, I didn't know most of them. knew some of the names. I didn't know some of the names they mentioned are kept in their files or not. Anyhow, they asked me--I had to--they didn't ask me---I had to just ask to sign a statement I belonged to the forum and certain members were charter members of the forum and I said yes, I would sign it. I didn't see anything wrong with it so I signed it and they told me I could go home. It was 4:30 or 5 and they asked me if I had a ride home and I said no. They said "Well, we'll give you a ride home, so one of the officers there, plainclothes man, drove me home. When I got home, of course, there were about three or four cars at the house. My wife was all shook up and she said "My God" she said "Don't you know what they been saying about you?" I said "No, I don't know what they are saying about me." She said "Don't you know you been on TV and the news media across the nation saying you are on the so-called list with the Dallas Police Department claiming that you associate with persons of"---see if I can quote it right--"I was known to associate with persons of subversive background.

Listen carefully what Chief of Dallas Police Jesse Curry has to say on that very same day.
12:30 Harold McDervid offers council to L.H.O.

- **Harold E. McDervid**, a lawyer from Chicago, offers his services by sending a telegram on Nov 23\textsuperscript{rd}. That is after trying to call the DPD first.

On the next page a report by FBI agent Harrison from the 23\textsuperscript{rd} where Fritz is making excuses for not passing on McDervid's message on to Oswald.

Because Oswald had not requested McDervid's services, but Abt's only, this telegram was not forwarded to him! But the telegram was sent at 12:29 CST on the 23\textsuperscript{rd}. This F.B.I. statement was made up in the evening of the 23\textsuperscript{rd}, hours after H. Louis Nichols had a chat with Oswald at about 18:00 hrs and in a filmed interview mentioned Abt for the very first time. Oswald is trying to get hold of Abt at about the same time and why would that be the reason to hold this telegram away from Oswald? Fritz did his best to keep *any legal assistance* away from Oswald. This we know since he did not offer any on the 22\textsuperscript{nd} while Oswald was asking for someone to come forward at the press conference very early on the 23\textsuperscript{rd}!

To associate McDervid with the Dallas Bar Association is a mistake as well since McDervid practices from Chicago.
Captain WILL FRITZ, Dallas Police Department, advised that LEE HARVEY OSWALD had received a telegram from one HAROLD E. MC DERVID, Attorney, Chicago, Illinois, on November 23, 1963, which telegram had not been delivered to OSWALD inasmuch as OSWALD had expressly requested the services of Attorney JOHN ABT in New York City. OSWALD advised Captain FRITZ that he did not care to be represented by a lawyer from the Dallas Bar Association, and that if ABT was not available, desired to seek counsel from the American Civil Liberties Union.
12:35 - 13:10 Fifth Interrogation

Present:
F.B.I.: James Bookhout
Secret Service: Thomas Kelley.

There is only a report of this interrogation available from Thomas Kelley. Neither Fritz nor Bookhout made separate reports and from the looks of it blended both interrogations into one report or set of notes.
13:15 Marina and Marguerite Oswald visit Lee

This visit last approx. twenty minutes. M.G. Hall issues the two ladies a visitor pass by instruction of Will Fritz.

In this capture by Jim Murray – Black Star. We can see Marina holding her baby, Marguerite on the right side and John P. Adamcik escorting them. ROKC Scans of the Richard E. Sprague archive at the National Archives in Washington.
AFFIDAVIT IN ANY FACT

THE STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, ____________________________

a Notary Public in and for said County, State of Texas, on this day personally appeared:__________________________

J. R. Stacy

Who, after being by me duly sworn, on oath deposes and says:

My name is J. R. Stacy; Badge No. 561. I have been employed by the Police Department since August 4, 1947. I have been in the Service Division for the past fourteen years and have served as Jailer in the Jail since September 11, 1954.

On November 23, 1963, around 11:00 p.m., Detective M. G. Hall brought Lee Harvey Oswald's mother and wife to the fourth floor visiting booth to visit Oswald. He had a visiting pass with Marguerite Oswald's name on it. He asked me to let both the women visit him. I placed Oswald in the visitor's booth after he signed the visitor's pass and I signed the pass as Jailer, at 11:15 p.m. Detective Hall remained outside by the visitor's booth until the women finished talking to Oswald, and then he took the women down on the outside elevator. Oswald was then returned to the fifth floor.

This is the only time that I personally handled Oswald to my knowledge.

__________________________
J. R. Stacy

SUBSCRIBED AND SWORN TO BEFORE ME THIS 24TH DAY OF AUGUST, A.D. 1964

__________________________
Notary Public, Dallas County, Texas
FRANCES BOCK

CPS-07-473
13:40 Oswald has lunch and calls New York
He consumes dried beans, mixed vegetables, coffee and bread. Relayed by Captain Glenn D. King to Holland McCombs on Nov 26th.
AFFIDAVIT IN ANY FACT

THE STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, FRANCIS BOCK

a Notary Public in and for said County, State of Texas, on this day personally appeared

__________________________
ARThUR E. EAVES

Who, after being by me duly sworn, on oath deposes and says:

My name is Arthur E. Eaves. I have been a member of the Dallas Police Department for 16½ years. I am assigned as Assistant Jailor. I was working in this capacity on November 23, 1963. Between the hours of 1:30 p.m. and 3:00 p.m., on November 23, 1963, I placed Lee Harvey Oswald on the telephone with the assistance of Patrolman B. T. Beddington, to make a long distance call to New York City, collect. The Homicide office had advised that it was all right for him to make any call he wished to make. I notified the City Hall operator that a prisoner wanted to call New York City, collect. I heard Oswald talking to someone after the call was placed. I have looked at a copy of the jail card used to record prisoner's phone calls. It shows that I placed Oswald on the telephone at 1:40 p.m., and the signature as shown on the card is my signature.

Arthur E. Eaves

SUBSCRIBED AND SWORN TO BEFORE ME THIS __________, 1963

FRANCIS BOCK
Notary Public, Dallas County, Texas

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This particular line-up has the following people attending besides Oswald.

- John Thurman Horne, also on remand for motoring offences. He was 18 years old.
- David Edmond Knapp, another prisoner, on remand on suspicion of burglary and theft. Also 18 years of age.
- Daniel Gutierrez Lujan, another prisoner, arrested on 21st November on suspicion of narcotics offences. He was 26 years old, 5'8", 170 pounds and had black hair, brown eyes and an olive complexion. He confirmed that he was of Mexican descent. This man was an inch shorter than Oswald but nearly 40 pounds heavier!

Oswald is ‘sharing’ this line-up with two teenagers and a Mexican, all prisoners.

Detective Charles Dhority escorted Oswald on his way down to this particular line-up. In his Warren Commission testimony.

Mr. BALL. Now, on the next day, November 23, you took part in a showup, didn’t you?
Mr. DHORITY. I didn’t take part in the one on the cabdriver there.
Mr. BALL. Were you present?
Mr. DHORITY. I was present--what it was--they wanted me to take the cabdriver’s--me and Brown, to take the cabdriver back down to the station, and I believe we walked into the showup room while there was a showup--the showup had just started or was going on and we walked in there and Mr. Alexander from the district attorney's office was also there.
Mr. BALL. Did you talk to Whaley?
Mr. DHORITY. No; I did not.
Mr. BALL. Was there a cab driver there named Scoggins [spelling] S-c-o-g-g-i-n-s also?
Mr. DHORITY. I believe there was--there was two cabdrivers there and I know Mr. Alexander, down at the district attorney's office, told us they identified him.
Mr. BALL. Did Whaley ever tell you he identified him?
Mr. DHORITY. No, sir.
Mr. BALL. Did you take an affidavit from Whaley?
Mr. DHORITY. No, sir.

Nov. 23rd, Oswald is protesting against the unfair line-up while just wearing his dirty white t-shirt. C.W. Brown on the right. Screen grab B.K. Click on the pic to watch the video.

And in this video from the same instance shows Oswald closer but fuzzier and from a different camera angle. He can be clearly heard saying:

“I've been photographed in a t-shirt and now they are taking me in front of a line-up along these men and that way I will be picked out. Right?”
To which a detective replies: “That's right.”

Walter Eugene Potts present at that line-up as well testified during his W.C. testimony: “Well, he was complaining all during the show up. He had on a t-shirt and the rest of them didn’t have on T-shirts, and he was complaining, "Well, everybody’s got on a shirt and everything, and rest of them didn’t have on T-shirts, and he was complaining, “Well, everybody's got on a shirt and everything, and I’ve got a T-shirt on”- he was very belligerent about the show up. He wouldn’t cooperate in any way. He was just making all kinds of commotion out there and he was doing more
of the talking than anybody.
Mr. BALL. What kind of commotion was he making?
Mr. POTTS. Well, he was doing a lot of talking about him being in a T-shirt, and “nobody else has got on a T-shirt and I’ve got on a T-shirt, this is unfair,” and all that—just generally talking and after the showup was over, we just accompanied them back from the stage out to the anteroom door and just walked along with them and the elevator—t ook them on the elevator, and that’s all we had to do with the show (7H 200).

And Jim Leavelle confirms it during his W.C. testimony:
Mr. BALL. How were these men dressed?
Mr. LEAVELLE. That I do not recall either.
Mr. BALL. Do you remember whether they had coats on?
Mr. LEAVELLE. I know in all cases we usually try to have them dressed as alike as possible, the same as each other.
Mr. BALL. What is your memory of this incident? Were they dressed anywhere near similar?
Mr. LEAVELLE. In one instance—now, I am not positive which one it was, Oswald was in a T-shirt, having the other shirt removed upstairs where they were going to send it to the FBI laboratory for tests, and the rest of them, I believe, had on shirts. He was the only one that had on a T-shirt and I recall—if I am not sure but I think it was the last one where he was raising Cain about being up there with a T-shirt and wouldn’t be quiet
Mr. BALL. What did he say?
Mr. LEAVELLE. He said it wasn’t fair, him being showed up in a T-shirt and being photographed in a T-shirt and all that. I don’t know what he didn’t say; he went on all the time.

William Whaley looking back, William Scoggins seen from behind. A still shot from the Italian documentary Il Due K.-B.K.

- A C.B.S. cameraman captured Scoggins in the far distance, inside City Hall.
- Both Scoggins and Whaley admitted they had seen Oswald’s face in the morning paper.
- Whaley made some monumental mistakes, one of them being: identifying the killer as the wrong man No. 2 in that line-up, as Oswald was No. 3, and Whaley needed to correct himself during his W.C. testimony.
• Whaley also admitted signing a statement before he was taken to the line-up and again had to correct himself as to saying he had the statement written down before he went down for the line-up and then have it signed.

• There are two handwritten statements of Whaley. The first one, written by detective L.D. Montgomery (who is Marvin Johnson’s partner), and in this version the ID of the No. 3 man is missing. And so is the story of the elderly lady. The second one, written by Whaley, contains the ID of the No. 3 man, who in that line-up was Oswald.

• Nor did Whaley read the statement before signing it, as per his W.C. testimony, further below.

• Whaley’s W.C. testimony with regards to what Oswald was wearing is enough to disqualify him as a reliable witness.
Yesterday 11-22-63 I was sitting at home and at the Elitchand News Station at 12:30. I was waiting for a phone call. The boy walked up to the car, he was reaching down from a car. He asked if he could get a cab. I told him yes, and I opened the back door. He sat the back door and said he wanted to seat in the front. He said he wanted to go to the 800 block of No. 12th. He asked where all of the other scenes were about and I didn't say any more to him. I turned right on Jackson and traveled to Jackson Street west until I turned left and traveled Jackson to 12th where I turned right on 12th St. I traveled Second Street to Houston St. and left went over the railroad to Zang Blvd. and turned Zang to Reedy and turned left and traveled on Reedy until I reached the 500 block of No. Reedy. When I got in the 500 block of No. Reedy he said this would do and stopped. He then asked me to come in my car and he said he was going to tell me to keep the change. The boy got out of the car and walked in front of the car at and lined South on Reedy St. He was small, 5'8 or so. Slim, and on a dark shirt with white spot of something on it. He had a beard on his left mouth. He looked like he was 25 or 26 years old.

After we had gotten into the car and I had turned my meter on a lady came up to the car and asked if he could get the cab. As I recall I said this was her only remaining car and I don't think she may have. I then drove away.
Read the Whaley's first W.C. testimony and see for yourself what a complete mess this is and that Whaley did not pick out Oswald at all and that he was told what to do when it came to his signature on ‘his statement’

Mr. BALL. Later that day did you--were you called down to the police department?
Mr. WHALEY. No, sir.
Mr. BALL. Were you the next day?
Mr. WHALEY. No, sir; they came and got me, sir, the next day after I told my superior when I saw in the newspaper his picture. I told my superiors that that had been my passenger that day at noon. They called up the police and they came up and got me.

Mr. BALL. When you saw in the newspaper the picture of the man?

Mr. WHALEY. Yes, sir.

Mr. BALL. You went to your superior and told him you thought he was your passenger?

Mr. WHALEY. Yes, sir.

Mr. BALL. Did the Dallas police come out to see you?

Mr. WHALEY. Yes, sir.

Mr. BALL. Or FBI agents?

Mr. WHALEY. The Dallas police came down and took me down and the FBI was waiting there.

Mr. BALL. Before they brought you down did they show you a picture?

Mr. WHALEY. No, sir.

Mr. BALL. They didn't?

Mr. WHALEY. No, sir.

Mr. BALL. They brought you down to the Dallas police station?

Mr. WHALEY. Yes, sir.

Mr. BALL. What did you do there?

Mr. WHALEY. Well, I tried to get by the reporters, stepping over television cables and you couldn't hardly get by, they would grab you and wanted to know what you were doing down here, even with the detectives one in front and one behind you. Then they took me in an office there and I think Bill Alexander, the Assistant District Attorney, two or three, I was introduced to two or three who were FBI men and they wanted my deposition of what happened.

So, I told them to the best of my ability. Then they took me down in their room where they have their show-ups, and all, and me and this other taxi driver who was with me, sir, we sat in the room awhile and directly they brought in six men, young teenagers, and they all were handcuffed together. Well, they wanted me to pick out my passenger. At that time he had on a pair of black pants and white T-shirt that is all he had on. But you could have picked him out without identifying him by just listening to him because he was bawling out the policeman, telling them it wasn't right to put him in line with these teenagers and all of that and they asked me which one and I told them. It was him all right, the same man.

Mr. BALL. They had him in line with men much younger?

Mr. WHALEY. With five others.

Mr. BALL. Men much younger?

Mr. WHALEY. Not much younger, but just young kids they might have got them in jail.

Mr. BALL. Did he look older than those other boys?

Mr. WHALEY. Yes.

Mr. BALL. And he was talking, was he?

Mr. WHALEY. He showed no respect for the policemen, he told them what he thought about them. They knew what they were doing and they were trying to railroad him and he wanted his lawyer.

Mr. BALL. Did that aid you in the identification of the man?

Mr. WHALEY. No, sir; it wouldn't have at all, except that I said anybody who wasn't sure could have picked out the right one just for that. It didn't aid me because I knew he was the right one as soon as I saw him.

Mr. BALL. You don't think that that in any way influenced your identification?

Mr. WHALEY. No, sir; it did not. When you drive a taxi, sir, as long as I have, you can almost look at a man, in fact, you have to, to be able to tell whether you can trust or whether you can't trust him, what he is.

Now, like you got in my taxicab and I looked you over and you told me just wait for me here and went in the building, well, I will have to know whether I could just say, "OK, sir." Or say, "Will you leave me a $5 bill, sir?"

When you drive a taxi that long you learn to judge people and what I actually thought of the man when he got in was that he was a wino who had been off his bottle for about
two days, that is the way he looked, sir, that was my opinion of him.
Mr. BALL. What was there about his appearance that gave you that impression? Hair
mussed?
Mr. WHALEY. Just the slow way he walked up. He didn't talk. He wasn't in any hurry. He
wasn't nervous or anything.
Mr. BALL. He didn't run?
Mr. WHALEY. No, sir.
Mr. BALL. Did he look dirty?
Mr. WHALEY. He looked like his clothes had been slept in, sir, but he wasn't actually dirty.
The T-shirt was a little soiled around the collar but the bottom part of it was white. You
have to know those winos, or they will get in and ride with you and there isn't nothing
you can do but call the police, the city gets the fine and you get nothing.

William Whaley, Still shot from the Italian documentary Il Due K.-B.K

Whaley's second W.C. testimony.
Mr. BALL. Now, in the police line-up now, and this man was talking to the police and
telling them he wanted a lawyer, and that they were trying to, you say he said they were
trying to, frame him or something of that sort--
Mr. WHALEY. Well, the way he talked that they were doing him an injustice by putting
him out there dressed different than these other men he was out there with.
Mr. BALL. Now, did anyone, any policeman, who was there, say anything to him?
Mr. WHALEY. Yes, sir; Detective Sergeant Leavelle, I believe it was, told him that they
had, would get him his lawyers on the phone, that they didn't think they were doing
him wrong by putting him out there dressed up.
Representative FORD. Did the man you identified have any reaction when they brought
the group out, did he have any reaction that you noticed at the time you identified him?
Mr. WHALEY. Only that he was the only one that had the bruise on his head, sir. The only
one who acted surly. In other words, I told this Commission this morning you wouldn't
have had to have known who it was to have picked him out by the way he acted. But he
was the man that I carried in my taxicab. I told them when I identified him. I didn't
identify him as the man who shot the President. I identified him as the man who rode
from the Greyhound to 1500 North Beckley with me.
Representative FORD. Did you point him out with your hand?
Mr. WHALEY. No, sir; I did not. They asked me which number he was standing under and he was standing under No. 2.
Representative FORD. Could he hear you make this identification?
Mr. WHALEY. No, sir; he couldn't see me.
Representative FORD. He couldn't see you?
Mr. WHALEY. No, sir; they had the black silk screen that keeps the prisoners from seeing the people who show up.

Whaley's third W.C. testimony.
Mr. BELIN. Then you went down to the police station to identify this man?
Mr. WHALEY. Yes, sir.
Mr. BELIN. You saw a line-up?
Mr. WHALEY. Yes, sir.
Mr. BELIN. Do you remember what number he was in the line-up at all?
Mr. WHALEY. There was four of them, sir, and from the right to the left, he was No. 3. (that means No. 2-B.K.).
Mr. BELIN. Starting from the right to the left, from his right or your right.
Mr. WHALEY. From your right, sir, which would have been his left. There were numbers above their heads, sir.
Mr. BELIN. Mr. Whaley, what number did you say the man was in the line-up?
Mr. WHALEY. No. 2.
Mr. BELIN. From the right or from your right?
Mr. WHALEY. From my left.
Mr. BELIN. No. 2?
Mr. WHALEY. They brought out four of them and stood them up there, and he was under No. 2. I mentioned he was the third one that come out. There were four and all handcuffed together.
Mr. BELIN. Did you sign an affidavit for the Dallas Police Department?
Mr. WHALEY. Yes, sir.
Mr. BELIN. I will hand you a document which I am calling Whaley Deposition Exhibit A, and ask you to say if your signature appears on there?
Mr. WHALEY. Yes, sir; that is my signature.
Mr. BELIN. Now I notice in the statement there it says that you travelled Wood Street to Houston Street, turned left and went over the viaduct to Zangs Boulevard. You see that statement there?
Mr. WHALEY. Yes.
Mr. BELIN. "Travelled Zangs to Beckley and turned left and travelled on Beckley until I reached the 500 block of North Beckley. When I got in the 500 block of North Beckley he said this will do and I stopped."
Mr. BELIN. Now is that what you told them on that day?
Mr. WHALEY. Yes, sir; that is what I told them on that day.
Mr. BELIN. Well, was that the fact that you drove until you reached the 500 block, or not?
Mr. WHALEY. No, sir, I didn't drive until I reached the 500 block. I drove until I reached Beckley and Neely. If you would be in my place when they took me down there, when they had to force their way through the reporters to get me in the office, they wrote that up, and I signed it, because I told them that the man said he wanted to go to the 500 block of North Beckley.
Mr. BELIN. All right. Now in here it says, "The No. 3 man who I now know is Lee Harvey Oswald was the man who I carried from the Greyhound Bus Station* * *"
Was this the No. 3 or the No. 2 man?
Mr. WHALEY. I signed that statement before they carried me down to see the line-up. I signed this statement, and then they carried me down to the line-up at 2:30 in the afternoon.
Mr. BELIN. You signed this affidavit before you saw the line-up.
Mr. WHALEY. Well, now, let's get this straight. You are getting me confused.
Mr. BELIN. Now, I will put it this way. There was an FBI reporter, FBI interviewer with you?
Mr. WHALEY. Yes, sir; there was.
Mr. BELIN. And there was an interview with the Dallas Police Department?
Mr. WHALEY. Yes. And Bill Alexander from the district attorney's office was there, also.
Mr. BELIN. All right, now, the last sentence.
Mr. WHALEY. Let me tell you how they fixed this up. They had me in the office saying that. They were writing it out on paper, and they wrote it out on paper, and this officer, Leavelle, I think that is his name, before he finished and before I signed he wanted me to go with him to the line-up, so I went to the line-up, and I come back and he asked me which one it was, which number it was, and I identified the man, and we went back up in the office again, and then they had me sign this. That is as near as I can remember. My recollection for that afternoon in that office was very disturbed because every time they would open the door, some flash camera would flash in your face and everybody coming in and out and asking you questions.
Mr. BELIN. You mean reporters?
Mr. WHALEY. I made this statement more to Bill Alexander, because I tried to talk to him more. Everybody was trying to talk to me at once.
Mr. BELIN. When you saw the statement the first time, did you see the statement before you went down to see the line-up?
Mr. WHALEY. No; I didn't see the statement. I don't think I did. I am not for sure. I think I signed it after I came back. It was on paper. They were writing it up on paper.
Mr. BELIN. They were writing?
Mr. WHALEY. Before I left there, I signed this typewritten, because they had to get, a stenographer typed it up. I had to wait.
Mr. BELIN. But was this before or after you saw the line-up.
Mr. WHALEY. After she typed it up. It was after.
Mr. BELIN. It was after?
Mr. WHALEY. That is when I signed it, after.
Mr. BELIN. Now, when you signed it--what I want to know is, before you went down, had they already put on there a statement that the man you saw was the No. 3 man in the line-up?
Mr. WHALEY. I don't remember that. I don't remember whether it said three or two, or what.
Mr. BELIN. Did they have any statements on there before you went down to the line-up?
Mr. WHALEY. I never saw what they had in there. It was all written out by hand. The statement I saw, I think, was this one, and that could be writing. I might not even seen this one yet. I signed my name because they said that is what I said.
Mr. BELIN. Well, Mr. Whaley---
Mr. WHALEY. I know, sir, but I don't think you can understand what I had to put up with that afternoon.
Mr. BELIN. You mean with the press?
Mr. WHALEY. Yes, sir; with everything.

And later on, when everyone needs to be re-assured that Whaley picked No. 2 and not no. 3 as the whole thing has become a really bad joke already. Even more so that when the four participants in the line-up entered the area, they entered from left to right, with no. 4 entering first, then no.3, no. 2 and the last being no. 1. So there could not be any confusion with mixing 2 and 3 up at all.

Mr. BELIN. Now when you saw a line-up down at the police station----
Mr. WHALEY. He didn't have on the same clothes. He had on a white T-shirt and black pants, and that is all he had on.
Mr. BELIN. Do you remember now whether the man that you saw there was the No. 2 or the No. 3 man?
Mr. WHALEY. I will admit he was No. 2.
Mr. BELIN. No. 2 from your left, or from your right?
Mr. WHALEY. He was the third man out in the line of four as they walked out in a line.
They put the first man out on the right, and the last one on my left, and as near as I can remember, he was No. 2, but it was the man I hauled.

Mr. BELIN. It says here the No. 3.

Mr. WHALEY. Well, I am not trying to mix nobody up. I'm giving it to you to the best of my ability.

Mr. BELIN. Your memory right now is that it was the No. 2 man?

Mr. WHALEY. That is the way it is right now. I don't think it will change again. But on that afternoon, all I saw was the man that I hauled up there, and they asked me which number he was, and I said No. 2. I am almost sure I did, but I couldn't get up to swear to it that I did, sir.

Mr. BELIN. Just one more minute, if you would, please? Mr. Whaley, earlier in your testimony here you said that Lee Harvey Oswald was No. 3. Do you remember saying that?

Mr. WHALEY. Yes, sir; but I meant that he was the third one out when they walked out with him. I said from my right.

Mr. BELIN. From your right he was No. 3?

Mr. WHALEY. Yes, sir.

Mr. BELIN. What number was over his head?

Mr. WHALEY. Well, they--when they walked over the line and they stopped him, No. 2 was over his head, but he was pulling on both of the other men on each side and arguing with this detective, so he didn't stay under any certain number. He was moving like that.

Mr. BELIN. Did you ever see him later on television?

Mr. WHALEY. No, sir; I didn't.

Mr. BELIN. You never did see his picture in the paper?

Mr. WHALEY. I saw his picture in the paper the next morning, sir.

Mr. BELIN. That would have been Sunday morning, the 24th?

Mr. WHALEY. I guess it was, if you say it was, sir.

Mr. BELIN. I don't want to--

Mr. WHALEY. I don't want to get you mixed up and get your whole investigation mixed up through my ignorance, but a good defense attorney could take me apart. I get confused. I try to tell you exactly what happened, to the best of my ability, when they brought Oswald out in the line-up of four. He was the third man out. I don't know which way they count them.

Mr. BELIN. We don't want you to be concerned about affecting the investigation one way or the other by what you say. What we want you to say is tell us what you know, to the best of your recollection.

Mr. WHALEY. That is exactly what I am doing, sir.

Mr. BELIN. Let me ask you this. What day of the week did you take this cab passenger, on a Friday or Saturday?

Mr. WHALEY. I would have to see my trip sheet.

Mr. BELIN. You don't remember?

Mr. WHALEY. No, sir.

Mr. BELIN. Was it the day of the motorcade?

Mr. WHALEY. The day of the President's parade, yes, sir.

Mr. BELIN. Now, was it that day that you went down to the police station to see the line-up?

Mr. WHALEY. No, sir.

Mr. BELIN. Was it the next day?

Mr. WHALEY. Yes, sir.

Mr. BELIN. The next day you went down to the Dallas Police Station and saw a line-up of how many people?

Mr. WHALEY. Four people.

Mr. BELIN. These men came out and there were numbers above their heads?

Mr. WHALEY. The numbers were stationary. Looked through a black silk screen at them. In other words, they were very dim, the numbers.

Mr. BELIN. What did you see as the number over the man that you identified as having
been in your cab that day?
Mr. WHALEY. No. 2.
Mr. BELIN. Did you see a picture of that man in the paper at any time?
Mr. WHALEY. Saturday morning, sir; following the event on Friday.
Mr. BELIN. You saw his picture in the paper?
Mr. WHALEY. Yes, sir.
Mr. BELIN. Was that the same man that you identified as No. 2 in the line-up?
Mr. WHALEY. Yes, sir.
Mr. BELIN. Did you ever see his picture in the paper again?
Mr. WHALEY. No, sir; I take that back, sir. I saw the picture in the paper when they had,
when Ruby killed him at the time between the two detectives.
Mr. BELIN. Was the man in connection with the Ruby matter with the two detectives, did
it have his name in the paper as Lee Harvey Oswald? Was his name in the paper then
when you saw his picture?
Mr. WHALEY. Well, I don’t think they had it that way. I think they just had it Oswald. I am
not sure what they had under it. I am not for sure, but I did see the picture.
Mr. BELIN. Was that the same man you carried in your cab on Friday?
Mr. WHALEY. Yes, sir.
Mr. BELIN. Was that the man you identified at the police station?
Mr. WHALEY. Yes, sir.
Mr. BELIN. It is your best recollection, if I understand it, that this was the No. 2 man in the
line-up?
Mr. WHALEY. That’s right, sir. That was from the left now. No. 2 from my left. I was facing
him.
Mr. BELIN. Right. I mean correct. Now, your affidavit which is Whaley’s Deposition Exhibit
A, the last sentence says, "The No. 3 man who I now know as Lee Harvey Oswald was the
man who I carried from the Greyhound bus station to the 500 block of North Beckley."
Now you say it was the No. 2 man from your left, is that correct?
Mr. WHALEY. From my left. No. 3 from my right.

• William Scoggins was another cab driver, who was called in for the very same
line-up, but he was a witness to the Tippit shooting. He had seen a picture of
Oswald in the paper before he went down to City Hall. Scoggins also gave no
description in his affidavit, but said he would recognise the assailant if he saw
him again.

William Scoggins wearing a cap (Kent Biffle on the left), Still shot from the Italian documentary Il Due K.-B.K.

In Scoggins’ affidavit he described the assailant going west before the murder, this
would exclude Oswald being the killer as this contradicts the timeline of the W.C. Helen
Markham said the assailant was travelling east.
William Scoggins' W.C. testimony

Mr. BELIN. You say you went down to the police station when, Mr. Scoggins, approximately?
Mr. SCOGGINS. You mean the time of day it was?
Mr. BELIN. Was it the same day of the shooting or the next day?
Mr. SCOGGINS. No, it was the next day.
Mr. BELIN. Morning, afternoon, or evening, if you remember?
Mr. SCOGGINS. Well, the best I can remember, they called me down from the cab stand, the police came down to the office and picked me up. Well, the other guy--I was close to the downtown area, and it didn't take me long to get there, and I waited quite a while before the other man, he was quite out a ways, and it was before dinner.
Mr. BELIN. It was before dinner?
Mr. SCOGGINS. Yes, whenever they called me in.
Mr. BELIN. Would it have been on the afternoon of November 23, to the best of your recollection?
Mr. SCOGGINS. When they took me down there it was along about dinner time.
Representative FORD. What do you mean by dinner time? In various parts of the country dinner and supper get confused a little bit. Was it the noon meal or the evening meal?
Mr. SCOGGINS. Yes.
Representative FORD. Yes what? It was the noon meal?
Mr. SCOGGINS. Yes.
Mr. BELIN. They took you down about the time of the noon meal, is that correct; they took you to the police station?
Mr. SCOGGINS. I would think that would be about the time.
Mr. BELIN. Sometime after you got there after the noon meal you saw the line-up, is that correct?
Mr. SCOGGINS. Yes.
Mr. BELIN. How many people were in the line-up, if you can remember?
Mr. SCOGGINS. Four.
Mr. BELIN. Four? Did any one of the people look anything like strike that. Did you identify anyone in the line-up?
Mr. SCOGGINS. I identified the one we are talking about, Oswald. I identified him.
Mr. BELIN. You didn't know his name as Oswald at that time, did you, or did you not?
Mr. SCOGGINS. Yes, the next day I did. But, of course I didn't know what his name was the day that I picked him out.
Mr. BELIN. You saw a man in the line-up?
Mr. SCOGGINS. Yes.
Mr. BELIN. Did anyone tell you any particular man was Oswald in the line-up?
Mr. SCOGGINS. No.
Mr. BELIN. Well, describe what happened in the police station with regard to the line-up, what they did to you, what they said to you, and what you said to them, and so on.
Mr. SCOGGINS. Well, they had the four men up there in the line-up, and before they brought them in they told us what they wanted us to do, to look them over and be sure we was, in our estimation, we was right on the man, and which one it was, the one that we saw, the one that I saw.
Mr. BELIN. Did they tell you one of the men was the man you saw or not, or did they tell you "See if you can"--just what did they say? Did they say "Here is a line-up, see if you can identify anyone," or did they say, "One of the men in the line-up"--
Mr. SCOGGINS. Yes, I believe those are the words they used. I am not--
Mr. BELIN. Did all of these men look different to you? Were most of them fat, or were most of them thin, or some fat, some thin, some tall, some short?
Mr. SCOGGINS. There were two of them--the one that I identified as the one I saw over at Oak Cliff, and there was one I saw similar to him, and the other two was a little bit shorter.
Mr. DULLES. Had you been looking at television or seeing television prior to your appearance here at the line-up?
Mr. SCOGGINS. No.
Mr. DULLES. You had not?
Mr. SCOGGINS. No, sir.
Representative FORD. Had you been working this Saturday morning with your cab?
Mr. SCOGGINS. Yes, sir.
Representative FORD. In other words, you went to work Saturday morning at the regular time?
Mr. SCOGGINS. Yes.
Representative FORD. And were working when they asked you to come down to the cab stand to go over to the police station?
Mr. SCOGGINS. Yes, sir.
Representative FORD. All right.
Mr. BELIN. Had you seen any pictures of Lee Harvey Oswald in the newspapers prior to the time you went to the police station line-up?
Mr. SCOGGINS. I think I saw one in the morning paper.
Mr. BELIN. Do you subscribe to the morning or evening paper?
Mr. SCOGGINS. I take the evening paper myself.
Mr. BELIN. You went down and bought a morning paper?
Mr. SCOGGINS. No; I didn't go out. I was looking at one of the--some of the cab drivers had it.
Mr. BELIN. Did you see any television picture on the morning of November 23 of Lee Harvey Oswald?
Mr. SCOGGINS. I have never until this day seen it.
Mr. BELIN. On television?
Mr. SCOGGINS. I never have.
Representative FORD. Do you have a television in your home?

William Scoggings. Still shot from the Italian documentary Il Due K-B.K.

Mr. SCOGGINS. Yes sir; I do. But I don't--when I get home I will read the paper, and after you work about 12 hours you don't feel like fooling around with television too much.
Mr. BELIN. What number man in the line-up did you identify as having seen on November 22?
Mr. SCOGGINS. Number 3.
Mr. BELIN. Did you have the man turn around, or could you--
Mr. SCOGGINS. Yes, they turned him around.
Mr. BELIN. Did they turn just one man around or all of them?
Mr. SCOGGINS. No; they had them all.
Mr. BELIN. Do you remember if the number 3 man in the line-up was wearing the same clothes that the man you saw at the Tippit shooting wore?
Mr. SCOGGINS. He had on a different shirt, and he didn't have a jacket on. He had on kind of a polo shirt.
Mr. BELIN. Before you went to view the line-up, did any of the police officers show you a
picture of this man?
Mr. SCOGGINS. No.
Mr. BELIN. Sometime later, after the line-up, did any of the police officers show you with a picture of anyone and ask you if you could identify him?
Mr. SCOGGINS. Yes.
Mr. BELIN. Do you remember if he was an FBI man or a Dallas policeman or a Secret Service agent?
Mr. SCOGGINS. He was an FBI or a Secret Service.
Mr. BELIN. What did he ask you and what did you tell him?
Mr. SCOGGINS. He gave me some pictures, showed me several pictures there, which was, some of them were, pretty well resembled him, and some of them didn't, and they looked like they was kind of old pictures, and I think I picked the wrong picture. I am not too--
Mr. BELIN. What did he say to you and what did you say to him, if you remember?
Mr. SCOGGINS. I don't really--I know he showed me his credentials.
Mr. BELIN. Did he say to you something like "These are pictures we have of Lee Harvey Oswald"? Did he use that name in front of you, or did he say, "Here are some pictures. See if you can identify them"--if you remember?
Mr. SCOGGINS. I don't remember, but after I got through looking at them and everything, and I says, I told them one of these two pictures is him, out of this group he showed me, and the one that was actually him looked like an older man than he was to me. Of course, I am not too much on identifying pictures. It wasn't a full shot of him, you know, and then he told me the other one was Oswald.
Representative FORD. Had you narrowed the number of pictures from more than two to two?
Mr. SCOGGINS. Yes.
Representative FORD. In other words, they showed you pictures of how many people altogether, how many different people, your best estimate?
Mr. SCOGGINS. I would say 4 or 5.
Representative FORD. And you narrowed the number of 4 or 5 down to 2?
Mr. SCOGGINS. Down to two; yes.

Later on during the same testimony.
Mr. BELIN. Those are all the questions I have. Just a second. When you saw a picture in the morning paper of Lee Harvey Oswald, did this look similar to the man you saw at the Tippit shooting, or did it look different?
Mr. SCOGGINS. I would say similar; yes.
Mr. BELIN. Did it look like the same man?
Mr. SCOGGINS. Yes.

Later on again during the same testimony.
Discussion off the record.)
Mr. BELIN. Mr. Scoggins, when you identified the man in the line-up at the police station on November 23, was there any other person who at the same time was asked to identify a man in that line-up?
Mr. SCOGGINS. Yes, one other.
Mr. BELIN. Do you know one other person?
Mr. SCOGGINS. Yes.
Mr. BELIN. Do you know what that man's name is or what his occupation is?
Mr. SCOGGINS. Yes, he drives a taxicab.
Mr. BELIN. Do you know his name?
Mr. SCOGGINS. Yes; his name is Bill Whaley.
Mr. BELIN. Whaley?
Mr. SCOGGINS. I think it is Whaley. I didn't know him from Adam until that day, you know, and he said his name was Whaley.
Mr. BELIN. When you were there and identified a man, had Whaley already identified that man or not? I mean, did you hear Whaley or see Whaley identify that man?
Mr. SCOGGINS. No. He was sitting over on my left.
Mr. BELIN. He was on your left?
Mr. SCOGGINS. Yes. It was dark. They turned the lights out where we were sitting. We could see the man with lights up there.
Mr. BELIN. Could you see Mr. Whaley at the time he made the identification?
Mr. SCOGGINS. Well, I suppose if I would have looked over there I could have seen that there was a man there, that I could have recognized him.
Mr. BELIN. Were you looking at Mr. Whaley at the time?
Mr. SCOGGINS. No.
Mr. BELIN. Did you make your identification by your voice or by your hands?
Mr. SCOGGINS. By my hands, using--I put up three fingers.
Mr. BELIN. Did they tell you ahead of time to hold up the number of fingers for the man that you saw?
Mr. SCOGGINS. Yes, sir.
Mr. BELIN. How many fingers did you hold up?
Mr. SCOGGINS. Three.
Mr. BELIN. At the time you held up your three fingers, did you know how many fingers Mr. Whaley was holding up?
Mr. SCOGGINS. No.
Mr. BELIN. Then did you know whether or not Mr. Whaley had identified the man?
Mr. SCOGGINS. No, I sure don't.
Mr. BELIN. Was there any person or were there any persons standing between you and Mr. Whaley?
Mr. SCOGGINS. That I don't know because I did not look over there.
Mr. DULLES. Could Mr. Whaley, in your opinion, see you holding up these fingers?
Mr. SCOGGINS. No, no. I made sure of that because I had my hand down like this.
Mr. BELIN. When you had your hand down you are putting it in front of your belt?
Mr. SCOGGINS. As well as I could remember I had it down kind of like this here. I don't know whether I used my right or my left hand, but I didn't hold up three fingers like this, but I held them down just about like this.
Mr. BELIN. You are pointing to your right hand and putting it somewhat about a few inches above the buckle of your belt; it that about where you held up your fingers?
Mr. SCOGGINS. About as well as I could remember.
Mr. BELIN. What happened after you held up your fingers, did someone see you holding your fingers up there?
Mr. SCOGGINS. Yes.
Representative FORD. Where were they standing beside you so that they could see your fingers?
Mr. SCOGGINS. Well, this gentleman was standing over back a piece to my left, sir.
Representative FORD. Was it close to you, sir?
Mr. SCOGGINS. There was one man on my right. He was Secret Service or FBI, I think FBI; and the other man was a policeman, Dallas policeman.
Mr. DULLES. Do you know whether Mr. Whaley was making his identification at the same time that you did or did he make it before or after?
Mr. SCOGGINS. No. All I know is that we viewed them at the same time.
Mr. DULLES. He viewed them at the same time?
Mr. SCOGGINS. Yes.
Mr. DULLES. You don't know at what time Mr. Whaley made his identification?
Mr. SCOGGINS. Yes.
Mr. DULLES. You didn't see him make the identification?
Mr. SCOGGINS. I didn't even see him.
Mr. DULLES. You don't know what his identification was?
Mr. SCOGGINS. No. I never asked him which one or nothing, because I never did discuss it with him at all after that.
14:45 Hair and nail samples taken

From Dallas Municipal Archives. Thanks to Malcolm Blunt.
15:30 Robert Oswald visits Lee

Robert gets to talk about for ten minutes to Lee, after being given a pass by M.G. Hall on orders by Will Fritz. He has had to wait for two hours to get one.

In the report below by Alfredda Scobey of the Warren Commission it states. Thanks to Malcolm Blunt who got this from The National Archives.

The crime and he also still feels the Paines are "somehow involved."

Recalls a conversation in June, 1968, about the dishonorable discharge in which Lee advised the witness he had witnessed the Connally letter (as Secretary of the Navy). (1941) No further discussion. Except for the letters, he did not discuss politics with Robert and made no derogatory remarks about the U.S. Government, neither did he mention General Walker. On the night of or after his arrest, Robert had one

10-minute conversation with Lee by telephone through a glass panel. Observed cuts and bruises on his face. Oswald said he would not say anything because the line was apparently tapped. Robert felt the conversation was mechanical and said about Marina and the children, "Don't worry about them, the Paines will take care of them." Robert noted in his diary that he had not been talking to the Lee he previously knew. He thought he was unable to get through to the man.

States, (1965), that at the airport in Fort Worth when he was disappointed about the reporters not being present, was the only time he expressed a desire for publicity in Robert's presence. These people were raised in the Lutheran religion.
Robert Oswald leaving the D.P.D. station after meeting up with his brother. Pic.: UPI Telephoto. Scan by ROKC of the Richard E. Sprague Archive at the National Archives.

Mr. JENNER. Now, following that conversation that you do record on that page, did you see your brother?
Mr. OSWALD. Yes, sir; I did.
Mr. JENNER. Where?
Mr. OSWALD. Dallas police station.
Mr. JENNER. Will you describe the surroundings?
Mr. OSWALD. I was taken up on the elevator by a Dallas police officer--Mr. Tom Kelley, inspector from Washington, D.C., U.S. Secret Service joined us, and one agent Mr. Mike Howard. On arrival to the floor where Lee was being held, the police officer passed through a glass slot in the window to another police officer the pass, I believe signed by Captain Fritz, which authorization was for me to see Lee Harvey Oswald. Two or three minutes went by, and I was added that he was now ready to see me, and I was taken to a small room to the left of the elevators on this floor, and no one else was in this room on
his side, or my side of the glass partitions that separated the locked side from the unlocked side. And Lee was standing there before me on the other side of the glass. Mr. DULLES. Did you have the impression that the officers had told your brother that you were the one who was coming to see him?
Mr. OSWALD. No, sir; I did not.
Mr. DULLES. Because you just said that the officer said he was ready to see you, and I gained the impression from that----
Mr. OSWALD. Yes, sir--whether or not I meant by that that--I do not believe that was my full meaning on that statement because I was not aware that they had actually told Lee that it was me he was about to see.
Mr. JENNER. Did you converse with your brother?
Mr. OSWALD. Yes, sir; I did.
Mr. JENNER. By what means?
Mr. OSWALD. By telephone, while looking at him through the glass partition.
Mr. DULLES. How far apart were you, roughly?
Mr. OSWALD. Just a matter of inches.
Mr. JENNER. How long were you in that room, conversing with your brother?
Mr. OSWALD. Approximately 10 minutes.
Mr. JENNER. And as near as you can recall, what did he say to you and what did you say to him?
Mr. OSWALD. I do recall to the best of my ability his first statement to me was "How are you?" My reply was "I am fine." I asked him how he was I observed the cuts and bruises on his face. He said he was just fine, and that they were treating him okay. I believe his next statement was at this time "I cannot or would not say anything because the line is apparently tapped." I did not comment on that, and he rather carried the conversation for 2 or 3 minutes.
Mr. JENNER. Would you repeat it to us as best you can recall it, please?
Mr. OSWALD. Sir, I do not recall this particular part of the conversation.
Mr. JENNER. Just do your best.
Mr. OSWALD. I am sorry, sir. I just cannot recall that particular part of the conversation. I might comment on that particular part to this extent. That I felt that it was rather a mechanical conversation from his standpoint. He seemed to be speaking very fast, and there was approximately 2 or 3 minutes of him speaking in this nature. Then I took the initiative and started speaking to him about the family.
Mr. JENNER. His family?
Mr. OSWALD. About the family, including his family, my family. And also, at this time, when we talked about his family in particular--I believe my question to him was "What about Marina and the children?" His reply to me at that time was "Don't worry about them. The Paines will take care of them"--that his friends, the Paines, would take care of them satisfactorily.
Mr. JENNER. That Lee's friends, the Paines, would take care of them satisfactorily?
Mr. OSWALD. That is correct. My reply to him on that was what he considered to be his friends were not mine.
Mr. JENNER. Did he respond to that?
Mr. OSWALD. Not to my recollection, sir.
Mr. DULLES. Were you the first member of the family to see him, or had Marina seen him the day before?
Mr. MCKENZIE. Both Marina and Marguerite had seen him before.
Mr. OSWALD. Earlier that afternoon, sir. I was the last member of the family to see him.
Mr. JENNER. Did you say anything about the new child, Rachel?
Mr. OSWALD. Yes, sir; I did.
Mr. JENNER. Did you raise that, or did he?
Mr. OSWALD. I believe I did, sir.
Mr. JENNER. What did you say?
Mr. OSWALD. I simply stated that I had seen the new baby and was not aware of it at that time.
Mr. JENNER. Not aware that the baby had been born?
That is correct.

Did he respond to that?

Yes, sir, he did.

What did he say?

He smiled and stated he had hoped for a boy rather than a gift. His further comment was, "Well, you know how that goes."

He said nothing, I take it, then, by way of apology or otherwise that you had not theretofore been informed of the birth of this child?

That is correct.

You record on page 13 of your memorandum---you use this expression: "I was not talking to the Lee I knew." Do you find that?

Yes, sir; I do.

Would you read that full sentence?

He talked about the Paines as his friends and that they would take care of Marina and the children. Excuse me--I started too soon.

That is all right.

"I stated who he considered to be his friends were not necessarily mine. I did this to try to get through to him. To me his answers were mechanical and I was not talking to the Lee I knew."

Were you able to get through to him? Did you feel you got through to him?

No, sir; I was not.

And would you elaborate, please, on your expression "I was not talking to the Lee I knew"?

I was referring more specifically to the first part of our conversation, where his conversation seemed to me, as previously stated, very mechanical.

You had the feeling he was not exposing himself fully to you?

That is correct.

Was this the last time you ever saw your brother?

Alive, sir?

Yes.

Yes, sir; it was.

On page 14 you record a later conversation after you had left your brother--you have an expression there along the lines that you agreed with someone that if the conversation had been person to person, that things might have been different. Do you find that?

Yes, sir; I do.

Would you please elaborate on what you meant by that?

By "we" in that paragraph, sir, on page 14, I am talking about Mr. Tom Kelley, Inspector from Washington, D.C., United States Secret Service, and agent, Mr. Mike Howard. Our discussion was of the nature I related to them as best I could remember my entire conversation with Lee Harvey Oswald on that afternoon of November 23, 1963, and I was of the opinion, or perhaps expressed, either by Mr. Kelley or Mr. Mike Howard, that had we been placed in a room facing each other, perhaps more could have been learned or something could have been learned about whether or not he was actually guilty or how much he was involved in the assassination of the President of the United States.

And later that day during his testimony.

Now, you have testified this afternoon following our lunch break that you visited Lee Oswald in the Dallas County Jail. Do you recall that testimony--the testimony of just a few minutes ago?

Yes, sir; I do.

Have you previously testified to that before the Commission, to your recollection?

To my recollection, I believe we at least touched on that during our first session on February 20, 1963.
Mr. McKENZIE. When you were in the jail—and I believe it is in the sixth floor of the Dallas County Jail—I mean the Dallas City Jail—talking with your brother, Lee Harvey Oswald, did you ask him at that time if he had committed the crime?
Mr. OSWALD. Yes, sir; I had.
Mr. McKENZIE. You did ask him that question?
Mr. OSWALD. Yes, sir; I did.
Mr. McKENZIE. And what did he say?
Mr. OSWALD. I put it to him as stated in my diary, sir.
Mr. JENNER. Identify the page, please.
Mr. OSWALD. On page 12, "I do not recall everything he said. I did try to point out to him that the evidence was overwhelming that he did kill Police Officer Tippit and possibly the President. To this he replied do not form any opinion on the so-called evidence."
Mr. JENNER. Is that all he said? He said nothing else?
Mr. OSWALD. To that—
Mr. JENNER. In response to you?
Mr. OSWALD. That is correct.
Mr. JENNER. At no time when you interviewed him over the telephone while you were in that—the sixth floor—did he affirmatively deny either that he had shot Officer Tippit or that he shot the President?
Mr. OSWALD. He did not admit to anything whatsoever.
Mr. JENNER. Nor did he deny it affirmatively—other than the remark that you have recorded in your memorandum?
Mr. OSWALD. That is correct, sir.
Mr. McKENZIE. In other words, Mr. Oswald, when you were talking there with your brother, in the city jail of Dallas, he did not deny that he had killed Officer Tippit, nor did he deny that he had assassinated President Kennedy?
Mr. OSWALD. He did not admit to anything, sir.
Mr. McKENZIE. And he didn't deny anything?
Mr. OSWALD. That is correct.
Mr. McKENZIE. Have you, or haven't you told this Commission that you believed a denial?
Mr. JENNER. Excuse me, Mr. McKenzie, I don't understand that question.
Mr. McKENZIE. It says in this article that he told the Commission that he believed the denial. Since there was no denial, there was nothing for you to believe.
Mr. OSWALD. That is correct.
Mr. JENNER. Up to this moment he has never testified as to that, to my recollection.
Mr. McKENZIE. That is correct. Again, based on the evidence that you have read or heard in newspaper articles, whether it be evidence or not, but based on everything that you have heard or read, you now believe that your brother, Lee Harvey Oswald, did kill Mr. Tippit and assassinated President Kennedy, is that correct?
Mr. OSWALD. Purely on the circumstantial evidence that has been brought to my attention or that I have read.

In his book Portrait of Lee Harvey Oswald by his Brother (pages 142-145) he recants pretty much the same. Except that Lee stated to Robert that he had no idea what they were talking about. See the excerpt on the next page.
LEE—Part Three

He smiled at my sarcasm.
"Well," he said, "it was a girl, and I wanted a boy, but you know how that goes."

That was a strange echo of the words my brother John said to me the day we were at Aunt Lillian's house waiting for word whether the new baby our mother was expecting was a boy or a girl.

After a little more talk about the baby and Marina, I finally asked him bluntly, "Lee, what the Sam Hill is going on?"
"I don't know," he said.
"You don't know? Look, they've got your pistol, they've got your rifle, they've got you charged with shooting the President and a police officer. And you tell me you don't know. Now, I want to know just what's going on."

He stiffened and straightened up, and his facial expression was suddenly very tight.
"I just don't know what they're talking about," he said, firmly and deliberately. "Don't believe all this so-called evidence."

I was studying his face closely, trying to find the answer to my question in his eyes or his expression. He realized that, and as I stared into his eyes, he said to me quietly, "Brother, you won't find anything there."

Then, more relaxed, he began talking about Marina again.
"Well, what about Marina?" I asked him. "What do you think she's going to do now, with those two kids?"
"My friends will take care of them," he said.
"Do you mean the Paines?" I asked.
"Yes," he said, indicating by his reaction that he was a little surprised that I knew of the Paines.

Although I had met them for the first time the previous night at the Dallas police station, I already had strong reser-
16:00 Oswald makes another call

THE STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, _______________ FRANCES BOCK

a Notary Public in and for said County, State of Texas, on this day personally appeared J. L. Popplewell.

Who, after being by me duly sworn, on oath deposes and says: My name is J. L. Popplewell. I entered the Dallas Police Department January 11, 1967. I have been in the Service Division seven and one-half years. I have worked the Fifth Floor Jail most of this time. I was on duty the 22nd and 23rd day of November, 1963, working 2:30 p.m. till 10:30 p.m. The 23rd day of November, 1963, at 3:00 p.m., I was assigned to guard the area in front of Lee Harvey Oswald's cell, watching all of his movements to see that he didn't hurt himself. About 4:00 p.m. Lt. Lord called on the jail phone and instructed me to put Oswald on the phone. Oswald asked the operator for two telephone numbers - then asked me for a pencil and paper while in the telephone booth. I tore a small piece of plain paper, about two by three inches from the telephone record sheet that hung outside the telephone booth; then handed this piece of paper and my pencil to him. Oswald wrote a number on this paper and returned my pencil. Then he asked if he could call later. Oswald did not get his call through at this time. I called Lt. Lord, and informed him Oswald didn't get his party and wanted to call again later. About 6:00 p.m. Lt. Lord came up to the jail and told me to let Oswald use the phone. I was instructed to step back away from the phone booth so the phone call could be private. From this location I watched the prisoner talking to someone. He used the phone about thirty minutes. I asked Oswald if he got his call through and he answered, yes. I then returned him to his cell.

About four months ago on a Monday, I received a call from an F.B.I. agent who wanted to know about a slip of paper with a phone number on it. This was supposed to be in Oswald's pocket when he died. The agent asked if we allowed prisoners to keep phone numbers on their person. I said that if a call wasn't completed the first time, we could let them write the number down and keep it for a later call. The agent asked me the size of the paper I might have given Oswald to write on. I told him it probably was one torn off of a telephone record sheet hanging outside the telephone booth; the paper was plain, unlined, about two by

Page 1 of 2 pages.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20th DAY OF August _______ A.D. 1964

FRANCES BOCK
Notary Public, Dallas County, Texas

CHS-OP-413

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The log sheet with Oswald's phone calls is gone, oh how inconvenient......

James Bookhout gets to make a report on Popplewell and Oswald's calls. Nothing happened without Fritz's say so.
JIM POPEWELL, 26:5 Donald, telephone BR 8-8926, employed as a jailer, Dallas Police Department, advised he was assigned on November 23, 1963 to watch OSWALD's cell. He explained that OSWALD was being held in isolation and a guard was maintained outside his cell.

POPEWELL advised that he took OSWALD to a phone in the jail to make a long distance call to his attorney, authority to make said call having been given by Captain J. W. FRITZ. OSWALD got the telephone operator to obtain the number of the attorney and then stated he would not be able to remember it and asked POPEWELL to get him paper and pencil to write the number down on. POPEWELL stated he tore off a small piece of paper from the side of a telephone contact slip and after getting an OK, he furnished said piece of paper and pencil to OSWALD in order for him to write the number down. Thereafter OSWALD attempted to call the phone number but was unable to get the call through to the attorney.

POPEWELL advised that he later took OSWALD to the phone again and OSWALD made two or three other calls or attempts, however, it is not known if these calls were completed or who OSWALD might have called, as no record was kept of the numbers called.

POPEWELL recalled that on November 23, 1963, OSWALD was wearing a T-shirt, pants, and shoes, and OSWALD asked if there was any kind of jail clothes available that he could put on. POPEWELL stated he explained to OSWALD that the City Jail did not furnish any. POPEWELL added that as a matter of policy no change of clothes could be made by OSWALD without the authority of Captain J. W. FRITZ.

POPEWELL stated he was off duty November 24, 1963, and accordingly did not see OSWALD on said date.
Mrs. PAINÉ - Then about 3:30 or 4 I got a telephone call.
Mr. JENNER - The phone rang?
Mrs. PAINÉ - The phone rang; I answered it.
Mr. JENNER - Did you recognize the voice?
Mrs. PAINÉ - I recognized the voice but I don’t recall what he said?
Mr. JENNER - What did the voice say?
Mrs. PAINÉ - The voice said: “This is Lee.”
Mr. JENNER - Give your best recollection of everything you said and if you can, please, everything he said, and exactly what you said.
Mrs. PAINÉ - I said, “Well, Hi.” And he said he wanted to ask me to call Mr. John Abt in New York for him after 6 p.m. He gave me a telephone number of an office in New York and a residence in New York.
Mr. JENNER - Two telephone numbers he gave you?
Mrs. PAINÉ - Yes.
Mr. JENNER - One office and one residence of Mr. John Abt. Did he say who Mr. John Abt was?
Mrs. PAINÉ - He said he was an attorney he wanted to have.
Mr. JENNER - Represent him?
Mrs. PAINÉ - To represent him. He thanked me for my concern.
Mr. JENNER - Did he tell you or ask you what you were to do or say to Mr. Abt if you reached him?
Mrs. PAINÉ - I carried the clear impression I was to ask him if he would serve as attorney for Lee Oswald.
Mr. JENNER - All right.
Have you given the substance of the conversation in as much detail, of the entire conversation, as you now can recall?
Mrs. PAINÉ - There is a little more that is.
Senator COOPER - Why don’t you just go ahead and tell it as you remember it, everything that he said and you said?
Mrs. PAINÉ - I can’t give the specific words to this part but I carry a clear impression, too, that he sounded to me almost as if nothing out of the ordinary had happened. I would make this telephone call for him, would help him, as I had in other ways previously. He was, he expressed gratitude to me. I felt, but did not express,
considerable irritation at his seeming to be so apart from the situation, so presuming of his own innocence, if you will, but I did say I would make the call for him. Then he called back almost immediately. I gather that he had made the call to me on the permission to make a different call and then he got specific permission from the police to make a call to me and the call was identical.

Mr. JENNER - This is speculation?
Mrs. PAINE - This is speculation but the content of the second call was almost identical.
Mr. JENNER - The phone rang?
Mrs. PAINE - He asked me to contact John Abt.
Mr. JENNER - He identified himself and he asked you to make the call?
Mrs. PAINE - Yes.
Mr. JENNER - What did he say?
Mrs. PAINE - He wanted me to call this lawyer.
Mr. JENNER - Did you express any surprise for him to call back almost immediately giving you the same message that he had given previously?
Mrs. PAINE - I think somebody must have said, that the officers had said he could call, make this call.
Mr. JENNER - Did you say anything about the fact that he had already just called you about the same subject matter?
Mrs. PAINE - He may have added.
Mr. JENNER - Did you, please?
Mrs. PAINE - No. I was quite stunned that he called at all or that he thought he could ask anything of me, appalled, really.
Mr. McCLOY - Did he say he was innocent, or did he just have this conversation with respect to the retention of a counsel?
Mrs. PAINE - That is all.
Mr. JENNER - At no time during either of these conversations did he deny that he was in any way involved in this situation?
Mrs. PAINE - He made no reference to why he was at the police station or why he needed a lawyer.
Mr. JENNER - He just assumed that you knew he was at the police station, did he?
Mrs. PAINE - That is right.
Mr. JENNER - That was your impression?
Mrs. PAINE - That is right.
Mr. JENNER - He didn’t say where he was?
Mrs. PAINE - No.
Mr. JENNER - He just started out saying what you now say he said?
Mrs. PAINE - That is right.
Mr. JENNER - But in no respect did he say to you that he was entirely innocent of any charges that had been made against him?
Mrs. PAINE - He did not say that.
Mr. JENNER - Did he mention the subject at all of the assassination of the President or the slaying of Officer Tippit?
Mrs. PAINE - No; he did not.
Mr. JENNER - What you have given is your best recollection of the entire conversation?
Mrs. PAINE - That is correct.
Representative FORD - This was Saturday afternoon, November 23?
Mrs. PAINE - Yes.
Representative FORD - About what time?
Mrs. PAINE - Four, perhaps in the afternoon.
Representative FORD - Had you seen him the day before?
Mrs. PAINE - No.
Mr. McCLOY - Who was in the house with you when that call came in?
Mrs. PAINE - Just my children.
Mr. McCLOY - Just your children.
And later on:
Mr. JENNER - All right. The phone rang, you answered it.
Mrs. PAINE - Yes.
Mr. JENNER - Did you recognize the voice?
Mrs. PAINE - I recognized the voice.
Mr. JENNER - Whose was it?
Mrs. PAINE - It was Lee Oswald's.
Mr. JENNER - What did he say and what did you say?
Mrs. PAINE - He said, "Marina, please," in Russian.
Mr. JENNER - Please, Mrs. Paine, did he speak to you in English in the conversations in the afternoon or in Russian?
Mrs. PAINE - He spoke in English the entire conversation.
Mr. JENNER - The two in the afternoon?
Mrs. PAINE - Yes.
Mr. JENNER - Now, however, he resorted to Russian, did he?
Mrs. PAINE - He planned to speak to Marina.
Mr. JENNER - I beg your pardon?
Mrs. PAINE - He planned to speak to Marina, and this opening phrase was one he normally used calling as he had many previous times to speak to her.
Mr. JENNER - He was under the assumption, you gathered, that Marina was in your home?
Mrs. PAINE - He certainly was.
Mr. JENNER - All right.
Mrs. PAINE - And I would be fairly certain that I answered him in English. I said she was not there, that I had a notion about where she might be, but I wasn't at all certain. That I would try to find out. He said, he wanted me to--he said he thought she should be at my house. He felt irritated at not having been able to reach her. And he wanted me to--
Mr. JENNER - Did he sound irritated?
Mrs. PAINE - Yes; he sounded just a slight edge to his voice. And he wanted me to deliver a message to her that he thought she should be at my house.
Mr. JENNER - And he so instructed you?
Mrs. PAINE - Yes.
Mr. JENNER - That is what he said?
Mrs. PAINE - Yes. That was so far as I remember, the entire conversation.
Mr. JENNER - What response did you give to his direction?
Mrs. PAINE - I said I would try to reach her.
Mr. JENNER - His direction--
Mrs. PAINE - And tell her his message.
Mr. JENNER - All right.
Mrs. PAINE - In the meantime, had you sought to reach John Abt?
Mrs. PAINE - I had, after 6 o'clock, thank you. I had dialled both numbers and neither answered.
Mr. JENNER - Neither answered. Was there any conversation between you and Lee Oswald in the evening conversation to which you reported to him your inability to reach Mr. Abt?
Mrs. PAINE - I do not specifically recall.
Mr. JENNER - Or the subject of Mr. Abt at all?
Mrs. PAINE - I don't want to get in, to rationalization. I can judge that something was said but I do not recall it specifically.
Mr. JENNER - Now, have you given the full extent of that conversation?
Mrs. PAINE - To the best of my recollection.
Mr. JENNER - At any time during that conversation with Lee Harvey Oswald did he assert or intimate in any form or fashion his innocence of any charges against him?
Mrs. PAINE - No; he did not.
Mr. JENNER - Was the assassination mentioned at all?
Mrs. PAINE - No; it was not.
Mr. JENNER - Was the shooting or murder of Officer Tippit mentioned?
Mrs. PAINE - No.
And later on
Mr. JENNER - Tell us what your activities--you are a member of the American Civil Liberties Union?
Mrs. PAINE - I am.
Mr. JENNER - What have been your activities in connection with that organization?
Mrs. PAINE - Primarily to send in my membership fee each year. I have been a member for some years prior--that is to say, going back to the time prior to my marriage. I have recently, perhaps a year ago, became on the membership committee for the local chapter in Dallas. That chapter, I might say, only just opened a year and a half ago.
Mr. JENNER - And have you, as part of those activities, sought to enlist others to become members of the American Civil Liberties Union?
Mrs. PAINE - I have talked to perhaps half a dozen people, to encourage them; yes.
Mr. JENNER - Did you ever discuss this organization with Lee Oswald?
Mrs. PAINE - Yes; I did.
Mr. JENNER - Have you told us in your testimony up to this moment all of your discussion of that organization with Lee Oswald?
Mrs. PAINE - Yes; I have. I call your attention to my testimony of a conversation with Lee over the phone saying that I thought that if he was losing his job because of his political views, that this would be of interest to the Civil Liberties Union.
Mr. JENNER - Did any of those discussions embrace the question of what possible help this organization might be to him if he got into trouble eventually?
Mrs. PAINE - My judgment is that he took that statement I have just referred to as an implication of the possibility of help from that organization to him personally.
Mr. JENNER - With reference particularly to the possible need at any time for counsel?
Mrs. PAINE - He may have assumed such a thing. My understanding of the Civil Liberties Union is that they are not interested in just defending people, but in defending rights or entering a case where there is doubt that a person's civil liberties have been properly upheld.
Mr. JENNER - Or might be?
Mrs. PAINE - Or there might be such doubt; yes. I wouldn't know whether Lee understood that.
Mr. JENNER - At least your discussions with him do not enable you to proceed to the point at which to enable you to voice any opinions in this area or subject than you have now given?
Mrs. PAINE - No.
Mr. JENNER - Were you aware of the name John Abt before you received the telephone call you testified about from Lee Oswald?
Mrs. PAINE - No; I had not heard that name.
Mr. JENNER - And, therefore, you never suggested it to Lee Oswald?
Mrs. PAINE - No; that is right.
And later
Mr. JENNER - Nobody reported to you anything about any conversation they might or did have with Lee Oswald either on the 22d or 23d or even on the 24th of November 1963?
Mrs. PAINE - No. I am of the impression I again tried the home telephone of John Abt on Sunday morning, but I am not certain, and there was no answer. That I certainly remember.
Mr. McCLOY - Did you ever reach Abt?
Mrs. PAINE - No.
Mr. JENNER - Did you ever attempt to report to Lee Oswald that you had been unable to reach Mr. Abt?
Mrs. PAINE - Not unless such transpired in our 9:30 conversation Saturday evening, but I made no effort to call the police station itself.
Mr. JENNER - Excuse me?
Mrs. PAINE - I made no effort to call the police station.
H. Louis Nichols, president of the Dallas Bar Association, was allowed to meet with Oswald in his jail cell late Saturday afternoon (Nov. 23rd). Oswald told Nichols that he wanted to be represented by John Abt or an ACLU member. Nichols said that he did not know any ACLU members (a strange thing to say really). He asked if Oswald wanted him or the Dallas Bar Association to get him an attorney. Oswald said he would wait until he could see Abt, an ACLU attorney, or at least someone who believed in his innocence.

In his WC testimony H. Louis Nichols mentions that he was no criminal lawyer and he talked to a friend who was one and was told by him that the obligation was only to appoint counsel after a man had been indicted, and that, as he understood it, since Mr. Oswald had not been indicted there was no legal obligation to appoint an attorney. Yet he was already arraigned for Tippit and supposedly for the murder of J.F.K. as well. Confusing? Not at all.....

He then speaks to Henry Wade over the phone and asked him whether or not either he or anybody in his office had been advised that Oswald wanted a lawyer, or had made a request for a lawyer, and he said as far as he knew he had not asked for a lawyer. Since this phone call happened on the 23rd and Oswald had made a few public calls for legal representation on the 22nd we can deduct that Wade was spinning another tall tale.....

Nichols knows a fair amount of people inside the DPD and he decides to call Captain Glen King and asks him the same questions he put forward to Henry Wade, and King pretty much answers in the same vein as Wade did: Oswald was not represented by anyone, he did not ask for anyone to represent him nor ask for the right for a phone call to call one.

From Jesse Curry's book (P.75) Retired Dallas police chief, Jesse Curry reveals his personal JFK assassination file  

"By mid-evening I was concerned that every attempt be made to see that Oswald's civil rights were not being violated. I escorted Louis Nichols, president of the Dallas Bar Association, into the jail to confer with the prisoner. Oswald at that time spurned an offer by the Dallas Bar Association for legal assistance, but Mr. Nichols did discuss Oswald's right for legal counsel with him. Oswald indicated that he wanted Attorney John Abt of New York City to defend him. If that failed his second choice would have been a member of the American Civil Liberties Union. Oswald seemed well informed of his rights and had definite ideas about how he would seek legal counsel. Attorney Louis Nichols left completely satisfied that Oswald had not been denied council and that his civil rights were not being violated."

In his Warren Commission testimony Curry says:

Mr. RANKIN - Chief Curry, you said that Mr. Nichols came that afternoon. I call to your attention that we have information that he came there on the Saturday afternoon.

Mr. CURRY - Perhaps it was, not the Friday. That perhaps was on Saturday.
Mr. RANKIN - Yes.
Mr. DULLES - I wonder if you could just summarize briefly where we are.

(Discussion off the record.)

Mr. RANKIN - Back on the record.

In regard to Mr. Nichols, did you know whether or not he offered to represent or provide counsel?

Mr. CURRY - Yes; he did.

Mr. RANKIN - What did he say about that?

Mr. CURRY - He said he didn't care to at this time.

Mr. RANKIN - What did Mr. Nichols say about providing counsel?

Mr. CURRY - He said the Dallas Bar would provide counsel if he desired counsel.

Mr. RANKIN - That is to Mr. Oswald?

Mr. CURRY - Oswald.

Mr. RANKIN - What did Mr. Oswald say?

Mr. CURRY - He said, "I don't at this time," he said, "If I can't get Mr. Abt to represent me or someone from Civil Liberties Union I will call on you later."

Representative FORD. - Did Nichols and Oswald talk one to another?

Mr. CURRY - Yes; he was taken to see Oswald and he talked to him.

Mr. RANKIN - And this all occurred at the meeting you have already described?

Mr. CURRY - Yes, sir.

Mr. RANKIN - Between Mr. Nichols and Mr. Oswald?

Mr. CURRY - That is correct.

From Nichols' W.C. testimony:

"...call from another friend of mine, and that I had made some inquiry, and at this time I did not know whether Oswald had a lawyer or was getting a lawyer, but that I was going to make some inquiry to find out about it. After talking to the second friend about it who called, I then called Mr. Henry Wade, the district attorney, to see whether or not he knew whether or not Oswald was represented by a lawyer or not. I did not know for sure at that time whether he was, simply because I had no way of knowing whether he was represented or not. I hadn't talked to anybody who was really informed, and I called Mr. Wade. He said he didn't know for sure whether he was or not, as far as he knew he hadn't been contacted by any lawyer who purported to represent Oswald. I asked him whether or not either he or anybody in his office had been advised that Oswald wanted a lawyer, or had made a request for a lawyer, and he said as far as he knew he had not asked for a lawyer. I asked him too, as he was going up there, and I asked him if Oswald requested a lawyer and didn't have a lawyer would he tell him that the Dallas Bar Association would get a lawyer if he needed one. By that time I had time to think about what I thought my obligation should be, and realizing that under the circumstances maybe some people might overlook the fact that Oswald had rights that needed to be protected at the same time, and if he didn't have a lawyer, regardless of what the legal obligation was to appoint him a lawyer, we, the bar association, ought to look into the matter.

Mr. Wade said he was going to go up there later on in the evening and he would talk to his assistants who were in closer contact than he was, and if Oswald wanted a lawyer--asked for a lawyer or wanted a lawyer appointed--he would tell him of my conversation. I then called Glen King, and a captain on the police force that I knew. I used to work for the city attorney's office, and still represent, the city credit union and have a brother on the police force, so, I have known many of these people for many years. I called Captain King and asked him whether or not Oswald was represented by an attorney, if he knew if there was an attorney up there, or anybody who had been up there representing him, and Captain King said that as far as he knew there had been no one representing him, and as far as he knew, Oswald had not asked for a lawyer. He had not asked for the right to call a lawyer, and or had not asked that a lawyer be furnished to him--and Captain King said, "If he does, I am certainly going to call you and let you know, because we want to be sure if he wants a lawyer he gets one. We don't want it to be a situation of anybody saying that we deprived him of the right to have a lawyer."
About that time Chief Curry looked up and saw me, and he knew me and motioned me in, and I went in there and he introduced me to one of the FBI agents who was there, and I told him I was up there as president of the bar association looking for Captain King. I had talked to him earlier and I had come up there to see whether or not Mr. Oswald had a lawyer, or needed a lawyer, or wanted the Dallas Bar Association to do anything.

The chief said that he was glad to see me and would take me up to see Oswald himself and, so, we immediately left his office and started to another part of the building, and he asked me where I wanted to talk to him. If I wanted to be taken to a room or some place, or what would be convenient with me, and I told him that any place would be all--I just wanted to visit with the man and see what his situation was with regard to him having a lawyer. So, we then went through a door on the third floor and got into the elevator and went up to the sixth floor, and the chief again asked me where I wanted to talk to him. I said, "Well, just any place."

By that time we had gotten to a portion of the jail that was separated by bars and a door. Beyond that door were three separate cells, and there was an officer seated outside one, and then we went through the first door and got to that point and Mr. Oswald was in the centre of the three cells, no one being in the other two, and there was an officer seated outside there. The chief had the officer open the door, and he introduced me to Oswald, and told him my name and said that I was the president of the Dallas Bar Association and had come up to see him about whether or not he needed or wanted a lawyer, and then the chief stepped back and--I don't really know how far away. He was at least--he was far enough removed where I couldn't observe him or see him there in the cell. The officer stayed just right outside the door there. I reintroduced myself to Oswald and told him my name, and that I was president of the Dallas bar, and that I had come up to see him about whether or not he had a lawyer, or needed a lawyer, or wanted a lawyer, and suggested that he sit down.

So, he sat on one bunk and I sat on the other. Maybe 3 or 4 feet apart. When I got there he was lying on a bunk, and then he stood up when I came in and then he sat on one bunk and I sat on the other, much as you and I are seated here, only actually, a little bit closer, and I asked him if he had a lawyer, and he said, "Well, he really didn't know what it was all about, that he had been incarcerated, and kept incommunicado, and I said, "Well, I have come up to see whether or not you want a lawyer, because as I understand--" I am not exactly sure what I said there, or whether he said something about not knowing what happened to President Kennedy, or I said that I understood that he was arrested for the shot that killed the President, and I don't remember who said what after that. This is a little bit vague. I had covered that point in detail, and I don't recall exactly, but in any event, our conversation was such that I informed him that I was there to see whether or not he had a lawyer, or wanted a lawyer, and he said--he asked me first did I know a lawyer in New York named John Abt, and I don't know if it is A-b-t, or A-p-t.

Mr. STERN, I believe it is A-b-t.

Mr. NICHOLS. I believe it is. In New York City, I said I didn't know him, and he said, "Well, I would like to have him to represent me," and at some period I believe prior to that, either in talking to the police, or talking to--must have been talking to either Captain King or the chief--I had been told that some effort had been made to get hold of Mr. Abt, and that he was in Connecticut at his home, and maybe, and I have forgotten who said who was trying to get ahold of him. At least, I did vaguely know that someone was trying to get ahold of him, but I told Mr. Oswald I didn't know him. He said, "Well, that is the man he would like to have represent him." Then he asked me if I knew any lawyers who were members of the American Civil Liberties Union, and he said, "Well, I am a member of that organization, and I would like to have somebody who is a member of that organization represent me." And I said, "I'm sorry, I don't know anybody who is a member of that organization."

Although, as it turned out later, a number of lawyers I know are members. Two or three of them called me later. He said, "Well, if I can't get either one of those, and if I can----"
Mr. STERN. That is either----

Mr. NICHOLS. "Either Mr. Abt or someone who is a member of the American Civil Liberties Union, and if I can find a lawyer here who believes in anything I believe in, and believes as I believe, and believes in my innocence"--then paused a little bit, and went on a little bit and said, "as much as he can, I might let him represent me."

I said, "What I am interested in knowing is right now, do you want me or the Dallas Bar Association to try to get you a lawyer?"

He said, "No, not now."

He said, "You might come back next week, and if I don't get some of these other people to represent me, I might ask you to get somebody to represent me."

I said, "Well, now, all I want to do is to make it clear to you, and to me, whether or not you want me or the Dallas Bar Association to do anything about getting a lawyer right now."

And he said, "No." "....As I left the chief asked me whether or not I wanted to make a statement to the press, and I said, "Well, I don't know whether I do or not. I don't know whether it is the thing to do or not." And he said, "Well, they are going to be right outside the door there, and if you want to say anything this would be an opportunity to do it. Incidentally, I am very glad you came up here. We don't want any question coming up about us refusing to let him have a lawyer. As far as I know, he has never asked for one. He has never asked to call one." We know that this is utter rubbish.

Curry lasts for just over five minutes and then makes his exit.

The Dallas Morning News of Louis Nichols' obituary makes a mention of a few interesting bits.

Esteemed law school deans from "back East" were calling to express concern that only a legal backwater would deny an attorney to a murder suspect, Mr. Nichols' friends told him.

Nichols described Oswald, who was dressed in a white T-shirt and slacks, as calm and rested. He had a bruise over one eye but appeared to be in good health.

He said that police were holding him "incommunicado" and that he did not know what had happened to the president, Mr. Nichols told the Warren Commission.
Oswald said he wanted a New York lawyer named John Abt or a lawyer associated with the American Civil Liberties Union to represent him. Oswald also wanted a lawyer “who believes as I believe, and believes in my innocence.”

“What I am interested in is knowing right now, do you want me or the Dallas Bar Association to try to get you a lawyer?” Mr. Nichols asked Oswald.

“No, not right now,” he replied. And this, knowing that he had appealed to Ruth Paine and his mom to contact Abt at about the same time, rings true. If only Nichols had appeared a few hours earlier……

Mr. Nichols, who was 47 at the time, left the jail cell confident that he had done his duty as bar association president.

And this video by Jessica Smith H. Louis Nichols remembers that day in this edited video segment of the interview.

Nichols saw Oswald on Saturday evening around 6 PM and not on Friday evening as the article states.
18:25 Oswald demands hygienic rights

In the video below, taken Saturday the 23rd at about 18:25, Oswald on his way to Fritz’s office for another interrogation is heard demanding basic fundamental hygienic rights, such as a shower. This is after he has been seen by H. Louis Nichols, who was seen talking to the press around the same time. That is Detective C.W Brown in the foreground. Oswald was escorted by Hall, Graves and Sims.
18:30-19:15 Sixth Interrogation

Present are:
D.P.D.: Will Fritz, Gus Rose
F.B.I.: James Bookhout
Secret Service: Thomas Kelley

“Denied shooting shooting Pres says didn’t know Gov. shot”
During this interrogation the back yard photos are brought up.
James Bookhout releases a report about these on Nov. 25th (dictated the day before).
He is advised of his rights in this report.
In that same report he makes mention of Oswald complaining of not being allowed to
wear a jacket during the line-up earlier.

During this interrogation the back yard photos are brought in as evidence, Oswald claims
these are faked.

One of the BYP, from the Harry Livingstone Archive. I suspect these coming from Jack White originally.
LEE HARVEY OSWALD was interviewed at the Homicide and Robbery Bureau, Dallas Police Department, at 6:30 p.m., by Captain J. W. FRITZ in the presence of Special Agent JAMES W. BOOCHOUT, Federal Bureau of Investigation. OSWALD was advised of the identity and official capacity of said Agent and the fact that he did not have to make any statement, that any statement he did make could be used in a court of law against him, and that any statement made must be free and voluntary and that he had the right to consult with an attorney.

Captain J. W. FRITZ exhibited to LEE HARVEY OSWALD a photograph which had been obtained by the Dallas Police Department in a search by search warrant, of the garage at the residence of Mrs. RUTH Paine, located at Irving, Texas, which photograph reflects OSWALD holding a rifle and wearing a holstered pistol. OSWALD was asked if this was a photograph of himself. OSWALD stated that he would not discuss the photograph without advice of an attorney. He stated that the head of the individual in the photograph could be his but that it was entirely possible that the Police Department had superimposed this part of the photograph over the body of someone else. He pointed out that numerous news media had snapped his photograph during the day and the possibility existed that the police had doctored up this photograph.

OSWALD denied that he had purchased any rifle from Kleins Store in Chicago, Illinois.

OSWALD complained of a lineup wherein he had not been granted a request to put on a jacket similar to those worn by some of the other individuals in the lineup.

This document contains sensitive information and is the property of the FBI. It is to be treated as a confidential document and is to be returned to your agency, and its contents are not to be discussed outside your agency.
Gus Rose sits in on the Oswald interrogation session with Captain Fritz on Saturday the 23\textsuperscript{rd}. This is after the ‘find’ of the back yard photographs. Read his HSCA testimony on this below.

Rose: I don’t remember. We got the photo and the negative.

Moriarty: Either one of each or two of each.

Rose: Right. It could have been more than the one. After we come back from Irving on that particular search, which was my last trip to Irving by the way, uh, Captain Fritz called Oswald down for a further interrogation and I sat in on that particular interrogation with Captain Fritz and Oswald. Captain Fritz showed Oswald the photograph that we had recovered at Irving and Oswald became visibly upset. Now, he wouldn’t admit that that was a photograph of him. He said first, his explanation was that I know about photography, and someone has superimposed my face on that body. And then, Captain asked him, “Then, is your face on that body?” He said, “Well, I won’t even admit that. It’s just somebody that looks like me.” And so from there on he would not even admit that it was his face in the photograph.

Moriarty: When you first went there, this was on Friday, the 22\textsuperscript{nd}, uh, you didn’t really advise why you were there? I take it you didn’t have to tell Ruth Paine why you were there?

Rose: No, I didn’t. In fact at the time that she came to the door she said uh, I’ve been expecting you all, is the way that she said it. Come on in. I assumed that she
Thomas Kelley in his third report on the interrogations mentions the back yard photos and Oswald’s demeanour.
As you have read above the back yard photos come to light during this interrogation, and even Chief Curry makes a mention of them during his W.C. testimony.

Mr. DULLES - Could I ask a question? What was Oswald’s attitude toward the police? Have you any comment on that?
Mr. CURRY - The only things I heard him say, he was very arrogant. He was very—he had a dislike for authority, it seemed, of anyone. He denied anything you asked him. I heard them ask once or twice if this was his picture or something, he said, "I don’t know what you are talking about. No; it is not my picture," and this was a picture of him holding a rifle or something. I remember one time they showed him and he denied that being him.

Check the video below where upon leaving the Homicide & Robbery Bureau and being interrogated for the sixth time by Captain Fritz. Oswald is being escorted down the corridor again and this time he emphatically denies the charges being levied on him. Oswald is closely followed by Charles Dhority (dark hat). On the left F.M. Turner
In the video above Fritz is seen in front of the cameras on the 23rd and gives the following statement: “There is only one thing I can tell you. Without going into evidence. This case is cinqued. This man killed the President. There is no question in my mind about it.” He brushed aside all other questions. Overall this was a false claim since the evidence at that time was very weak. Better yet there was nothing present that could put Lee Oswald on the 6th floor at that time while the motorcade passed by. If one thing was certain it was that Fritz did nothing to investigate Oswald’s alibi, in which he clearly stated to be on the first floor when it all went down. And this being on the 23rd Fritz could have easily said we had arraigned him earlier this morning for the killing of the Pres., but he did not…this does not rhyme at all.

The evidence they did have was ‘confiscated’ by the FBI who had it all sent to Washington, D.C. for further testing and analysis. This by itself would have delayed any “judgement” regarding his guilt by at least a few days, but Fritz and Wade worked the cameras real good………………

But now I ask the reader to look into this with the context of the so called murder charge of J.F.K. happening 15 odd hours earlier. Had the actual charge happened then Fritz would have mentioned this and the press would have taken note.

In the newspaper article on the next page, Henry Wade is quoted as “there is no thing as a cinch, I do believe we have a good case”
In the following video, a find by Greg Parker in May 2018, from the documentary The Lost JFK Tapes. Oswald is being taken into the corridor and low and behold Marrion Baker walks from a few feet towards him and averts away.
Suspect Purchased Rifle in Chicago

By Wayne Thomis
[Chicago Tribune Press Service]

Dallas, Nov. 23—President Kennedy was assassinated here Friday by bullets fired from a mail order rifle purchased in Chicago for $12.78.

The Federal Bureau of Investigation announced in Washington and in Dallas that the weapon found at the scene of the assassination, a 6.5 mm. Italian military rifle, had been delivered to a Dallas postoffice box. The FBI has in its possession the original letter ordering the weapon for Dallas delivery.

This letter was signed “A. Ridell.” In a statement from Washington, the FBI positively identified the handwriting of the letter and the signature as being identical with known samples of the handwriting of Lee Harvey Oswald, 24, the suspect who has been held for the President’s murder since his capture within one hour of the tragedy.

Bolstering the FBI findings were others of the Dallas police here tonight.

Homicide Capt. Will Fritz announced that he has in his possession two black-and-white photographs showing Oswald holding a rifle in one hand and displaying a revolver on his hip. Fritz said that the rifle in the photograph has been identified as the assassin’s weapon. He said the revolver was the one used by Oswald in the murder of Dallas policeman J. D. Tippitt.

Policeman Shot to Death on Street

Tippitt was shot to death on the street of a Dallas residential neighborhood approximately 45 minutes after President Kennedy was slain and Gov. John B. Connally of Texas was wounded.

The shootings occurred when a concealed sniper fired on the Presidential motorcade. Two shots struck the President and one pierced Gov. Connally’s lung. The governor is recovering in a Dallas hospital.

The developments of the evening occurred within an hour after the inquiry appeared to be bogging down. The first break came when Capt. Fritz stated that the assassination rifle had been positively traced to Chicago and that the FBI had positively linked it to Oswald.

Within 10 minutes Oswald was brought down for his third interrogation of the day. He was almost smirking when he passed down a corridor to the interrogation room. Reporters standing by called to him, “Have you anything to say?”

“I certainly have,” Oswald yelled back. “I would like to exercise my fundamental hygienic rights to take a shower and change clothes.”

Lawyer Visits Oswald in Cell

With that he was inside the interrogation room and out of earshot.

Seconds later, H. Louis Nichols, chairman of the Dallas Voluntary Bar association, appeared at the homicide-office. He
20:00 Oswald makes another phone call.
22:15 The Raleigh Call that did not happen.

I do not believe that Oswald made a call to Raleigh, let alone spoke with John David Hurt. Nor do I subscribe to the story Grover Proctor and others before him have brought forward. There is simply too much wrong with it. By just going through the batch of statements on Proctor’s page there are a quite a few inconsistencies, plus an event of this calibre has a few too many memory lapses as well. It is shocking to see that researchers walked away with this story since the mid-70's when they should have known better. Anthony Summers at first adopted this story in his book Conspiracy, but in a later release it was removed. He knew.....

So what is wrong?

There is the lack of any report of Oswald making a call at that time, compared to the 3 calls clearly documented earlier that day, other than an alleged slip signed by Louise Swinney who works at the switch board there is nothing physically present to support this claim.

Swinney was the supervisor and Alveeta Cave Treon was there. Treon’s daughter Sharon Kovac was present as well when it allegedly happened.

Louise Swinney’s statements.

On Feb 2nd 1978 She remembers, shortly thereafter, that Oswald tried to make two calls. One to “Lawyer Apt.” [sic.] in New York and she doesn’t remember where the other call was to. The name John Hunt [sic.] is not familiar to her. She stated that she did not put either call through for Oswald. The detectives left after they got the numbers. She states that she wrote the numbers on a blue piece of paper and she believes she may still have it at home. She will try to find it for me. She remembers Alveeta Treon well, but does not recall if they worked together on the night of 11/23/63.

Then on April 20th in an outside contact report (see next page) things get better when the slip gets into play: I showed Louise Swinney, a Xerox copy of the slip containing information on a phone call placed by Lee Harvey Oswald to John Hurt, Raleigh, N.C. on November 23, 1963 and bearing her signature. She stated that it was definitely [sic.] not her signature. She was upset that someone had signed her name. She stated that she never handled a call from Oswald to John Hurt. She stated that she only handled a call from Oswald to Lawyer Apt [sic.] and another one that she cannot remember, but it was not to John Hurt. Mrs. Swinney insisted on giving me samples of her handwriting and told me that she would have no reason to lie. She stated that only someone working in the switchboard room could have made that out and Alveeta Treon [sic.] was the only other person working that night.
Let’s compare Swinney’s statements with Alveeta Treon.

In an interview of **Nov 7th 1978** Alveeta Treon says: Mrs. Treon said that it has concerned her from conversations with Committee investigator Harold Rose that we might not have completely correct information. She says the sequence at the switchboard was that when Oswald came on, both she and Louise Swinney got on the line to take the call. She said, however, it was clear that Mrs. Swinney intended to handle it, as though she had instructions, so Mrs. Treon let her handle it, but Mrs. Treon stayed on the line. She said she was therefore able to hear everything Oswald said and she is sure he asked for the name John Hurt and gave the two numbers. She said that as she listened she wrote the information down on a regular telephone call slip. However, since Mrs. Swinney actually handled the call, Mrs. Treon signed her name to the slip she intended to keep as a souvenir. She said the notations on the slip of “DA” and “CA” stand for did not answer and cancelled, because the call was never actually put through. Mrs. Treon said she never retrieved any paper from the wastebasket on which Mrs. Swinney supposedly entered the information.
Mrs. Treon said her lasting impression of the events that night is that Mrs. Swinney had been instructed by someone to not put the call through to Oswald. She said her belief was strengthened by the fact that Mrs. Swinney did not leave work as soon as Mrs. Treon came on that night as she usually did. Instead she remained as though she had been assigned to handle the call.

These two statements by itself should have been enough to question Treon and Kovac and the truthfulness of their story. Neither Treon nor Kovac can keep their story straight and seem to have forgotten things.

Then there is the matter of two detectives who are present while Oswald is making the call and who are there to prevent the call getting through. The documents of the earlier phone calls show that Oswald was given every opportunity to talk to whomever he wanted to talk to. The phone call at 16:00 lasts no less than 30 minutes.

Oswald thanked Fritz for letting him use the phone, in his W.C. testimony Fritz states:

Mr. BALL. Was there anything said about calling him on the telephone?
Mr. FRITZ. A little bit later.
Mr. BALL. Not that time?
Mr. FRITZ. Not that minute. A little bit later, he asked something else about an attorney and I said, “Did you call an attorney?” And he said, “You know I can’t use the telephone.” And I said, “Yes, you can; anybody can use a telephone.” So, I told them to be sure to let him use a telephone and the next time I talked to him he thanked me for that, so I presume he called.

In her Nov 7th 1978 interview Mrs. Treon said she also intended to tell Rose that her daughter Sharon thought she recognized one of the men who came into the telephone room when Oswald tried to make his call. She said Sharon thought the man might have been one of the officers who was with Oswald just before he was shot in the basement; she thought it was the one who was handcuffed to him.

Which can only be Jim Leavelle or L.C. Graves.

Treon’s daughter Sharon Kovac, contradicts matters in her statement from Dec. 16 1978 even more: Ms. Kovac said she cannot recall anyone else being present in the switchboard room that night besides herself and her mother. She said she knows Louise Swinney, her mother’s supervisor, but she does not recall Mrs. Swinney being present at the time. She said when Oswald called in, it is her recollection that her mother handled the call and she remembers seeing her mother open her key on the switchboard at the time of the call.

Swinney who allegedly took the call and wrote the slip and her was supposedly looking on, but the above contradicts this.

With regards to IDing the two detectives who were there to prohibit the call from going through. In the Dec. 16 1978 statement by Sharon Kovac: She said that on Sunday, November 24, 1963 when Oswald was shot in the Dallas Police Department basement, Lt. Leavelle, the man to whom Oswald was hand cuffed at the time of the shooting resemblance one of the men who had come into the switchboard room on November 23, but she does not believe it was Lt. Leavelle.

Which in all honesty doesn’t give us anything as to who they actually were. Nor is there any follow up investigation regarding this. No pictures shown, nothing.

In an interview of April 11th 1978 John Hurt, who has been discharged since 1946 and is severely disabled, denies the whole thing.

The Raleigh Call did not happen so it’s best to stop here. Unless you wish to read it in greater detail here.
Nov 24th
09:30- 11:15 Seventh Interrogation

Present for the D.P.D. are Will Fritz, Jim Leavelle, L.C. Graves, L.D. Montgomery and Charles Dhority. Chief Jesse Curry pops in as well.
F.B.I.: James Bookhout.
U.S.P.S.: Harry Dean Holmes.

- Jim Leavelle, during his W.C. testimony talks about the interrogation on Sunday morning the 24th. The interrogation he was actually present at. Ask yourself this, had he interrogated Oswald at the very beginning he would have said something about this and also would have asked additional follow-up questions that morning about it. Yet there is no mention of this anywhere to be read in his testimony. And it gets juicier!

Mr. RALL. Now, on November 24, on Sunday morning, did you return to work about the same time, 8 o’clock, or so?
Mr. LEAVELLE. Little before 10, I believe, or something.
Mr. BALL. And, were you ordered by Captain Fritz to get Oswald?
Mr. LEAVELLE. Yes; I don’t-I see here it says 9:30 whatever the official time was, I think it probably was maybe about that time.
Mr. BALL. Where did you go to get Oswald?
Mr. LEAVELLE. I had to go to the fourth floor jail.
Mr. BALL. Did you handcuff him?
Mr. LEAVELLE. Yes; I did.
Mr. BALL. Were his handcuffs in the front or in the rear?
Mr. LEAVELLE. In front.
Mr. BALL. Where were you taking him?
Mr. LEAVELLE. Took him down the inside elevator to the third floor into Captain Fritz’s office.
Mr. BALL. Who was present at that meeting in Captain Fritz’s office?
Mr. LEAVELLE. Well, I can recall, I believe during that time I was there, there were several people in and out. I believe primarily myself and Mr. Graves and Dhority and L.D. Montgomery were in there most of the time, I don’t know. We were in, probably might have stepped outside the door at one time or another but primarily we were around and also Mr. Kelley, Secret Service, and a man from the postal inspector’s office. I cannot recall his name at this time. He should be on here--oh, yes, Mr. Sorrels and Holmes of the postal department. So, those people and Chief Curry came in once or twice. All those people may not have stayed in there constantly during the time but they were in there at some time or other.
Mr. BILL. Did these various people ask questions of Oswald?
Mr. LEAVELLE. I know Mr. Sorrels did and I know Mr. Kelley did. I do not recall whether Mr. Holmes asked any questions or not and Captain Fritz asked him some.
Mr. BALL. Do you remember what Mr. Sorrels asked him?
Mr. LEAVELLE. No; I don’t.
Mr. BALL. Remember what Mr. Kelley asked him?
Mr. LEAVELLE. I can only remember one question Mr. Kelley asked him and that was whether or not he thought the attitude of the U.S. Government toward Cuba would be changed since the President has been assassinated. To my knowledge, that is the only one I can recall.
Mr. BALL. What did Oswald say?
Mr. LEAVELLE. Oswald turned and asked Captain Fritz, said "I am filed on for the President’s murder, is that right?" And, Captain Fritz told him yes and he told Mr. Kelley, he said "under the circumstances, I don’t believe that it would be proper." That might not be the words he used, but wouldn’t he right, anyway, for him to answer that question because whatever he said might be construed in a different light than what he actually meant it to be, but he went on to say he felt like when the head of any government died or was killed, whatever, there was always a second in command who would take over and he said in this particular instance it would he Johnson. He said "So far as I know, Johnson’s views and President Kennedy’s views are the same", so. He would see no particular difference in the attitude of the U.S. Government toward Cuba. That’s about the main-the only one, because he went into such detail on it, the only one I thought was a little elaborate for him to go into that type of answer, the reason I remembered it.
Mr. BALL. Do you remember any question Captain Fritz asked him?
Mr. LEAVELLE. I remember that the captain asked him about the shooting of the President and the shooting of the officer: I know he did ask him that and I know Oswald did deny it, both times.
Mr. BALL. That he had shot President Kennedy and Tippit?
Mr. LEAVELLE. Yes; he denied shooting either am? He did say this “If you want me to ‘cop’ out to hitting or pleading guilty to hitting a cop in the mouth when I was arrested”. He said “Yeah, I plead guilty to that” but he--I do know that he denied the shooting of both the President and Tippit.
Mr. BALL. Can you remember any other questions asked Oswald by Captain Fritz?
Mr. LEAVELLE. No. not offhand; I would probably remember them if I heard the questions but I don’t remember offhand.
Mr. BALL. Did anybody talk to him about the post office box?
Mr. LEAVELLE. Yes; Sir. Kelley asked him several questions and probably Mr. Sorrels about the post office box. Both here and one he had in Shreveport wherever it was.
Mr. BALL. New Orleans?
Mr. LEAVELLE. New Orleans, yes.
Mr. BALL. Do you remember what Oswald said?
Mr. LEAVELLE. Since you mentioned it, I do remember them talking to him about the New Orleans and he’s asking him about this other name, this
Mr. BALL. Alek Hidell?
Mr. LEAVELLE. Yes; and he asked him if he knew Alek Hidell; said he didn’t know if he ever heard of the name. He never heard of that and asked him several questions along that line and then after he had denied all knowledge of Alek Hidell, Mr. Kelley asked him, said “Well, isn’t it a fact when you were arrested you had an identification card with his name on it in your possession.” He kind of grunted, said “Yes that’s right” and he said “How do you explain that?” And. as best my knowledge. He said “I don’t explain it.”
Mr. BALL. Anybody ask him about a gun. Whether or not he bought a rifle?
Mr. LEAVELLE. I am sure they did. I remember some of them asking about the rifle and about it being sent to the box here in Dallas but I do not recall. I am not sure he denied it but I do not recall what his exact denial was.
Mr. BALL. You say he denied it. Do you remember whether or not he denied that he had bought a rifle?
Mr. LEAVELLE. To the best of my knowledge I do. He did deny it hut I would not swear to it.
Mr. BALL. Was anything said about a revolver?
Mr. LEAVELLE. I am sure they asked him something about the revolver, too, but I do not recall what it was.
Mr. BALL. Did he say whether or not he had a revolver in his possession at the time of his arrest?
Mr. LEAVELLE. I do not recall what the questions was along that line or even what the answers was. Like I say. I am sure that they did. It seems as though my memory tells me that he did not deny taking the revolver but there, again. I would not want to say definitely.
Mr. BALL. Did you make any notes of the conversation?
Mr. LEAVELLE. So I did not myself. That was the only time I ever sat in on the interrogations of him by Captain Fritz or anyone.

Oswald’s legal representation did come up once again as described by Jim Leavelle during his W.C. testimony:

Mr. BALL. In that meeting did he ask for a lawyer?
Mr. LEAVELLE. No; I know Captain Fritz asked him if at one time, if he handed him a telegram-in fact. I believe it was sent by some attorney, if my memory serves me right, and he said he did not particularly want him but he would take that and if he didn’t do any better he would contact him at a later time. I do not recall what lawyer it was. It seems like some lawyer in the East sent the telegram volunteering his services to Oswald.
Mr. BALL. That is there on Sunday morning, the 23rd? (24th.-B.K.)
Mr. LEAVELLE. Yes.
Mr. BALL. In the course of this meeting which you have been describing--
Mr. LEAVELLE. Yes.
Mr. BALL. What did Oswald say?
Mr. LEAVELLE. He said that he preferred-he never had gotten in touch with this lawyer in New York City that represented the American Civil Liberties Union and he wanted to get
in touch with him and said if he didn’t do any better, or could not get him, he would like to talk with this man about it.

The telegram Leavelle refers to during the Nov 24th interrogation session is the one from David McDervid and is most interesting, it shows that the DPD wasn’t bothered much into helping him with obtaining legal counsel. The telegram had arrived almost 24 hours earlier.

- Forrest Sorrels took notes during the interrogations and they were buried inside the Warren report, for everyone to see yet no one picked up on them until Larry Haapanen brought it to light in the late nineties.

The top half of his written notes concerns Oswald, the bottom half deals with Ruby as he interviewed Ruby shortly after he had smoked Oswald. There is nothing of value in these few sentences scribbled down by Sorrels regarding this particular segment of the case. One has to wonder whether there was not another page in front of that page inside the notebook with more of Oswald’s interrogation.
Forrest Sorrels' W.C. testimony:

Mr. STERN - Was that Sunday interview extended beyond any time that you know of that it was scheduled to end?
Mr. SORRELS - Yes; it was, because the papers seemed to have gotten the impression that he was going to be moved at exactly 10 o'clock in the morning, and Captain Fritz was talking to him even after 11 o'clock in the morning--we were still there. And I recall that Chief Curry came around and asked Captain Fritz how long he was going to be, or what was holding it up, or something like that, that they wanted to go ahead and get him moved as quick as they could.
Mr. STERN - Did he indicate or did you understand that they wanted to move him at 10 o'clock?
Mr. SORRELS - It was after 10 o'clock then, considerably. As a matter of fact, it was after 11 at that time. Captain Fritz remarked to me afterwards, he said, "Well, as long as it looks like he might talk, I hesitate to quit, or move him out at that time," and he told Chief Curry, "We will be through in a few minutes."
And shortly after that, Captain Fritz asked if anyone wanted to ask him any questions, and, at that time, the postal inspector had obtained a change of address card which Oswald had apparently filled out in which one of the names shown on that change of address card that was to receive mail at that particular address in New Orleans was named A. Hidell. And I desired to question Oswald about that thing, because he had denied purchasing this rifle under the name of A. Hidell, and he denied knowing anybody by the name of A. Hidell.
So I showed Oswald this change of address card and said to him, "Now, here is a change of address card that you filed in New Orleans," and he looked at it.
He did not deny that he had filed the card, because it was apparently in his handwriting, and his signature. And I said, "Now you say that you have not used the name of A. Hidell, but you show it on this card here as the name of A. Hidell, as a person to receive mail at this address. If you do not know anyone by that name, why would you have that name on that card?"
He said, "I never used the name of Hidell."
Mr. STERN - That was the last question he was asked?
Mr. SORRELS - As far as I know.
Mr. STERN - And then what happened?
Mr. SORRELS - He was told that they were going to move him to the county jail, and he requested that he be permitted to get a shirt out of his--the clothes that had been brought in, that belonged to him, because the shirt he was wearing at the time he had been apprehended was taken, apparently for laboratory examination. And so Captain Fritz sent and got his clothes and, as I recall it, he selected a dark colored kind of a sweater type shirt, as I recall it. And then he was taken out, and, at that time, as I recall it, Inspector Kelley and I left and went up to---I say up---down the hall to the executive office area of the police department, and to the office of Deputy Chief Batchelor.
And we remained in that vicinity. I looked out the window, and saw the people across the street, on Commerce Street, people were waiting there. And I saw an individual that I know by the name of Ruby Goldstein, who is known as Honest Joe, that has a second-hand tool and pawnshop down on Elm Street, and everyone around there knows him. He was leaning on the car looking over in the direction of the ramp there at the police station. And we were just waiting around there.
And for a few minutes I was talking to one of the police officers that was on duty up there in that area. And he had made the remark, "talking about open windows, I see one open across the street over there" at a building across the street.
I looked over there. I didn’t see any activity at the window. And we had walked out into
the reception area of the executive office of the Chief of Police there when this same
police officer said that he just heard that Oswald had got shot in the stomach in the
basement by Jack Rubin, as I understood at that time, R-u-b-i-n--who was supposed to
run a night club. Inspector Kelley and I then went just as hurriedly as we could to the
basement.

And later on during that same testimony.

Mr. HUBERT. You did see Oswald, I think, on Sunday morning, November 24?
Mr. SORRELS. Yes, sir.
Mr. HUBERT. Could you tell us where and at what time?
Mr. SORRELS. That was in the office of Capt. Will Fritz of the homicide division of the
Dallas Police Department. It was somewhere around 11 o’clock in the morning, and he
was removed from Captain Fritz’ office at approximately I guess about 11:15.

Below is the Griffin and Hubert memo to J. Lee Rankin from March 23rd 1964 on Forrest
Sorrels’ account of that particular interrogation on Sunday morning..
Thomas Kelley made a three page report on this particular session as well.
I asked Oswald whether as a Marxist he believed that religion was an opiate of the people and he said very definitely so that all organized religions tend to become monopolistic and are causes of a great deal of class warfare. I asked him whether he considered the Catholic Church to be an enemy of the Communist philosophy and he said well, there was no Catholicism in Russia; that the closest to it is the Orthodox Churches but he said he would not further discuss his opinions of religion since this was an attempt to have him say something which could be construed as being anti-religious or anti-Catholic.

Capt. Fritz displayed an Enco street map of Dallas which had been found among Oswald's effects at the rooming house. Oswald was asked whether the map was his and whether he had put some marks on it. He said it was his and remarked "My God don't tell me there's a mark near where this thing happened". The mark was pointed out to him and he said "What about the other marks on the map? I put a number of marks on it. I was looking for work and marked the places where I went for jobs or where I heard there were jobs".

Since it was obvious to Captain Fritz that Oswald was not going to be cooperative, he terminated the interview at that time.

I approached Oswald then and, out of the hearing of the others except perhaps one of Captain Fritz's men, said that as a Secret Service agent, we are anxious to talk with him as soon as he had secured counsel; that we were responsible for the safety of the President; that the Dallas Police had charged him with the assassination of the President but that he had denied it; we were therefore very anxious to talk with him to make certain that the correct story was developing as it related to the assassination. He said that he would be glad to discuss this proposition with his attorney and that after he talked to one, we could either discuss it with him or discuss it with his attorney, if the attorney thought it was the wise thing to do, but that at the present time he had nothing more to say to me. Oswald was then handed some different clothing to put on. The clothing included a sweater. Captain Fritz made a number of telephone calls to ascertain whether the preparations he had placed into effect for transferring the prisoner to the County Jail were ready and upon being so advised, Captain Fritz and members of the Detective Bureau escorted Oswald from the Hospital Office on the third floor to the basement where Oswald was shot by Jack Ruby.

On the completion of the interview, SAIC Sorrels and I proceeded to the office of the Chief of Police on the third floor and were discussing the interview when we heard that Oswald had been shot. We both ran down the steps to the basement. I arrived in the ante-room where they had dragged Oswald. SAIC Sorrels located and interviewed Ruby. Someone was bending over Oswald with a stethoscope and he appeared to be unconscious in very serious condition at that time. I asked Captain Fritz what had happened and he said Oswald had been shot by one Jack Ruby to whom the police knew as a tavern operator. Shortly thereafter a stretcher arrived and I accompanied the stretcher to the ambulance which had been hastily backed into the garage. I observed that during the transfer that Oswald was unconscious; when the ambulance drove away from the building, I attempted to board a cruiser that apparently was going to follow the ambulance but I was unable to get into the car before it pulled away. Special Agents Warner and Patterson had heard of the shooting on their radio, proceeded to Parkland Hospital where Oswald was being taken and arrived very shortly after Oswald had arrived at the emergency entrance and was
being taken into the emergency treatment room. One or the other of these agents was in close proximity to Oswald while he was being treated. When I arrived at the hospital, I rode up on the elevator with Dr. Shaw who had looked at Oswald as he had come in and was being recalled to the operating room where Oswald had been taken. While Oswald was in the operating room, no one other than medical personnel was present but a Dallas policeman who had accompanied Oswald in the ambulance was standing in the doorway of the operating room in operating room scrub clothes. No other investigating personnel were in the vicinity. In the immediate vicinity of the detective was Special Agent Warner. Oswald made no statements from the time he was shot until the time of his death. He was unconscious during the ambulance run to the hospital which I verified through Detective Daugherty, who accompanied him. He did not regain consciousness at any time during the treatment until he died. At the time of his death, myself, Detective Daugherty and Colonel Garrison of the Texas State Police were on the fifth floor of the hospital arranging a security room in which to take Oswald, in the event he survived the operating room treatment. It was never necessary to use this room and upon learning of his death, I proceeded to the morgue to arrange for his family to view the body. When the family heard of the death they were in the process of being interviewed by Special Agents Kunkel and Howard, and requested to be brought to the hospital. Oswald's brother, Robert, who had also come to the hospital, was being interviewed by Special Agent Howitt. Before the post-mortem was performed, Oswald's family, with the exception of Robert, viewed the body. Robert arrived too late to view the body before the autopsy had started and was not permitted by hospital authorities to view the body. The family was accompanied during the viewing by the hospital chaplain.

After making arrangements through the chaplain and another clergyman for the burial of the body, the family was returned to a secluded spot under the protection of Special Agents Kunkel and Howard, and the Irving Texas police. Precaution was taken to insure their safety in view of the excitement caused by the killing of Oswald. Special Agents Howard and Kunkel did an excellent job in handling the security of this family detail and insuring their safety. Thereafter, I was called by SAC Bock who advised me that the President and the Attorney General were concerned about the safety of this family and instructed that all precautions should be taken to insure that no harm befell them. SAC Bock was advised that the family was presently under our protection; we would continue providing protection until further notice.

Later that same day, I was contacted by SA Robertson of the FBI who asked whether we had someone with the family. He was assured that we had. He requested to be advised where the family had been taken. Since their ultimate destination was unknown to me at the time, I assured him that when I learned of their whereabouts I would relay it to him. He said that they received instructions from the Attorney General and President Johnson that precaution should be taken to insure the family safety.

At 11 pm, Sunday, November 26th, I was advised of the location of the family and immediately notified Robertson and inquired whether they now wished to take over their protection. He said no they had no such instructions, they merely wished to be assured that someone was looking out for their safety. I assured them that
Harry Dean Holmes, a Postal Inspector, and informant of the FBI was present on Sunday morning the 24th.

Holmes makes it sound that he was there Friday and Saturday as well, but no paperwork or statement is present to support that.

In case you were wondering why the USPS were to be involved with the interrogations of Lee Oswald, then this is because the mail order of the rifle, which no one could recollect ever handing it to Oswald, and his P.O. Box. Holmes was present on Sunday the 24th, leaving his wife at church, and seeing whether he could be of any help. Low and behold Will Fritz calls him in for the interrogation of Oswald.
Charles Dhority in his Warren Commission testimony testified that Holmes took notes during the interrogations and of course his memory deserts him when asked what questions were put forward to Oswald.

Mr. BALL. Now, were you present at some time on the 24th when Oswald was in Captain Fritz' office?
Mr. DHORTITY. Yes, sir.
Mr. BALL. That would be Sunday, November 24.
Mr. DHORTITY. Yes, sir.
Mr. BALL. Tell us about what you did that day, on the 24th of November.
Mr. DHORTITY. Well, on--I went up to jail along with Leavelle and Graves and got him and brought him down to Captain Fritz' office that morning.
Mr. BALL. Who was present in Captain Fritz' office that day?
Mr. DHORTITY. Well, Captain Fritz and Mr. Kelley and Mr. Sorrels.
Mr. BALL. Mr. Sorrels of the Secret Service?
Mr. DHORTITY. And Mr. Holmes.
Mr. BALL. And Holmes is what?
Mr. DHORTITY. Of the Post Office Department.
Mr. BALL. What time did you bring him into Fritz' office?
Mr. DHORTITY. About 9:30 in the morning.
Mr. BALL. What time did you leave there?
Mr. DHORTITY. Oh, I imagine it was shortly after 11 o'clock when Captain Fritz gave me the keys to his car and told me to go get it down there in front of the jail office to move Oswald down to the County in.
Mr. BALL. What was said there in Fritz's office that day---do you remember any of the conversations?
Mr. DHORTITY. There was a lot of conversation.
Mr. BALL. What did they talk about--the people in there?
Mr. DHORTITY. Well, they were talking to Oswald and Mr. Kelley talked to him and Mr. Sorrels talked to him--I don't think Mr. Holmes talked to him too much. I think he recorded most of the interviews, as well as I remember.
Mr. BALL. Do you remember what was said?
Mr. DHORTITY. I couldn't remember all that was said.
Mr. BALL. Did you make any notes?
Mr. DHORTITY. No, sir; I didn't.

L.C. Graves makes mention of Holmes and the happenings around the Sunday morning interrogations of Oswald in Larry Sneed's No More Silence: "Around 9:30 Leavelle and I were sent upstairs and brought Oswald down to Captain Fritz's office which was rather small, probably about nine feet by twelve. I don't remember all that were in on the questioning, but Mr. Holmes of the postal service was there and probably Mr. Bookhout with the FBI and Captain Fritz. There may have been others but I don't recall offhand. We just went on out and started looking through our papers and whatever because we knew they weren't going to be in there long, and we didn't want to clutter the room any more than necessary. Besides, you could never get a word in edgeways anyway, so we just left out. I never entered the room during the questioning. We could see in the room and when everybody got up and left, we went back in."

In Holmes' report from Nov. 24th and handed to the FBI (SA Charles T. Brown Jnr.) on Dec. 17th.
Holmes, in his affidavit he stated that Fritz asked Oswald about the Hidell I.D. card, and Oswald “flared up and stated ‘I’ve told you all I’m going to about that card. You took notes, just read them for yourself, if you want to refresh your memory’.”
In the S.F. Chronicle of Jan 19th 1978, shown below, Holmes repeats that Oswald emphatically denied having any knowledge of the Kennedy shooting.

San Francisco Chronicle Jan 19 1978.

Holmes’ Warren Commission testimony contains some important clues. Actually he gives the game away regarding Oswald’s whereabouts and actions during and just after the shooting, in the sense that he was not as tight lipped as Fritz and co. were. And that Holmes must have missed the ‘memo’ regarding D.P.D.’s collective amnesia when it came to Oswald’s interrogations and more importantly his alibi.

- Oswald talked about the commotion and went out to see what this was about.
- Holmes places Oswald’s encounter with the policeman and Roy Truly near the front door of the building.
- Upon persistent re-questioning where Oswald was during the encounter Holmes describes the encounter happening in the vestibule.
- Holmes also fails to uphold the coke story to such an extent that no one is able to determine where Oswald bought it and what he actually did with it, It is as shady as Roy Truly’s multiple story varieties where Oswald exactly was standing when encountered by Baker (sitting down in a booth drinking a coke, standing next to the vending machine and so on).
- In his W.C. testimony the police man asked Oswald to “step aside” which rings more true for something happening near a front door than inside a lunch room as Baker and Truly said that they turned around and made their way upstairs. This exact phrase was also used by Holmes in his own report.
of it in New Orleans, and I got the impression that Captain Fritz was trying
to get out of him the fact that he was the head man or the president of it, and
he kept evading that and would be real evasive. But finally he admitted that
he was, he said, "Actually, it was a loosely organized thing and we had no
officers, but probably you could call me the secretary of it because I did collect
money." In other words, "Secretary-Treasurer, because I did try to collect a
little money to get literature and work with."

Then I asked—oh, he mentioned, too, he said, "In New York they have a well
organized or a better organization."

Well, I asked him, or one of us asked him about, "Is that why you came to
Dallas, to organize a cell of this organization in Dallas?" And he said, "No,
not at all."

"Did you work on it or intend to organize here in Dallas?"

"No," he said, "I didn't. I was too busy trying to get a job." That is about
all he said about it.

Mr. Belin. Did anyone say anything about Oswald saying anything about
his leaving the Texas School Book Depository after the shooting?

Mr. Holmes. He said, as I remember, actually, in answer to questions there,
he mentioned that when lunchtime came, one of the Negro employees asked
him if he would like to sit and eat lunch with him, and he said, "Yes, but I
can't go right now." He said, "You go and take the elevator on down." No,
he said, "You go ahead, but send the elevator back up."

He didn't say up where, and he didn't mention what floor he was on. Nobody
seemed to ask him.

You see, I assumed that obvious questions like that had been asked in previous
interrogation. So I didn't interrupt too much, but he said, "Send the elevator
back up to me."

Then he said when all this commotion started, "I just went on downstairs."
And he didn't say whether he took the elevator or not. He said, "I went down,
and as I started to go out and see what it was all about, a police officer stopped
me just before I got to the front door, and started to ask me some questions,
and my superintendent of the place stepped up and told the officers that I am
one of the employees of the building, so he told me to step aside for a little
bit and we will get to you later. Then I just went out on the crowd to see
what it was all about."

And he wouldn't tell what happened then.

Mr. Belin. Did he say where he was at the time of the shooting?

Mr. Holmes. He just said he was still up in the building when the commotion—
he kind of—

Mr. Belin. Did he gesture with his hands, do you remember?

Mr. Holmes. He talked with his hands all the time. He was handcuffed, but
he was quiet—well, he was not what you call a stoic phlegmatic person. He is
very definite with his talk and his eyes and his head, and he goes like that, you
see.

Mr. Belin. Did Oswald say anything about seeing a man with a crewcut in
front of the building as he was about to leave it? Do you remember anything
about that?

Mr. Holmes. No.

Mr. Belin. You don't remember anything about that. Did he say anything
about telling a man about going to a pay phone in the building?

Mr. Holmes. Policeman rushed—I take it back—I don't know whether he said
a policeman or not—a man came rushing by and said, "Where's your telephone?"

And the man showed him some kind of credential and I don't know that he
identified the credential, so he might not have been a police officer, and said
I am so and so, and shoved something at me which I didn't look at and said,
"Where is the telephone?"

And I said, "Right there," and just pointed in to the phone, and I went on out.

Mr. Belin. Did Oswald say why he left the building?

Mr. Holmes. No; other than just said he talked about this commotion and
got out to see what it was about.

Mr. Belin. Did Oswald say how he got home, if he did get home?

Mr. Holmes. They didn't—we didn't go into that. I just assumed that they
around, and he had no particular animosity toward him. I remember that distinctly.

Mr. Belin. Did he seem to have any animosity toward President Kennedy?

Mr. Holmes. No.

Mr. Belin. Now, take a look at the first paragraph on page 3 and read that and see if there is anything you care to add to that?

Mr. Holmes. No; I believe not.

Mr. Belin. What about the fifth paragraph on the page?

Mr. Holmes. I haven't discussed that.

Mr. Belin. Is there anything you would care to add to that?

Mr. Holmes. No, sir. That is as he stated it.

Mr. Belin. What about the last paragraph on page 3?

Mr. Holmes. That is as I recall it at the time.

Mr. Belin. Now, in the last paragraph on page 3, it says that when asked why he went to visit his wife on Thursday night, whereas he normally visited her on the weekends, and he said on that particular weekend there was going to be a party for children. They were having a house full of children and he didn't want to be around at such a time. And, therefore, he made the weekly visit on Thursday night?

Mr. Holmes. That's right.

Mr. Belin. Did anyone question him about curtain rods, that you remember?

Mr. Holmes. Yes.

Mr. Belin. What was that about curtain rods?

Mr. Holmes. Asked him if he brought a sack out when he got in the car with this young fellow that hauled him and he said, "Yes."

"What was in the sack?"

"Well, my lunch."

"What size sack did you have?"

He said, "Oh, I don't know what size sack. You don't always get a sack that fits your sandwiches. It might be a big sack."

"Was it a long sack?"

"Well, it could have been."

"What did you do with it?"

"Carried it in my lap."

"You didn't put it over in the back seat?"

"No." He said he wouldn't have done that.

"Well, someone said the fellow that hauled you said you had a long package which you said was curtain rods you were taking to somebody at work and you laid it over on the back seat."

He said, "Well, they were just mistaken. That must have been some other time he picked me up."

That is all he said about it.

Mr. Belin. Were there any other questions asked about curtain rods?

Mr. Holmes. I don't recall.

Mr. Belin. All right, I turn to the top of page 4, which is the next paragraph, and I see that you have this recorded in your memorandum. You have this all recorded here except you don't mention the sentence about the curtain rods?

Mr. Holmes. So that has been elaborated on in that paragraph.

Mr. Belin. All right, anything else you care to elaborate on that first paragraph on page 4?

Mr. Holmes. I believe not.

Mr. Belin. All right, the second paragraph on page 4 pertaining to his whereabouts at the time of the shooting. Would you care to elaborate on that?

Mr. Holmes. I believe it is just about as I have stated. No elaboration.

Mr. Belin. Then the third paragraph on page 4 was about an A. J. Hildell identification card. Would you care to read that and see if there is anything on that?

Mr. Holmes. I believe not.

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 are 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.
Mr. Belin. Anything else that you care to add to the third paragraph on page 4?
Mr. Holmes. I believe not.
Mr. Belin. Now, here in the fourth paragraph, which is the last paragraph of page 4, the last paragraph of your memorandum, anything else you care to add to that?
Mr. Holmes. I believe not.
Mr. Belin. Is there anything else that we haven't covered that you think might be helpful here and you think we ought to talk about, Mr. Holmes?
Mr. Belin. Have you found now in your records the money order number that was involved in the purchase of the rifle?
Mr. Holmes. The money order number that was found in Washington and matched the original money order was number 2-203-380-462, issued at the main office in Dallas, Tex., on March 12, 1963, in the amount of $21.45.
Mr. Belin. Do you have any information on the money order for the pistol or how the pistol was paid for, or was there a money order?
Mr. Holmes. No, sir.
Mr. Belin. Now, Mr. Holmes, I wonder if you could try and think if there is anything else that you remember about saying 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 where 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 another man rushed in past him as he started out the door, in this vestibule part of it, and flashed some kind of credential and he said, "Where is your telephone, where is your telephone, and said I am so and so, where is your telephone."

And he said, "I didn't look at the credential. I don't know who he said he was, and I just pointed to the phone and said, there it is, and went on out the door."
Mr. Belin. Anything else?
In Larry Sneed’s No More Silence Holmes says the following about the usage of his so-called abilities using his memory: “There was no tape recording of the interrogation or stenographer or anyone taking notes. That was the way that Fritz operated. The interrogation itself was rather informal with Captain Fritz being in charge. He would ask Oswald various questions and pull out different things such as the map with the X’s on it and the card that had been taken out of Oswald’s billfold that had A.J. Hidell on it and things like that. Then he would say, “Well, Sorrels, do you have anything you want to ask him?” But Kelley and Sorrels had very little to ask; they didn’t have the documentation that I had. We were free to ask or interject anything we wanted. Of course, we were all experienced interrogators, and when you went to trial in those days, especially in federal court, you had to show any notes you took to the defense. So they got to look at every note that you had against their client. But we old-time investigators would just do it by memory. I could still quote nearly every word that boy said to this day and that’s been over twenty years ago. That’s the way I was trained to interrogate anybody, and so was Fritz. If they’re telling the truth, you’d talk to them by the hour, and if they couldn’t tell it the same way twice or a third time, or a tenth time, you’d catch them because you’d know exactly what he had said the first time. You didn’t need notes; you didn’t need a secretary or a stenographer. Of course, you do now, but back then you really had to use your own wits to convict people. Think about this for a second! Harry Holmes’ wit to accuse people, innocent or not.

At the time, I spent half the time in federal court, and especially through usage, I always had a good memory. You had to have to get through medical and dental school and work eight hours a day as I did. I would take post office schemes that took an ordinary person 30 to 60 days to learn; I’d learn it in five or six and make a 100 on the test which included 1,000 or 1,200 different addresses. Much of my work dealt with memory, and memory is just training: repetition, do it and practice.

Eventually I got to where I could go into federal court maybe six months after I’d interviewed somebody without a note of any kind and quote every detail of that conversation or confession of what took place or who did what. It was just training. You practiced at it and developed a memory.

With traveling all the time and staying in motels all over the country, whenever I’d go to bed at night, before going to sleep, I’d say, “Well, let’s see, I got up this morning and got out on the left side of the bed, put on my left sock first, then my right, then I went to the bathroom, came back, put on my trousers, then went back and shaved.” I could tell you exactly what I ate for breakfast, what the girl looked like that waited on me. “When I got in my car, I went off to my right and the light was red and had to wait a minute.” I could tell you what every light was all day long everywhere, every little detail. By keeping in practice by just reviewing what I did that day, it was just like I had written it all out, and I’ve done that for years.”

Thankfully things have moved on for the better.
L.D. Montgomery is the partner of Marvin Johnson, who took the dodgy Marrion Baker report I made mention of in my first paper.

See the 3rd page of his report from the Dallas Police JFK Assassination Archives below about his participation of this interrogation.

Upon our arrival at our office I took Bill Whaley into Captain Nichols' office in the Auto Theft Bureau to take an affidavit of fact from him. Mr. Whaley gave an affidavit to the effect that he had picked Oswald up at the Greyhound Bus Station at 12:30 pm on November 22, 1963 and let Oswald out in the 500 Blk. of North Beckley at 12:45 pm on November 22, 1963. The affidavit was typed up by Patsey Collins and was notarized by her when Mr. Whaley signed it. Mr. Whaley and Mr. Scoggin were then returned to the Yellow Cab office at 610 S. Akard by other officers from our bureau.

I stood by the office answering the telephone and awaiting further orders. At 9:30 pm on November 23, 1963 I was advised by Captain Fritz to go home and return to the office at 8:00 am on November 24, 1963.

I returned to the office at 8:00 am and reported for duty. I answered the phone and stood by for further orders. At 9:30 am Detectives Leavelle and Graves went up to the 5th floor jail and brought Oswald down to Captain Fritz's office at which time Captain Fritz started interrogating him. Present at this interrogation, to the best of my knowledge, were Mr. Kelly of Secret Service; Mr. Holmes, Postal Inspector; Mr. Sorrells of Secret Service; Captain Fritz, Detectives C. N. Dhority, J. H. Leavelle, L. C. Graves and myself. This interrogation lasted until approximately 11:15 am at which time I, along with the others, was advised by Captain Fritz that we were going to transfer Oswald.
Montgomery’s *W.C. testimony* gives a small insight into Oswald’s final interrogation.

Mr. GRIFFIN. What did you do after Oswald was brought down and while he was in Fritz’ office?
Mr. MONTGOMERY. Well, when they brought him down we stepped into this office there and there was a--I was standing up there listening to the interview----
Mr. GRIFFIN. Did you remain in Fritz’ office while he interviewed Oswald?
Mr. MONTGOMERY. Yes.
Mr. GRIFFIN. Who was in Fritz’ office at that time?
Mr. MONTGOMERY. At that time, there was, of course, Captain Fritz, and there was Oswald, and I was there, Leavelle was there and Graves.
Mr. GRIFFIN. Was he in Fritz’ office?
Mr. MONTGOMERY. Sir?
Mr. GRIFFIN. Was Graves in Fritz’ office?
Mr. MONTGOMERY. Uh-huh; I believe, Dhority, I believe Dhority was in there. I am not sure, but Dhority was another one of our officers. I believe he was in there and, of course, he had Inspector Holmes.
Mr. GRIFFIN. Is he the postal inspector?
Mr. MONTGOMERY. Yes. Inspector Holmes, and I forget the man’s name for--from the Secret Service.
Mr. GRIFFIN. Mr. Sorrels?
Mr. MONTGOMERY. Mr. Sorrels was there, yes; and a--one other man name--was what--who was that----
Mr. GRIFFIN. Were there any FBI agents there?
Mr. MONTGOMERY. I was trying to think if Mr. Bookhout was there, but I can’t remember if he was inside.
Mr. GRIFFIN. Do you remember about what Oswald said and what was to Oswald during that period?
Mr. MONTGOMERY. I remember they asked him why he shot the President, and of course, he said he didn’t do it.
Mr. GRIFFIN. Uh-huh.
Mr. MONTGOMERY. And, I don’t recall the exact questions. Just asked him several questions there.
Mr. GRIFFIN. How long did this questioning last?
Mr. MONTGOMERY. Seemed like it was about 25 minutes or an hour that he was in there.
Mr. GRIFFIN. All right.
Mr. MONTGOMERY. Captain Fritz, you know, asking him questions, and he would ask
Inspector Holmes or Mr. Sorrels if they would like to ask him a question, and, of course, they would ask him one.
Mr. GRIFFIN. Had you been present at any of the earlier interrogations of Oswald?
Mr. MONTGOMERY. No; I wasn’t.
Mr. GRIFFIN. Why was it you happened to be present at this interview?
Mr. MONTGOMERY. I think I just got lost in the office. I was in there talking to the captain when they brought Oswald in, and, of course, the captain said shut the door there, and some of the officers shut the door.
Mr. GRIFFIN. What did you happen to be talking to Fritz about?
Mr. MONTGOMERY. I don’t recall. I know I was in his office when they brought Oswald down there.
Mr. GRIFFIN. You were there for the entire period of the interrogation of Oswald?
Mr. MONTGOMERY. That morning; yes, sir.
Mr. GRIFFIN. Do you remember during that period anybody coming into the office with respect to the movement of Oswald down to the county jail?
Mr. MONTGOMERY. The chief came in.
Mr. GRIFFIN. How many times do you recall the chief coming in?
Mr. MONTGOMERY. Just recall one time.
Mr. GRIFFIN. How long before the end of the interrogation was it?
Mr. MONTGOMERY. I imagine it was about--well, it was right there at the end, you know, when they was still talking, and the chief came in and wanted to know if we were ready to move him.

In a second interview that day he mentions the interrogations again.
Mr. BALL. Were you ever present at any time when Oswald was questioned?
Mr. MONTGOMERY. Yes, sir.
Mr. BALL. Where was that?
Mr. MONTGOMERY. That would be the Sunday morning of the 24th, just prior to transferring him.
Mr. BALL. Where was that?
Mr. MONTGOMERY. That would be in Captain Fritz’ office in the city hall.
Mr. BALL. Who was present, if you remember?
Mr. MONTGOMERY. Well, there was Detective Leavelle, Detective Graves, Detective Dhority, Captain Fritz, and Mr. Sorrels, and Mr. Kelley.
Mr. BALL. Do you know what was said?
Mr. MONTGOMERY. Yes, sir; they just asked him several questions there as to why he shot the President and he said he didn’t shoot the President, and Captain Fritz asked Mr. Sorrels if he would like to ask him a question and Mr. Sorrels would ask him one and then Mr. Kelley would ask him one--they would ask him about life in Russia.
Mr. BALL. Do you remember anything else?
Mr. MONTGOMERY. No, sir; that’s about all the questions I recall.

In Larry Sneed’s No More Silence: “I only recall sitting in on one of them. On that occasion, Bill Senkel and I were there when the Cap and others were looking at Oswald’s little address book which contained the license number of the FBI agent who had been following him. It was rather comical! Oswald looked up at Mr. Hosty, the FBI agent, and said, “You’re the one that’s been harassing me and following my family!””

During his Oral History interview in 2002 with Gary Mack at first declares that he was never present during any of the interrogations at all. And then do a 180...
Gary: Did you get to sit in on any of the interrogations of Oswald?

L.D.: No, I didn’t. I didn’t ever get to sit in on no... because like I say, it was always... they was interrogating him. It was always the FBI and the postal inspector and Captain Fritz in there. But I never did sit in there, no, because it was just, you know, didn’t have a lot of room in there.

Gary: Yeah, because they were all done in Fritz’s office.

L.D.: Yes (nodding). It was all done in his office, yes.

Gary: And I’ve been there, and it’s pretty small.

L.D.: Uh-huh.

Gary: Yeah.

L.D.: Yeah. I did get to talk to Oswald some because we did have to take him in and out of there one day—I mean, one time—and take him into one of the interrogation rooms and just sit him in there and guard him for a while. And got to talk to him.

Gary: So, what kind of guy was he?

L.D.: Huh?

Gary: What kind of guy was he?

L.D.: Oswald?

Gary: Yeah.

L.D.: Well, he was just a real odd type, yeah.

Gary: In what way?

L.D.: Huh?

Gary: In what way?

L.D.: Well, by being involved in the assassination of JFK and shooting that officer. That’s the way, uh-huh. Of course, I got to meet his wife, Marina, and I got to meet his mother. As a matter of fact, his wife—Marina, you know—she lives out in Rockwall now.

Gary: Uh-huh.
L.D.: Uh-huh.

Gary: Was Oswald polite or was he rude?

L.D.: No, he wasn’t very... I never did notice him being, you know, rude.

Gary: What kinds of things did he say to you?

L.D.: Oh, he didn’t say anything to me. As a matter of fact, I forget who was in there and... oh. I... I’m trying to think. It was... I think L.C. and I, the Captain had us take him out of his office and put him over there in an interrogation room. And as we took him into the interrogation room, there was an FBI agent that came in there also. And Oswald recognized that FBI agent! And he said, “You’ve been following me! I’ve got your license number on your vehicle” and whatnot. And he had it in a little book that he had, that FBI agent had followed him.

Gary: That was James Hosty. Did you know him?

L.D.: Who’s that? The FBI agent?

Gary: Yeah.

L.D.: No. I can’t say that I remember him, no.

Gary: OK. What else did you do on Saturday? Did you question any of the witnesses or talk to people connected with Oswald?

L.D.: I know we did have those people down there (nodding). We had several witnesses down there, and we did get to interview ’em and get statements and whatnot off of ’em. Yeah, but I don’t remember all of them, their names (chuckling) because there was, you know, different ones (smiling). Uh-huh.

Gary: OK. And you had to work on Sunday, too?

L.D.: (nodding) Oh, yes.

Gary: So, tell us about Sunday because you were involved in something else on Sunday, too (chuckling).

L.D.: (0:25:32) Well, Sunday was disastrous.

Gary: Yeah.

Read the full interview HERE.
11:20 Oswald is being transferred and subsequently shot by Jack Ruby.

- Jim Leavelle ‘remembers’: ‘I told him on the way down, ‘Lee, if anybody shoots at you, I hope they’re as good a shot as you are.’ Meaning they’d hit him and not me. And he kind of laughed, and he said, ‘Ah, you’re being melodramatic,’ or something like that. ‘Nobody’s going to shoot me.’ There is no corroboration for any of this from anyone else who was inside that elevator.

- L.C. Graves who rode the elevator down with Leavelle and Oswald cannot remember anything being said of significance on that ride down as he says during his Oral History Interview for the 6FM. “I did not say anything to him. Jim might have said something to him. I don’t feel it was significant, if he said anything at all.”

From Seth Kantor’s Who Was Jack Ruby: Lieutenant Richard E. Swain of the Burglary and Theft Bureau, who had known Ruby for several years, then went ahead first into the garage area. Someone in the crowd shouted, “Here he comes!” Swain, who was never questioned by the Warren Commission, surveyed the confused scene quickly and then looked back to the inside corridor where Fritz waited. Everything was in good shape, he indicated. Come ahead. Nothing was in good shape. Homicide detective James R. Leavelle, handcuffed to Oswald’s right wrist, asked Cutchshaw inside the jail hallway if everything was all right. Cutchshaw, like almost all of the cops down there at 11:21 a.m., had no idea what the plan was supposed to be. But Leavelle was assured by Cutchshaw that there were no problems. Chief Curry, ludicrously, was upstairs in his office, responding to a phone call from Dallas mayor Earle Cabell, and had not checked for himself to see if orders were being carried out properly in the basement. Curry told me he had detailed Assistant Chief Batchelor and Deputy Chief Stevenson to set up the corridor of detectives so that Oswald would be shielded, and to move the news people behind the railing so Oswald’s transfer car could move. “There were several higher, supervisory officers in the basement,” Curry said, “and 70 detectives, which should have been enough, you know, to guard against any kind of assault that might be attempted to come into the basement. I was trying to let them [reporters and cameramen] have all the freedom they could. I knew this was something the American people were interested in. They were watching it by the millions. But I had told Batchelor and Stevenson to keep them behind the iron railing.” Fritz followed Swain and was promptly blinded by the bright television lights that came from behind Ruby to illuminate the target. Oswald came out next, flanked by Leavelle and Detective L. C. Graves. Billy H. Combest, a detective from the vice section, saw Ruby lunge past Blackie Harrison. Combest shouted, “Jack, you son of a bitch!” as the shot went off point blank at Oswald’s stomach.

- Forrest Sorrels’ W.C. testimony.

Sorrels: And we remained in that vicinity. I looked out the window, and saw the people across the street, on Commerce Street, people were waiting there. And I saw an individual that I know by the name of Ruby Goldstein, who is known as Honest Joe, that has a second-hand tool and pawnshop down on Elm Street, and everyone around there
knows him. He was leaning on the car looking over in the direction of the ramp there at the police station. And we were just waiting around there. And for a few minutes I was talking to one of the police officers that was on duty up there in that area. And he had made the remark, "talking about open windows, I see one open across the street over there" at a building across the street.
I looked over there. I didn't see any activity at the window. And we had walked out into the reception area of the executive office of the Chief of Police there when this same police officer said that he just heard that Oswald had got shot in the stomach in the basement by Jack Rubin, as I understood at that time, R-u-b-i-n--who was supposed to run a night club.
Inspector Kelley and I then went just as hurriedly as we could to the basement.

And later on

Mr. HUBERT. You did see Oswald, I think, on Sunday morning, November 24?
Mr. SORRELS. Yes, sir.
Mr. HUBERT. Could you tell us where and at what time?
Mr. SORRELS. That was in the office of Capt. Will Fritz of the homicide division of the Dallas Police Department. It was somewhere around 11 o'clock in the morning, and he was removed from Captain Fritz' office at approximately I guess about 11:15.
Mr. HUBERT. What was the purpose of your interviewing him that morning?
Mr. SORRELS. We, of course, were interested in any statement that Oswald might make relating to any phase of the assassination of the President. Particularly, I was interested in trying to obtain an admission from him that he had used the name of A. Hidell as an alias, because information had been developed that he had purchased the rifle which was found on the sixth floor of the Book Depository under the name of A. Hidell.
There was a change of address card which he had filed in New Orleans, as I recall it, on which it was shown that persons to receive mail at the address given, the name of A. Hidell appeared. And after Captain Fritz got through questioning him on the morning of November 24, he asked if any of the officers present in the room desired to ask him any questions. And I said, "Yes; I would like to ask him a question."
In the meantime, Chief of Police Jesse Curry had come to Captain Fritz' office, and inquired about the delay in moving him out. And Captain Fritz informed that he was still talking to him.
Mr. HUBERT. Captain Fritz informed----
Mr. SORRELS. Informed Chief Curry----
Mr. HUBERT. That he was or you were?
Mr. SORRELS. That he was. And a very short time after that is when I had an opportunity to ask Oswald some questions. I showed Oswald the change of address card----
Mr. HUBERT. Let me ask you this: Was your interrogation of him cut off, as it were, by the transfer?
Mr. SORRELS. By the transfer?
Mr. HUBERT. Yes.
Mr. SORRELS. No.
Mr. HUBERT. Had you finished with him?
Mr. SORRELS. I had finished----
Mr. HUBERT. As to that point?
Mr. SORRELS. As to that point; yes, sir.
Mr. HUBERT. As a matter of fact, you would have had access to him, I think, at the county jail, anyhow, would you not?
Mr. SORRELS. I had certainly planned on having access to him, and I am sure I would have. As a matter of fact, I had in my mind to start talking to him that afternoon.
Mr. HUBERT. What I wanted to clarify is whether or not your effort to interrogate him was interrupted. But I gather that it was not.
Mr. SORRELS. No, I would say not. Possibly, had he remained there, I might have attempted to ask him more questions. But he was not giving out much information.
Mr. HUBERT. Well, now, during the whole time that Oswald was in custody of the Dallas Police Department, did you find that any obstacles or hindrances were put in your way of examining him?
Mr. SORRELS. No, sir; except had he been in our own custody, there would have been a chance to have questioned him without others being present, or so many others being present.

- Charles Dhörity in his W.C. testimony.
Mr. BALL. After they questioned Oswald, what did you do?
Mr. Dhörity. Well, I believe we gave him a sweater to put on. I think it was kind of cool— one of his sweaters.
Mr. BALL. Was he handcuffed?
Mr. Dhörity. Yes; Leavelle handcuffed himself to Oswald just before I left the office.
Mr. BALL. Had he been handcuffed during the questioning in Fritz’ office that morning?
Mr. Dhörity. I don’t recall—I didn’t have my handcuffs on him.
Mr. BALL. Just before you left the office, Leavelle handcuffed him—did he put one cuff on Oswald and one on Leavelle; is that it?
Mr. Dhörity. Yes.
Mr. BALL. Fritz gave you instructions to do what?
Mr. Dhörity. He gave me the keys to his car and told me to go down and get his car and back it up front of the jail door to put Oswald in.
Mr. BALL. Is that what you did?
Mr. Dhörity. I went downstairs and got his car, unlocked his car, and was in the process of backing it up there in fact—I was just about ready to stop, when Captain Fritz came out and Leavelle and Oswald and Graves and Johnson and Montgomery came out the jail door.

Captain Fritz reached over to the door of the car and I was turned around to see backing it up—still had the car moving it along and I saw someone run across the end of the car real rapid like. At first, I thought it was somebody going to take a picture and then I saw a hand come out and I heard the shot.

Mr. BALL. Graves and Leavelle were there beside Oswald, were they?
Mr. Dhörity. Yes; beside Oswald.
Mr. BALL. Oswald was between Graves and Leavelle?
Mr. Dhörity. That’s right.

- L.D. Montgomery mentions James Bookhout in Larry Sneed’s No More Silence:

S.A. Bookhout asked me, “What did you do?” I told him, “You were right there, Bookhout. We handcuffed Oswald; we walked around to the elevator, got on the elevator to go down. Where’d you go? You were right there with us?” He got a little funny and said, “I walked back to the squad room and turned up the squawk box,” I said, “Why?” I don’t remember the exact wording of his response, but it was something to the effect—“to hear the shooting. Didn’t you know that the chief had received a call during the night that Oswald was going to be shot?” “Hell, no,” I said, “I didn’t!” I was pretty angry at the time.

His whole response, I thought, was very odd.
L.C. Graves is on the right side of Oswald while escorting him alongside with Jim Leavelle when he is being shot by Jack Ruby. It happened so fast that no one saw Ruby coming.
Another shining example of Leavelle’s truth economics during an interview for the Nov. 1998 issue of Texas Monthly: “I could see Jack [Ruby] when he came out of the crowd with that pistol, but it took a little less than a second and a half, or like two seconds, for that to take place. You can’t do too much in that length of time.” Have a look at the Jack Beers photograph on the previous page, Leavelle had no clue what was happening until Ruby actually shot him. He even repeats the same claim during his Oral History Interview of the 6FM in 2002.

Leavelle is also interviewed a few hours after the deed by Bill Lord of WFAA TV.

Charles Dhority holding Oswald’s hand after he has been shot by Ruby, Jim Leavelle to Dhority’s right.

Charles Dhority holding Oswald’s hand while he is being stretchered towards the ambulance in the basement of the DPD. Jim Leavelle and L.C. Graves are in front of Dhority.
After Oswald has been shot, a piece of paper is found on him with a list of phone numbers. This piece of paper was given to him by the jailer the day before. What is interesting is the telephone number CH-7-3110, which is not a working number at that time. Disconnected since 1956.

**Memorandum**

**TO:** SAC, Dallas (100-10461)  
**FROM:** Director, FBI (105-82555)  
**DATE:** 2/3/64  
**SUBJECT:** LEE HARVEY OSWALD, aka  
19 - R - CUBA

Reference Dallas letter to Bureau dated 2/2/64, and Bureau telephone call to Dallas 2/2/64.

The following clothing of the subject was delivered to the FBI Laboratory on 2/2/64, by SA Vincent E. Drain:

1. One pair of black shoes
2. One pair of black trousers
3. One gray flannel shirt
4. One T-shirt
5. One black sweater
6. One pair of black socks

A small piece of white paper bearing the following notations, which appeared to be telephone numbers, was found in the right side pocket of the above-listed trousers:

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CH-7-9450  
RI-9-9711  
AC-9-4811  
CH-7-3110
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The "CH-7" had been crossed through. All numbers appeared to have been written with a ball-point pen with the exception of the "RI-9-9711" which was written with a pencil. The significance of these numbers is unknown to the Laboratory.

The items of clothing listed above were examined for visible and invisible laundry or dry cleaners markings but none were found. All items appeared to be of domestic manufacture with the exception of the shoes which were manufactured in Japan.

The above-listed items were photographed and returned to SA Vincent E. Drain on 2/2/64. Eight photographs of the above are attached for your information.

Enclosures (8)
CO 7-3110 is Courtland 7-3110, Area Code 212, such being listed to Freedman and Vager, attorneys, 320 Broadway, New York City, N. Y. This telephone was connected November 4, 1954, and listings to this number are as follows: JOHN J. ABT, DAVID FREEDMAN and ABRAHAM UNGER.

OR 9-9450 is Oregon 9-9450, Area Code 212, and is listed to "The Worker", 33 West Twenty-Sixth Street, Manhattan. This number was connected in November 1941. The billing is directed to "Publishers New Press, Inc."

RY 8-9711 is Riverside 8-9711, which is listed to the City of Dallas, Texas, and is the central switchboard number for the various agencies of the city, being housed in the City Hall.

CH 7-3110 is Chapel 7-3110, Farmers Branch, Texas. This is not a working number and has been disconnected, date unknown, being last in order in 1956. The previous subscriber is Mrs. Ruth Goldstein, 2968 Primrose.

On February 4, 1964, Inspector JAMES R. MALLEY advised that JESSICA SMITH is the wife of JOHN ABT. Inspector MALLEY stated that it would not be necessary to include the above information in the report as it had been given to the President's Commission by letter on February 4, 1964.
Interrogation of Lee Harvey Oswald Report by Will Fritz

Will Fritz produced an undated report called "Interrogation Of Lee Harvey Oswald" (box 5, folder 3, item 3). Steve Thomas brought up that there are seven different copies of this undated report. These reports come in with annotations in shorthand and normal ones and due to this it is being retyped a few times and this is also having an effect on the number of pages. I just picked one for comparison reasons.

If you have read this paper then you can place certain specific happenings in a time frame due to the reports/notes/testimonies of Fritz, Hosty, Bookhout, Sorrels and Kelley, compare these with this report and you will see that certain elements of the interrogation were brought forward. And this is not once or twice, but quite a few more times and in my opinion to make Oswald look guiltier than he actually was.

The first page is already a mess, but since this does not concern any interrogation I have decided to skip it.

Pages two, three and four are about Oswald’s interrogations on Nov. 22nd. On page two Fritz designates Oswald as the suspect in The President’s killing, yet the suspect’s details were very generic when sent out. It boggles the mind that Fritz had designated Oswald as the prime suspect without any additional info and he had only been at the T.S.B.D. for less than an hour.

On that same page two Will Fritz already makes a classic mistake by saying that Oswald usually worked on the second floor, whereas that should have been the first floor instead. He corners Oswald as a suspect with that wrong assertion. This does not rhyme with his own and Hosty’s notes or the joint Bookhout and Hosty report at all. This is sloppy to say the least.

Furthermore Fritz refers to the back stairway when Marrion Baker supposedly apprehended Oswald. Then the Truly and Baker lunch room encounter is woven in. This
particular incident was not concocted until the evening of the 22\textsuperscript{nd} when Truly gave an affidavit yet Fritz makes it sound like Truly had told him before he even sat down with Oswald. If that were the case Fritz would have mentioned the incident in his notes. And so would have Hosty and Bookhout, but the opposite was proven instead. Marrion Baker did not give an affidavit until later in the afternoon and when he did he mentioned an altercation on the third or fourth floor. There was no talk of a lunch room at all in his first affidavit.

Fritz also states that Oswald was in the lunch room having a coke when Baker encountered Oswald, which of course contradicts the backstairs part. This did not happen at all, even Baker and Truly said that he was not holding anything in his hands. Fritz is rhyming this with Mrs Robert Reid fake statement that Oswald had a coke in his hands after the 2\textsuperscript{nd} floor encounter with Baker and Truly. I expose all this in great detail in my \textit{Anatomy Of The Second Floor Lunch Room Encounter} paper.
On page three, according to Fritz, Oswald only changed his trousers and picked up his pistol at Beckley, he took it from his holster that no one ever bothered to check for finger prints btw! The phrase “You know how boys do when they have a gun. They just carry it.” Is not supported by anyone else in their reports.
Oswald's request for an attorney is brought up on page four. Fritz is economical with the truth here as it has become more than evident that he did his best not to provide him with one on the 22nd. John Abt's name was not written down until the 23rd of November in Fritz handwritten notes on page 4. Oswald made his first attempt to try and get hold of Abt with his first allowed phone call at around lunch time on the 23rd.
Page 1

y they had headquarters in New York and that he had been Secretary for this organization in New Orleans when he lived there. He also said that he supports the Castro Revolution. One of the officers had told me that he had rented the room on Beckley under the name of C. H. Lee. I asked him why he did this. He said the landlady did it. She didn’t understand his name correctly.

Oswald asked if he was allowed an attorney and I told him he could have any attorney he liked, and that the telephone would be available to him up in the jail and he could call anyone he wished. I believe it was during this interview that he first expressed a desire to talk to Mr. Abt, an attorney in New York. Interviews on this day were interrupted by showups where witnesses identified Oswald positively as the man who killed Officer Tippit, and the time that I would have to talk to another witness or to some of the officers. One of these showups was held at 1:35 pm and the next one at 6:20 pm and at 7:55 pm. At 7:05 pm I signed a complaint before Bill Alexander of the District Attorney’s office, charging Oswald with the Tippit murder. At 7:10 pm Tippit was arraigned before Judge Johnston.

During the second day interviews I asked Oswald about a card that he had in his purse showing that he belonged to the Fair Play for Cuba Committee, which he admitted was his. I asked him about another identification card in his pocket bearing the name of Alex Hidalgo. He said he picked up that name in New Orleans while working in the Fair Play for Cuba organization. He said he spoke Russian, that he corresponded with people in Russia, and that he received newspapers from Russia.

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Then on page five the rifle is brought up and it shows that Fritz has been talking with Marina Oswald. Further down Fritz along with Bill Alexander and Jim Allen (a former assistant D.A., a private citizen basically!) draw up charges to arraign Oswald for the murder of J.F.K.
And on page six the bus and cab rides are mentioned, it takes up to the fourth interrogation (morning of the 23rd) to bring all this up. The bus transfer is nowhere to be seen in THIS (Box 1, Folder# 15, Item# 1, page 5) version, but it has been added to THIS (Box 15, Item# 1, Item# 111, page 6) version.

Then the document ‘progresses’ to the long package Oswald supposedly took with him while being driven by Buell Frazier to the T.S.B.D. A package Troy West did not see Oswald carrying in while he asked him where his rider was on that morning of the 22nd.
On page 6, above, and the next page (7) the clothes exchange is mentioned. You have to ask yourself why Oswald changed his shirt and pants, but not his t-shirt. That dirty sweaty t-shirt he was actually working in as his shirt would normally be hanging up during working hours. Then Oswald’s lunch in the Domino Room is brought up and the two fellow employees James ‘Junior’ Jarman and another person who were there at some point as well. Fritz made no or very little attempt to verify this.
Page 7
said his cab fare home was 85 cents. When asked what he did with his
clothing he took off when he got home, he said he put them in the dirty
clothes. In talking with him further about his location at the time the
President was killed, he said he ate lunch with some of the colored boys who
worked with him. One of them was called "Junior" and the other one was
a little short man whose name he did not know. He said he had a cheese
sandwich and some fruit and that was the only package he had brought with
him to work and denied that he had brought the long package described by
Mr. Frazier and his sister.

I asked him why he lived in a room, while his wife lived in Irving.
He said Mrs. Paine, the lady his wife lived with, was learning Russian,
that his wife needed help with the young baby, and that it made a nice
arrangement for both of them. He said he didn't know Mr. Faine very
well, but Mr. Faine and his wife, he thought, were separated a great deal
of the time. He said he owned no car, but that the Paines have two cars,
and told that in the garage at the Faine's home he had some sea bags that
had a lot of his personal belongings, that he had left them there after
coming back from New Orleans in September.

He said he had a brother, Robert, who lived in Fort Worth. We
later found that this brother lived in Tenton. He said the Faines were
close friends of his.

I asked him if he belonged to the Communist Party, but he said
that he had never had a card, but repeated that he belonged to the Fair
Play for Cuba organization, and he said that he belonged to the American

Page 8 deals largely with John Abt, but also at the top of the page brings up the pistol
again. The gun Oswald supposedly had on him in the Texas Theatre.
Civil Liberties Union and paid $5.00 dues. I asked him again why he carried the pistol to the show. He refused to answer questions about the pistol. He did tell me, however, that he had bought it several months before in Fort Worth, Texas.

I noted that in questioning him that he did answer very quickly, and I asked him if he had ever been questioned before, and he told me that he had. He was questioned one time for a long time by the FBI after he had returned from Russia. He said they used different methods, they tried the hard and soft, and the buddy method, and said he was very familiar with interrogation. He reminded me that he did not have to answer any questions at all until he talked to his attorney, and I told him again that he could have an attorney any time he wished.

He said he didn't have money to pay for a phone call to Mr. Abt. I told him to call "collect", if he liked, to use the jail phone or that he could have another attorney if he wished. He said he didn't want another attorney, he wanted to talk to this attorney first. I believe he made this call later as he thanked me later during one of our interviews for allowing him the use of the telephone. I explained to him that all prisoners were allowed to use the telephone. I asked him why he wanted Mr. Abt, instead of some available attorney. He told me he didn't know Mr. Abt personally, but that he was familiar with a case where Mr. Abt defended some people for a violation of the Smith Act, and that if he didn't get Mr. Abt, that he felt sure the American Civil Liberties Union would furnish him a lawyer. He explained to me that this organization helped people who needed attorneys and weren't able to get them.
On page 9 Oswald makes mention of not disliking Kennedy at all, and refusing a polygraph test. Fritz places the confrontation with the Backyard photos forward by about five hours. Other reports point to this happening in the early evening of the 23rd at the 18:35 interrogation. James Bookhout confirms this in his W.C. testimony (page 9).
On page 10 Fritz brings the backyard photo up again and this time it is at the correct interrogation.

Page 10

and where his things might be kept, and he told me about the things at Mrs. Paine's residence and a few things on Beckley. He was placed back in jail at 1:10 PM.

At 6:00 PM I instructed the officers to bring Oswald back into the office, and in the presence of Jim Bechhout, Homicide officers, and Inspector Kelley, of the Secret Service, I showed Oswald an enlarged picture of him holding a rifle and wearing a pistol. This picture had been enlarged by our Crime Lab from a picture found in the garage at Mrs. Paine's home. He said the picture was not his, that the face was his face, but that this picture had been made by someone superimposing his face, the other part of the picture was not him at all and that he had never seen the picture before. When I told him that the picture was recovered from Mrs. Paine's garage, he said that picture had never been in his possession, and I explained to him that it was an enlargement of the small picture obtained in the search. At that time I showed him the smaller picture. He denied ever seeing that picture and said that he knew all about photography, that he had done a lot of work in photography himself, that the small picture was a reduced picture of the large picture, and had been made by some person unknown to him. He further stated that since he had been photographed here at the City Hall and that people had been taking his picture while being transferred from my office to the jail door that someone had been able to get a picture of his face and that with that, they had made this picture. He told me that he understood photography real well, and that in time, he would

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be able to show that it was not his picture, and that it had been made by someone else. At this time he said that he did not want to answer any more questions and he was returned to the jail about 7:15 pm.

At 9:30 on the morning of November 22, I asked that Oswald be brought to the office. At that time I showed him a map of the City of Dallas which had been recovered in the search of his room on North Beckley. This map had some markings on it, one of which was about where the President was shot. He said that the map had nothing to do with the President's shooting and again, as he had done in the previous interviews, denied knowing anything of the shooting of the President, or of the shooting of Officer Tippit. He said the map had been used to locate buildings where he had gone to talk to people about employment.

During this interview Inspector Kelley asked Oswald about his religious views, and he replied that he didn't agree with all the philosophies on religion. He seemed evasive with Inspector Kelley about how he felt about religion, and I asked him if he believed in a Trinity. He was evasive and didn't answer this question.

Someone of the Federal officers asked Oswald if he thought Cuba would be better off since the President was assassinated. To this he replied that he felt that since the President was killed that someone else would take his place, perhaps Vice-President Johnson, and that his views would probably be largely the same as those of President Kennedy.

I again asked him about the gun and about the picture of him holding a similar rifle, and at that time he again positively
denied having any knowledge of the picture or the rifle and denied that he had ever lived on Neely Street, and when I told him that friends who visited him there said that he lived there, he said they were mistaken about visiting him there, because he had never lived there.

During this interview Oswald said he was a Marxist, but not a Leninist Marxist, and repeated this two or three times. He said that the station that he had debated on in New Orleans was Bill Staley's program. He denied again knowing a A. Hidell in New Orleans, and again reiterated his belief in Fair Play for Cuba and for what the Committee stood for.

After some questioning, Chief Jesse E. Curry came to the office and asked if I was not ready for this man to be transferred. I told him we were ready as soon as the security was complete in the basement where we were to place Oswald in a car to transfer him to the County Jail. I had objected to the large cameras obstructing the jail door, and the Chief explained to me that these had been moved and that the people were moved back across the street and the cameras were well back in the garage. I told the Chief we were ready. He told us to go ahead and that he and Chief Stevenson, who was with him, would meet us at the County Jail.

Oswald's shirt which he was wearing at the time of arrest had been removed, and sent to the Crime Lab in Washington with all the other evidence for the comparison tests, and he said he would like to have a shirt from his clothing that had been brought to the

138-D
office to wear over the T-shirt that he was wearing at the time. We
selected the best-looking shirt from his things, but he said he would
prefer wearing a black Ivy League type shirt, indicating that it might
be a little warmer. We made this change and I asked him if he wouldn't
like to wear a hat to more or less camouflage his looks in the car
while being transferred as all of the people who had been viewing
him had seen him bareheaded. He didn't want to do this. Then
Officer J. R. Leavelle handcuffed his left hand to Oswald's right
hand, then we left the office for the transfer.

Inasmuch as this report was made from rough notes and memory,
it is entirely possible that one of these questions could be in a
separate interview from the one indicated in this report. He was
interviewed under the most adverse conditions in my office which is
9 feet 6 inches by 14 feet, and has only one front door, which forced
us to move this prisoner through hundreds of people each time he was
carried from my office to the jail door, some 20 feet, during each
of these transfers. The crowd would attempt to jam around him,
shouting questions and many containing slurs. This office is also
surrounded by large glass windows, and there were many officers
working next to these windows. I have no recorder in this office
and was unable to record the interview. I was interrupted many
times during these interviews to step from the office to talk to
another witness or secure additional information from officers
needed for the interrogation.
The Aftermath

On the 24th Wade gives another press conference. This is after Oswald was murdered by Ruby and also never had a chance to defend himself with any type of legal defence at any time until his death. Wade starts naming the many items of evidence and it shows how badly informed he is and continues, like the others, with his trial by media method.

First item of evidence are the many witnesses who have seen Oswald in the window of the 6th floor of the T.S.B.D. which is quite an opening statement since no one was ever able to do this! Not to this day! As Chief Curry would say in 1969. “We don’t have any proof that Oswald fired the rifle and never did. Nobody’s yet been able to put him in that building with a gun in his hand. Why Oswald was nevertheless blamed for the crime seems difficult to explain – but it is what happened.”

Then Oswald’s palm print has been found on the box in the sniper’s nest. What Wade did not mention was that Oswald’s was found among about 23 finger prints and 11 palm prints unaccounted for.

Then the rifle is attributed to him by purchasing it from some mail order house under the name Hidell and mailed to a P.O. Box in Dallas. The rifle no U.S.P.S. officer can attest to handing it over to Oswald. A rifle sent to Hidell to a P.O. Box named Oswald…….

The backyard photographs are mentioned. The package is next. And the list goes on with a lot of so called evidence that can be disputed one way or another.

Regarding the interrogations Wade says he did not participate in any. And that Oswald did not admit to any of the killings at all. And that he was bitter at all the law enforcement officers present so he had been told. Well who wouldn’t be after being kept in the dark, being falsely accused and being kept from contacting any legal representation for more than 24 hours. And to finish it all off getting murdered while being under protection of the D.P.D.

- Henry Wade in his Warren Commission testimony:

And then I went out to dinner and got to thinking, I said well now, the Dallas police did have a breakdown in security here, and they are taking a beating and I am taking a beating, but they did have the right man according to my thinking, so I went down to the police station and got all the brass in there but Chief Curry and I said this stuff, people are saying on there you had the wrong man and you all were the one who killed him or let him out here to have him killed intentionally, I said somebody ought to go out in television and lay out the evidence that you had on Oswald, and tell them everything. It had been most of it laid out but not in chronological order.

Mr. RANKIN. When was this now?

Mr. WADE. This was 8 o’clock roughly on the 24th. Sunday night. I sat down with Captain Fritz and took a pencil and pad and listed about seven pieces of evidence from my own knowledge and I was going to write it down. They got hold of Chief Curry and he said no, that he had told this inspector of the FBI that there would be nothing further said about it. I asked Chief Batchelor and Lumpkin, they were all there, I said you all are the ones who know something about it, I said if you have at least got the right man in my opinion the American people ought to know. This is evidence you can’t use actually, because he is dead. You can’t try him. And the upshot of that was the police wouldn’t say a word and refused actually to furnish me any more of the details on this.
In October 2017 on the day of some of the documents releases I managed to find this unredacted Hoover FBI document from Nov 24th that is rather telling when it comes to the security of Oswald’s transfer, but more importantly how shaky the case against Oswald was from a legal p.o.v. not only is Hoover praising his own F.B.I.’s investigative and analytical capabilities way above the D.P.D.’s. “They did not have much of a case against Oswald until we gave them our information” but also says “Oswald had been saying he wanted John Abt as his lawyer, and Abt with only that kind of evidence could have turned the case around, I’m afraid.” Both on page 3. I suggest you read the whole thing as it gives you a good insight as to what Hoover was up to on the day Oswald was killed. No wonder this document has been hidden from public view as it is nothing short of a bombshell.
WASHINGTON — The murder of Lee Harvey Oswald has laid to rest a chilling spectre that had been haunting government lawyers here.

It was the picture of a U.S. Supreme Court hearing on a contention that Oswald had been denied his constitutional rights because he had been held by Dallas police officials so long without counsel.

During much of Saturday and early Sunday, administration lawyers — not only those in the Justice Department, but such high officials as State Department legal adviser Abram Chayes — sought to impress all those connected with the case of the importance of obtaining counsel for the accused assassin.

The courts have interpreted the sixth amendment of the Constitution to mean that a defendant in a criminal case has a right to counsel at every stage of the proceeding. A 1937 court ruling states that, under the 14th Amendment, this also applies to capital offenses under state law.

There is no federal law against assassination of the President. Oswald was to be tried for murder under Texas law.

There is considerable dispute among lawyers as to just when the right to counsel begins.

The fear of the government lawyers here was not so much that the Supreme Court might actually reverse any conviction, but that even a slight basis for such a case would be unfortunate for the image of American justice.

Usually, reversals of convictions on the grounds of denial of counsel involve confessions or other incriminating information given by the defendant. In the case of Oswald, the defendant gave no information.

In addition, under Texas law, no oral statement by Oswald prior to the trial could have been used as evidence against him.

Texas authorities informed the Justice officials that Oswald had several times been advised of his right to counsel.

He is understood to have said that he wished, first, John J. Abt, a New York attorney who has represented Communist Party litigants; or, if Abt was not available, a lawyer from the American Civil Liberties Union. The Dallas Bar is reported to have made a direct offer to Oswald of providing him with an attorney.

At any rate, Oswald was killed before he had any attorney.
In 1975 The Richmond Times Dispatch published an article which puts doubt on whether the evidence would convict Oswald.
Then on the following page a Martha Joe Stroud (Barefoot Sanders' assistant U.S. attorney) document, from August 20th, 1964. She worked as a liaison between Dallas and the Warren Commission.

This document below shows Martha J. Stroud writing to the W.C. that Will Fritz wishes to make changes to his deposition, before signing off on it. The original deposition and the amended one are to be sent to the W.C. What has happened to the original is anyone's guess.

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Memorandum

TO: The President's Commission
FROM: Martha Joe Stroud

DATE: August 20, 1964

SUBJECT: Deposition of Capt. J. W. Fritz

On August 4, 1964, Captain Fritz came into this office and read his deposition. He made a great many changes but was reluctant to sign it until the corrections had been made.

I then telephoned Mr. Robert who advised me to ask the reporter to check her notes and if they were found to be correct to return the unsigned deposition to Washington. This I did. She stated that is what her notes showed and on August 5, 1964, I returned the unsigned deposition to Washington.

Captain Fritz told me that if the corrections were made he would sign the deposition. On August 7, 1964 I so advised Mr. Burt Griffin, and on August 11, 1964 the deposition of Captain Fritz was returned to me. However, no corrections had been made even though the latter stated that the corrections would appear in the printed version.

I called Captain Fritz and explained the situation. He was still reluctant to sign and wanted to take the deposition to his office and have it retyped there. He stated that he was unwilling to even have it in the archives in such shape.

Captain Fritz then called Mr. Robert in New Orleans and finally Mr. Rankin in Washington.

On August 14, Mr. Robert telephoned me from New Orleans. He told me he had been contacted by Mr. Rankin and asked to handle the Fritz deposition. He requested me to have the deposition retyped, get Capt. Fritz to sign it and to forward the original deposition to him in New Orleans along with the retyped one. He also asked me to write a note explaining what had transpired.

Captain Fritz came to the office on August 20, 1964 and signed the retyped deposition. He also requested a copy of the corrected deposition.

I am forwarding both the original deposition and the retyped one directly to Mr. Robert in New Orleans.

[c.c. Howard Wills]
This is not the only change of Oswald’s ‘escape’ as he also added the so called cab ride on Saturday according to Fritz. See his notes for the first interrogation on the 23rd.
March 27, 1964

MEMORANDUM FOR MR. J. LEE ROBINSON, General Counsel

FROM: Howard P. Wilkes

RE: Attached memorandums from Messrs. Stern and Ely re Treatment of Lee Harvey Oswald by Dallas Police

As you know, there has been over the past few weeks discussions by members of the staff regarding the proper approach to be taken in this area. I think that the approach suggested in the attached memorandum is sound and I recommend that it be adopted as a basis for further action. I am informed by Mr. Stern that Mr. Redlich also concurs with the course of action recommended here.

Anticipating that this memorandum will meet with your approval, I have discussed with Mr. Stern the necessary steps to be taken to implement his recommendations. We have agreed upon the following steps:

1. Through Mr. Roberts we will try to determine whether the Dallas Police Department has names of any other patrons in the Texas theater at the time Oswald was apprehended. If we can produce no additional names through this means we will have to make a request of the Federal Bureau of Investigation.

2. Mr. Stern will prepare a letter to the FBI asking that Agents Bookbort and Clements be available for depositions on Wednesday, April 8, 1964. These two agents, plus one or two more, will supply the Commission with the additional and independent corroboration of what took place during the interrogation sessions. In addition, Mr. Stern will prepare to take the deposition of Inspector Kelly for the same purpose.

3. On the issue of right to counsel, Mr. Stern will prepare letters for your signature to Mr. Nichols, President of the Dallas Bar Association and Greg Olds, present President of the Dallas Civil Liberties Union. These depositions will be scheduled for the same date in Dallas. Mr. Stern will discuss with Mr. Liebeler the possibility of taking the deposition of John Abt when Mr. Liebeler takes depositions in New York of officials of the Communist Party.
4. With regard to the problem of public comment, we have substantial difficulties in securing the necessary radio and TV tapes. As you know, effort is being made through Secret Service to clarify the situation so that we can make the necessary requests. Mr. Stern will prepare a memorandum to the staff asking for recommendations as to which specific tapes should be requested from the networks. After discussion with United States Attorney Sanders, Mr. Stern will discuss some of these problems with reliable Dallas reporters who may have been involved in the press conferences during Oswald's interrogation.

5. With regard to the line-ups conducted by the Dallas Police Department no further depositions need be scheduled. Mr. Stern will consult with Messrs. Ball and Dallas on this matter. If photographs of the line-ups were made at the time, no further inquiry here is necessary.

6. No depositions need be taken regarding the issue of the public presentation of Oswald before TV cameras. The tapes of any such interview are relevant here and it is possible that Capt. Fritz can supply the Commission with some of the necessary information.

7. On the issue of Oswald's arrest and the existence of probable cause, depositions may be taken of additional patrons in the movie theater if they can be identified. In addition, Mr. Ely will review the investigative materials to clarify more precisely the extent of information in the possession of the Dallas Police Department at the time the arrest in the theater took place.

8. Mr. Ely will also review the testimony of Mrs. Paine and possibly Robert Oswald and Mrs. Marguerite Oswald. At the conclusion of this review, we will be in a better position to decide whether additional information needs be elicited from Mrs. Paine or relatives of Oswald regarding (1) the legality of the first search of the Paine residence and (2) efforts made on Oswald's behalf to secure counsel.

This memorandum assumes that Chief Curry, as well as Capt. Fritz will be called to testify before the Commission. Although there has been general discussion of this I do not believe that any recommendation on this matter has been made to the Commission. In the same category is the question...
whether District Attorney Wade and possibly his assistant, Mr. Alexander, should be called before the Commission. If it is decided that information from these men is desirable, then I think we should proceed via testimony before the Commission rather than by deposition by a staff member. If these witnesses are called, it should probably be done during the week of April 13, which, assuming that the Commission does not go to Dallas at that time, should be a week which brings before the Commission many witnesses who have been postponed from earlier dates for one reason or another.
Credits & Sources

Books

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- Accessories After The Fact by Sylvia Meagher.
- Whitewash by Harold Weisberg.
- Oswald, Assassin or Fall Guy by Joachim Joesten.
- The Day Kennedy Was Shot by Jim Bishop.
- The Reporter Who Knew Too Much by Mark Shaw.
- Cover Up by Gary Shaw.
- Kennedy Assassinated The World Mourns by Wilborn Hampton.
- No Case To Answer by Ian Griggs.
- The Assassination Tapes by George O'Toole.
- Forgive My Grief Vol. 1 by Penn Jones.
- Forgive My Grief Vol. 3 by Penn Jones.
- Henry Wade's Tough Justice: How Dallas County Prosecutors Led the Nation in Convicting the Innocent by Edwin Gray.
- Who Was Jack Ruby by Seth Kantor.
- The Man Who Knew Too Much by Dick Russell.
- Inquest by Edward J. Epstein.
- JFK First Day Evidence by Gary Savage.

Documentation

- Malcolm Blunt.
- National Archives.
- Mary Ferrell Foundation.
- Newspapers.com.
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- John Armstrong archive at Baylor Uni.
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- Ft. Worth Star Telegram.
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- Send Lawyers Guns and Money Part 2.
- Oswald Leaving the TSBD.
- Oswald's behaviour during interrogation.
- William Whaley, Cab36 and Oswald.

Education Forum

- Oswald's 30 minute phone call.
- John Abt and Lee Harvey Oswald.
- Howard Brennan Re-Evaluated.
- Oswald and the Amazing Technolor Jacket.
- Comparing the White Jacket to CE 162

Narkive Newsgroup Archive

- Did Oswald ask for the ACLU after his arrest.

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- JFK Countercoup on the nature of evidence by Bill Kelley.
- Oswald's Alibi and the Reid Technique by Greg Parker.
- The Last Words Of Lee Harvey Oswald.
- JFKInvestigators.
- McKinney Courier Gazette.
- Dallas Morning News.
- Dave Ratcliffe's JFK Page.
- JFK Lone Gunman Myth.

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