

Mr. EISENBERG. And in the case of Exhibits—Cole Exhibits Nos. 5 and 6, can you explain the reason why Cole Exhibit No. 6 shows various splotches or splotchylike patterns, whereas Cole Exhibit No. 5 does not?

Mr. COLE. Well, Exhibit No. 6 shows that side of the negative to which the opaquing medium was actually applied, whereas Exhibit No. 5 shows the opposite side. Now, on the opposite side, you can actually read the material that was being opaqued from the negative because the opaquing material is a dull red color and it actually reflects a considerable amount of light. However, it will not transmit any light, and the fact that it will not transmit light is shown by the prints made from these same negatives such as Cole Exhibits Nos. 2, 3, 4, 7, 8, and 9.

Mr. EISENBERG. As I understand it, then, in examining the negatives by reflected light, the opaquing material on the reverse side would serve as a background, and therefore would not prevent you from reading the material which was eventually opaqued out, is that correct?

Mr. COLE. That is true as to Exhibit No. 5.

Mr. EISENBERG. Yes.

Mr. COLE. But you observe on Exhibit No. 6 you cannot read the material opaqued.

Mr. EISENBERG. That is—yes. I should have said when the negatives are examined from their front—is that right?

Mr. COLE. When the negative is examined from the side to which the opaquing material was applied, you cannot read the material that was blocked out by the opaquing.

Mr. EISENBERG. And when it is examined from the other side you can?

Mr. COLE. You can.

Mr. EISENBERG. Because the material serves as a background?

Mr. COLE. That is correct.

Mr. EISENBERG. And is my understanding also correct that when the negative is printed by transmitted light, the opaquing blocks the light from passing through those portions of the negative which have been opaqued, therefore blocking those portions from being printed in the final prints?

Mr. COLE. That is correct; yes.

Mr. EISENBERG. Thank you very much, Mr. Cole.

TESTIMONY OF PROF. REVILO PENDLETON OLIVER

The testimony of Prof. Revilo Pendleton Oliver was taken at 2 p.m., on September 9, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Professor Oliver was accompanied by his attorney, Mr. John Unger.

Mr. JENNER. Mr. Reporter, this is Mr. Revilo Pendleton Oliver of Urbana, Ill.

Doctor, would you mind standing so I can swear you.

Do you swear that in the deposition which you are about to give that you will tell the truth, the whole truth and nothing but the truth?

Mr. OLIVER. I do.

This is a deposition and not a hearing?

Mr. JENNER. It is the same thing. We call hearings when the Commission, a member of the Commission is present. These are hearings but we call them deposition hearings. And all of your testimony will be published in full in volume XV of the testimony volumes, and without any editing, expurgating, or deletion.

Mr. OLIVER. Will all testimony be published?

Mr. JENNER. Yes, sir; every bit. It now runs 15 printed volumes.

Mr. UNGER. May I interrupt just a second. I notice that under the resolution adopting the rules that it provides that one or more members of the Commission shall be present at all hearings.

Don't you intend to have a member of the Commission present at this hearing?
Mr. JENNER. No; unless you desire to have one.

Mr. UNGER. Well, I didn't understand that it was a matter of preference. I understood that under the rules under which you operated it wasn't a legal hearing unless you did have one.

Mr. JENNER. It is a hearing; what you are reading is a hearing at which the Commission is sitting as distinguished from a deposition hearing. You will find also in the rules, John, that you have, that they provide for the deposition hearings.

Mr. UNGER. Are you referring now to the second paragraph which says that any member of the Commission or any agent or agency designated by the Commission for such purpose may administer oaths and affirmation, examine witnesses, and receive evidence?

Mr. JENNER. Yes, sir.

Mr. UNGER. I wouldn't normally take that as repealing a previous section that a member be present at all hearings.

Mr. JENNER. It doesn't repeal it, it supplements it.

Mr. UNGER. You see, the subpoena under which Dr. Oliver is here commands him to appear before the President's Commission.

Mr. JENNER. That is right.

Mr. UNGER. Well, I have made my point. I have some question as to whether or not this would be a proper hearing in the absence of a Commission member, and I have so stated in the record.

Mr. JENNER. But if you—Mr. McCloy happens to be here this afternoon, and if you want Mr. McCloy present, why we will have him present.

Mr. UNGER. We have no preference in the matter.

Mr. JENNER. Off the record.

(Discussion off the record.)

Mr. JENNER. Dr. Oliver, the nature of the inquiry enjoined upon the Commission in the discharge of which it has been assiduously engaged is to determine the facts and circumstances relating to the deaths of President John F. Kennedy and Lee Harvey Oswald. There has come to the attention of the Commission and its staff an article entitled, "Marxmanship in Dallas," of which we understand you were the author, published in two parts in American Opinion, a magazine published by the John Birch Society, part I, in the February 1964 issue, pages 13 through 28, and part II in the March 1964 issue, pages 65 through 78.

That article—it is charged among other things that President Kennedy's assassination was a part of a Communist plot engineered with the help of the Central Intelligence Agency, that Lee Harvey Oswald was a Communist agent trained in sabotage, terrorism, and guerrilla warfare, including accurate shooting from ambush, in a school for international criminals near Minsk, Russia, under order from Secretary of Defense Robert S. McNamara, the U.S. Army began to rehearse for President Kennedy's funeral more than a week before the funeral actually took place—

Mr. OLIVER. Now, are we not confusing quite a number of things, here, Mr. Jenner?

Mr. JENNER. Well, you may comment when I finish the statement, if you please.

Mr. OLIVER. Very good.

Mr. JENNER. That Lee Harvey Oswald was sent to Dallas where he tried to murder Gen. Edwin A. Walker; that in November, Oswald was sent back from New Orleans, La., to Dallas, Tex., where a job at a suitably located building had been arranged for him and that something went wrong with the Communist conspiracy's plans, as a result of which Oswald was apprehended and identified.

There has also come to the attention of the Commission various news items and newspapers published in Washington, D.C., Illinois, Mississippi, Arizona, Texas, Colorado, California, and other States, which contain reports of lectures and speeches made by you from time to time, in which you have repeated, elaborated upon, or added to the charges and claims made in your article in the American Opinion which I have summarized.

The Commission is interested, among other things, in obtaining from you the sources of, and the basis for, the foregoing charges and claims appearing in your article and those reported in the news media as having been made by you in lectures and speeches.

John, if you want that, there it is.

Mr. UNGER. Thank you.

Mr. JENNER. I wanted to give you the framework of the examination.

Mr. OLIVER. May I point out that the article to which you originally referred contained no reference to a rehearsal for the funeral, and certainly contained no statement that the CIA had engineered the assassination.

Mr. JENNER. What we will do, I will go into the article. I understand you brought copies of it, and we can put the article in the record and it will speak for itself.

Mr. OLIVER. The entire article will be reproduced in the record?

Mr. JENNER. I beg your pardon?

Mr. OLIVER. Will the entire article be reproduced in the record?

Mr. JENNER. Yes, sir.

Mr. OLIVER. All right.

Mr. JENNER. Have I stated your name accurately, that is, Revilo Pendleton Oliver.

Mr. OLIVER. Yes.

Mr. JENNER. You do reside at 710 West Ohio Street?

Mr. OLIVER. 701, simply Ohio Street there being no West.

Mr. JENNER. You are a professional man. What is your profession, sir?

Mr. OLIVER. I am a professor of classical philology in the University of Illinois.

Mr. JENNER. You have held that position since when?

Mr. OLIVER. I held rank as a full professor, I believe, since 1953, it could be 1954.

Mr. JENNER. You are the holder of a doctor of philosophy degree, are you not?

Mr. OLIVER. That is right.

Mr. JENNER. From what university, sir?

Mr. OLIVER. The University of Illinois.

Mr. JENNER. When did you receive your doctorate?

Mr. OLIVER. To the best of my recollection, 1940.

Mr. JENNER. Approximately?

Mr. OLIVER. 1940.

Mr. JENNER. Have you resided in Urbana or in Champaign, at least in the university area, from the time you became a member of the faculty of the University of Illinois and a professor?

Mr. OLIVER. Legally, I believe; yes.

Mr. JENNER. Would you want to explain to me what you mean by "legally"?

Mr. OLIVER. Well, I have lived elsewhere during that time; I have been abroad, and I have lived in Washington, D.C., and in Virginia, but I maintained a legal residence in Urbana.

Mr. JENNER. These, I take it, were either special assignments, or vacations, or sabbatical leaves to which you refer?

Mr. OLIVER. Right, and let us say Urbana and/or Champaign, because during some of those years I lived in the adjacent town of Champaign.

Mr. JENNER. Yes. Urbana/Champaign, they are twin cities, and the university is located in both cities, is that not correct?

Mr. OLIVER. Between the two.

Mr. JENNER. Between the two. Although their boundaries touch?

Mr. OLIVER. Yes; in fact, their boundaries so touch they have a problem because cars parked in one city would find the parking meters on the curb of the other city.

Mr. JENNER. Would you give me, but not in great elaboration, your career from your college days. You received a master's degree, where did you receive that?

Mr. OLIVER. Out at the University of Illinois, also.

Mr. JENNER. Just tell us in summary.

Mr. OLIVER. I took my doctoral degree at the University of Illinois, under Prof. William Abbott Oldfather.

Mr. JENNER. A very great man.

Mr. OLIVER. A very distinguished man. I have been successively instructor, assistant professor, associate professor, and professor of the classics, and I have also been assistant professor, associate professor, and full professor of Spanish and Italian—largely a matter of my giving courses in the Renaissance.

Mr. JENNER. Do you teach Latin and Greek, too, or have you?

Mr. OLIVER. Oh, that is classics.

Mr. JENNER. I see. During the war did you have some special assignment militarily oriented or Government oriented?

Mr. OLIVER. Yes; during the war I was on leave from the university for service with the War Department.

Mr. JENNER. And without revealing any secrets, would you tell us the general nature of that?

Mr. OLIVER. The general nature of that was work that is supposedly secret in nature. I can only say I was with the War Department and that the offices in which I principally worked were located on Lee Boulevard in Arlington, and not in the Pentagon.

Mr. JENNER. Was this civilian oriented rather than army oriented?

Mr. OLIVER. I was a civilian expert. It was, however, an Army Establishment under the command of a general.

Mr. JENNER. What was that, research work?

Mr. OLIVER. Yes; under the command of a brigadier general, I should say.

Mr. JENNER. This research work, did that involve any work of investigating or inquiring into the commission of crimes or conspiracies, work of that nature?

Mr. OLIVER. Not actual investigation on my part.

Mr. JENNER. But—

Mr. OLIVER. It involved the use of the results of the investigations of others.

Mr. JENNER. So that you had experience in examining investigators' reports and reaching judgments from those reports?

Mr. OLIVER. Yes.

Mr. JENNER. And reporting your judgment to your superiors.

Mr. OLIVER. That is right.

Mr. JENNER. Are you a member of the John Birch Society?

Mr. OLIVER. I am a member of the council of John Birch Society.

Mr. JENNER. Would you explain to me what that is? I am frank to say to you I don't know.

Mr. OLIVER. The John Birch Society was founded by Mr. Robert Welch in Indianapolis, Ind., in December 1958. Very shortly after its foundation a council was organized. The council consists of persons whom the society regards as prominent, and has approximately 30 members. The number fluctuates, of course as a result of deaths, and so on. The council meets with Mr. Welch periodically.

Mr. JENNER. Is it in the nature of a board of managers or a board of governors of a bar association? I am not trying to be technical, but just trying to get a notion of what the council is.

Mr. OLIVER. I am not sufficiently familiar with the board of governors of a bar association but I think as a general analogy that would stand, yes.

Mr. JENNER. That is all I wanted.

And you became a member in 1958, did you say?

Mr. OLIVER. At the foundation.

Mr. JENNER. And you have remained one ever since?

Mr. OLIVER. Oh, yes.

Mr. JENNER. Do you have any other official connection with the John Birch Society apart from being a member of the society and of the council?

Mr. OLIVER. No; I write for American Opinion. And I am associate editor of it, I believe. American Opinion, by the way, is published by Robert Welch, Inc.—

Mr. JENNER. Explain that to me, if you please?

Mr. OLIVER. Which is a corporation, some of the stock of which is held by the John Birch Society.

Mr. JENNER. Could I ask you one thing, Doctor?

Mr. OLIVER. Yes, sir.

Mr. JENNER. You tend, and many witnesses do, you tend to drop your voice

about three quarters of the way through a sentence. It would be helpful to me if you could keep it up a little.

Mr. OLIVER. Very good. I didn't want to seem to be lecturing.

Mr. JENNER. Don't worry about it.

I see you have before you what looks like a magazine with a colored cover. Does that happen to be a copy of American Opinion?

Mr. OLIVER. It is.

Mr. JENNER. Would you mind if I looked at it?

Mr. OLIVER. Not at all. That is the March issue of this year.

Mr. JENNER. I take it that the document I have in my hand and the other that you have before you contain part I and part II of the article to which I made reference in my opening statement?

Mr. OLIVER. That is right. Will these copies be returned to me?

Mr. JENNER. Are these the only ones you have, sir?

Mr. OLIVER. Those are my file copies.

Mr. JENNER. May I say this to you, any witness who wants the return of his documents is entitled to them. That is our practice. If we have to return them, we duplicate them on a Xerox machine. Some of the material, like the pictures will not be as clear as you will wish. Whereas if you permit us to retain the original copy, then it will be photographed and the photograph of the document in evidence will be quite clear. It occurred to me if acceptable to you, that for purposes of reproduction, the original is to be preferred. May I suggest that you probably will so desire, can you not obtain official copies?

Mr. OLIVER. I will take the chance of obtaining additional copies. The issues were sold out.

Mr. JENNER. I see.

Mr. OLIVER. But perhaps I can find extras. So you may have those.

Mr. JENNER. Thank you.

Mr. Reporter, I will mark the copy entitled "American Opinion, An Impartial Review, March 1964," upon which appears the rubber stamp "R. P. Oliver, File copy," as Oliver Exhibit No. 1.

(The document referred to was marked Oliver Exhibit No. 1 for identification.)
Excuse me. Whose picture is that on the cover page?

Mr. OLIVER. Senator Thurmond's.

Mr. JENNER. I mark the second document which is on its face, the February 1964 issue of American Opinion, likewise stamped "File copy, R. P. Oliver" on which appears a picture of General MacArthur.

(The document referred to was marked Oliver Exhibit No. 2 for identification.)

Mr. JENNER. I take it from the discussion we have had, Dr. Oliver, that in Oliver Exhibit No. 1 appears part I.

Mr. OLIVER. Part II.

Mr. JENNER. Have I got them reversed?

Mr. OLIVER. I thought of interrupting at the time you marked those exhibits, and then thought perhaps I should not.

Mr. JENNER. Well, I have got them marked so I will have to leave them that way.

In Oliver Exhibit No. 1, appears part II at pages 65 through 76 of your article entitled "Marxmanship in Dallas," and that in volume 2 appears part I of the same article at pages 13 through 28.

These two pamphlets, Doctor, are true and correct copies of the issues of American Opinion of the dates that we have described?

Mr. OLIVER. They are the printed copies, yes.

Mr. JENNER. Now, I will refer to Exhibits 1 and 2 in which are contained the parts II and I, respectively of your article. I want to ask you some questions as to the sources of some of the statements made therein.

But before I do that, I will ask whether you are the author of the article?

Mr. OLIVER. Yes, that is right.

Mr. JENNER. Part I and part II.

Mr. OLIVER. Right.

Mr. JENNER. The picture representation in each of those issues is your picture?

Mr. OLIVER. The picture of myself, yes. I may say I did not choose the other photographs. That was the work of the editor.

Mr. JENNER. I should say that the picture representation on page 13 of Exhibit 2, and the picture representation on page 65 is in each instance your picture?

Mr. OLIVER. That is right.

Mr. JENNER. I will ask you a general question first. If you want to particularize you may. I will tell you that I will get into particulars as we go along. What was the source, or what were the sources, if there was more than one source, of the statements and claims made in your article. When I say "your article" I mean both parts, unless I distinguish.

Mr. OLIVER. Statements which I make as statements of fact or of reports are taken very largely, perhaps entirely, from printed sources, such as newspapers, periodicals.

The portions in which I reason from those facts are, of course, the deductions which I draw.

Mr. JENNER. Do the articles indicate when you are reasoning and when you are referring to sources?

Mr. OLIVER. I believe so with at least reasonable clarity. It was my intention to make that clear.

Mr. JENNER. I take it then that none of the portions of the article is derived from any personal source of information upon your part, that is personal knowledge as distinguished from reference sources that you have described to me.

Mr. OLIVER. Certainly nothing concerning the assassination is derived from any personal knowledge of mine. I was not present, and as a matter of fact, have seen none of the persons involved. By "seen," of course, I mean seen personally, not in pictures or films.

Mr. JENNER. All right.

I direct your attention to part I, on page 13. You make the statement, "Lee Harvey Oswald was a young punk who defected to the Soviet taking with him the operational codes of the Marine Corps and sufficient other secrets as a fledgling traitor had been able to steal while in military service."

What is the source of your statement that Lee Harvey Oswald took with him or even had the operational codes of the Marine Corps?

Mr. OLIVER. The principal source certainly is a statement made by a former officer of the Marine Corps and reported widely in the press at the time, that after Oswald's defection the Marine Corps found it necessary to change all of their operational codes, and further had to make certain other changes evidently involving radar frequencies, and quite possibly the location of radar stations.

The officer, naturally, was not too explicit on that point. He stated, however, that this work involved, I believe, many thousands of man-hours of work.

Well, I think that a reasonable inference is that no organization would expend without reason the many thousands of man-hours of hard work and the other effort and expense that would be necessary to make those changes without good and sufficient reasons to believe that their codes had been compromised.

Mr. JENNER. I take it then that the source of your information, to pinpoint it, was a newspaper report?

Mr. OLIVER. That is right.

Mr. JENNER. Of a statement made by an officer of the Marine Corps?

Mr. OLIVER. That is right.

Mr. JENNER. That was your sole source of information?

Mr. OLIVER. To the best of my recollection it was.

Mr. JENNER. Do you happen to have a copy of that newspaper account? Did you bring one with you by any chance?

Mr. OLIVER. I believe that I have. You people have the American Eagle reprint of the assassination story, do you not?

Mr. JENNER. Would you describe that more definitely for the record?

Mr. OLIVER. The American Eagle reprint is a reprint by photo offset of clippings from the two Dallas newspapers and, I believe, possibly two other sources.

Mr. JENNER. May I interrupt you? Now I know what you are talking about.

Mr. OLIVER. Yes.

Mr. JENNER. It is published by the American Eagle Publishing Co.

Mr. OLIVER. That is right.

Mr. JENNER. Of which Robert A. Surrey is president?

Mr. OLIVER. That is right.

Mr. JENNER. Of Dallas, Tex.

Mr. OLIVER. I believe he is president.

Mr. JENNER. He has so testified. When you first mentioned this document it didn't click with me, but now I recall. It is tall, newspaper-sized yellow-covered—

Mr. OLIVER. That is right.

Mr. JENNER. Document.

(Discussion off the record.)

Mr. JENNER. Mr. Reporter, that has been received in evidence as Commission Exhibit No. 1015. If you have a copy with you in your bag, Doctor, would you please get it out and then refer me to the page?

Mr. OLIVER. Yes.

Mr. JENNER. Please make your references to the Commission Exhibit No. 1015 and the record will be much clearer.

Mr. OLIVER. That is, the Commission Exhibit No. 1015 is the American Eagle reprint?

Mr. JENNER. That is right. You will notice, if you will turn to the back page Doctor, that Robert Surrey is listed as president of the American Eagle Publishing Co.

Mr. OLIVER. Right.

Mr. JENNER. Would you have the record show, Mr. Reporter that Dr. Oliver is now examining a copy of Commission Exhibit No. 1015 to see if he can locate the news source on which he based the statement in Oliver Exhibit 2 that Oswald took with him the operational codes of the Marine Corps and sufficient other secrets as a fledgling traitor had been able to steal in the military service.

Mr. JENNER. All right, Doctor. Would you identify the page if you have located it?

Mr. OLIVER. This is the page of reprints from the Dallas Morning News with the date 12/4 at the very top of the page in heavy writing.

Mr. JENNER. We are now looking at the back of page 12. It has a dateline Wednesday, December 4, 1963. You are referring, sir, to a particular item?

Mr. OLIVER. Yes.

Mr. JENNER. Would you read the headline?

Mr. OLIVER. This particular item is an Associated Press Dispatch, and in this paper is headlined, "Oswald a 'wise guy,' ex-Marine officer says." And in it, John E. Donovan, a former Marine officer, is reported as saying, the Oswald's defection "compromised all our secret radio frequencies, call signs and authentication codes. He knew the location of every unit on the west coast, and the radar capability of every installation. We had to spend thousands of man-hours changing everything, all the technical frequencies"—"all the tactical frequencies," I am sorry—"and verify the destruction of all of the codes." That I regard as the significant part of the statement.

Mr. JENNER. Is there any other newspaper clipping contained in Commission Exhibit No. 1015 upon which you relied in making the statement in question or to which I have referred in part 1 of your statement?

Mr. OLIVER. It is possible that the same dispatch is reproduced from another newspaper also in this document, but to the best of my recollection it would be the same in both.

Mr. JENNER. So it is a fair statement that the quotation I read into the record from your article was based upon that news report of Officer Donovan's statement or a repetition of that news item in some other newspaper?

Mr. OLIVER. Right.

Mr. JENNER. And no other source?

Mr. OLIVER. Yes.

Mr. JENNER. No other source meaning yes, there was no other source?

Mr. OLIVER. Meaning there was no other source.

Mr. JENNER. Then, follow me in your article again. You say a sentence later, "He was then trained" the "he" referring to Lee Harvey Oswald, "in sabotage, terrorism and guerrilla warfare (including accurate shooting from ambush) in the well-known school for international criminals near Minsk, and while

there he married the daughter of a colonel in the Soviet military espionage system (and possible also in the Secret Police.)”

That is starred, indicating a footnote. The footnote reads, “If you missed the detail about Mrs. Oswald’s father, see the Congressional Record for December 4, page 22215.” Have I read it correctly?

Mr. OLIVER. I believe so.

Mr. JENNER. What is the source of your statement that Oswald was trained in sabotage, terrorism, and guerrilla warfare, including accurate shooting from ambush in the well-known school for international criminals near Minsk?

Mr. OLIVER. It would be a number of sources. The first, a radio broadcast on an international hookup made, as I recall, on the Saturday following the assassination from Vienna by a reporter—

Mr. JENNER. Excuse me, that would be the next day, the 23d of November, 1963. The 22d was a Friday. That is the day of the assassination. The 23d was a Saturday. The 24th was Sunday, and was the day on which Mr. Ruby shot Lee Harvey Oswald. All I am seeking to clear up, Doctor, is I gather, that the Saturday you have in mind is the day immediately following, or in other words, the day after the assassination, rather than the succeeding week.

Mr. OLIVER. That is right. In other words the Saturday and Sunday immediately following that Friday. This was a broadcast from Vienna by a correspondent for, I believe, the Hearst newspaper named Flieders.

Mr. JENNER. Would you spell it for me, please?

Mr. OLIVER. As I heard it, I would assume that it was F-l-i-e-d-e-r-s or F-l-i-e-g-e-r-s, I was not quite sure, which. Who stated—

Mr. JENNER. Your understanding, it was a broadcast from Germany?

Mr. OLIVER. No; Vienna.

Mr. JENNER. Thank you.

Mr. OLIVER. The man stated that he had learned from underground sources that Oswald under cover of employment in a factory at Minsk, was trained in the school for sabotage and terrorism—that I believe was the phrase used—at Minsk. That was, of course, an extremely plausible statement. It has been a matter, I believe, of general knowledge for some time, that such a school was operated in the vicinity of Minsk. It is comparable perhaps to the school in the vicinity of Prague at which Raul Castro was trained. It would be difficult for me to say where I first learned of the existence of such a school.

Mr. JENNER. When you say “such a,” you mean this particular one? This one at Minsk?

Mr. OLIVER. It is my recollection it was in connection with some inquiries I was making into the careers of some Communists in Latin America, but I do not recall it clearly. I believe that references to that school are also to be found in the memoirs of some defectors. I am thinking particularly of Granovsky, the author of a book entitled “I was an NKVD agent.”

Now, Granovsky himself was trained at Bykova. But my recollection is not clear in what connection he mentions the school at Minsk, and I cannot be sure that he mentions it at all. There are a large number of memoirs, as you know, of people who were associated in one way or another with the Russian secret police.

Mr. JENNER. Or at least claimed.

Mr. OLIVER. It would take me quite some time because most of those books do not have indices. It would be quite some time to run down the references, but the statement that he was trained at Minsk seemed to me to be a perfectly reasonable statement.

Mr. JENNER. Is this a fair statement of the import of your testimony, that when you heard the broadcast during the morning or late evening hours of the 23d–24th from Vienna, that that awakened in your mind so far as the school at Minsk is concerned, some things that you had read prior to that time?

Mr. OLIVER. Oh, yes.

Mr. JENNER. Other than having read the memoirs you have mentioned and hearing the broadcast to which you have referred, did you have any other source, that is personal in nature, let us say, that there actually existed while Mr. Oswald, Lee Harvey Oswald was there, or since or prior, a school for international criminals in which sabotage, terrorism, and guerrilla warfare was taught?

Mr. OLIVER. No personal knowledge. I never attended the school.

Mr. JENNER. I didn't mean that, sir. What I am seeking to do is narrow down the source of your statement. What I am seeking is sources and to determine whether there is any source of information which this Commission has not itself investigated and should investigate.

Mr. OLIVER. Again, my recollection will be vague. There was some discussion several years ago among "Sovietologists"—of a Russian—of a report from Russian sources that this school had been closed.

Mr. JENNER. Was there a publication?

Mr. OLIVER. I am virtually certain it must have been a publication; yes. I believe it was mentioned in connection with some one of these stories that the Russians were "mellowing" and so on.

Mr. JENNER. Mr. Unger, I apologize to you, I should have stated for the record the fact that you are here representing Doctor Oliver. Would you give the reporter your full name and where you reside and practice law?

Mr. UNGER. Yes; John Unger, in Danville, Ill., is where I practice.

Mr. JENNER. And you appear here as counsel for Dr. Oliver.

Mr. UNGER. Yes.

Mr. OLIVER. You will find that school also mentioned in the statement that Congressman Ashbrook read into the Congressional Record on the pages cited there.

Mr. UNGER. May I interject here that I think that what Dr. Oliver is trying to do is to try to furnish you as many sources as possible for information about the existence of the school in or near Minsk, because I was told your conversation with me on the telephone, that you were not aware of that information but I suspect what you are primarily concerned about is the information he had of Lee Harvey Oswald attending that school.

Mr. JENNER. I want his sources for all the statements he has made. I was about to get to that.

Mr. UNGER. Yes; and I take it that he has answered that question as fully as he can when he told you about this broadcast which he heard.

Mr. JENNER. You have heard Mr. Unger's statement, Doctor. Do you accept that, that your sole source of information as to Lee Harvey Oswald's having attended, as you state, in part 1 of your article, having attended this school, was the broadcast from Vienna the night of November 23-24?

Mr. OLIVER. No; there was also the statement in Congressman Ashbrook's article in the Congressional Record, as I recall. A further statement by Congressman Ashbrook in an article, a short article, more or less summarizing what he had read into the record, which appeared in a publication of the Liberty Lobby.

Mr. JENNER. Liberty Lobby?

Mr. OLIVER. Yes.

Mr. JENNER. What is that publication, sir?

Mr. OLIVER. I believe it was the Liberty Letter, as it is called.

Mr. JENNER. Would you identify it for me, who publishes it?

Mr. OLIVER. The Liberty Lobby is an organization here in Washington of which I understand Willis Carto is an active member and possibly officer, I do not recall clearly. Its purpose as stated, is to lobby for American interests in Congress.

Mr. JENNER. Doctor, I have a copy of the daily Congressional Record for Wednesday, December 4, 1963, pages 22215 and 22216 (bound volume 109, part 18, page 23331). I have marked it as Oliver Exhibit No. 3. I hand that to you. Would you tell me if that is the Congressional Record source to which you made reference?

(The document referred to was marked Oliver Exhibit No. 3 for identification.)

Mr. JENNER. It may help you that the footnote of your article refers to page 22215 of the December 4 issue of the Congressional Record.

Mr. OLIVER. Yes; that is the statement by Congressman Ashbrook to which I referred. I was, of course, referring particularly, to the statement about his wife.

Mr. JENNER. About Oswald's wife?

Mr. OLIVER. Oswald's wife; yes.

Mr. JENNER. I take it, then, that is the portion of the matter I quoted in which it is stated that "He" meaning Oswald, "married the daughter of a colonel in the Soviet military espionage system (and possibly also in the secret police)."

Mr. OLIVER. I have since learned that that statement was somewhat inaccurate.

The girl now known as Marina Oswald, as I understand it, lost her father when she was about 2 years old. Her mother remarried and died when Marina was in her teens, and at the time that Oswald met her Marina was living, evidently, in the capacity of a daughter, in other words, an adopted daughter for practical purposes, with the colonel of the Soviet military intelligence.

Mr. JENNER. What is your source for that supposition?

Mr. OLIVER. That I base on a report from a man whose research I use a great deal in my work, Mr. Frank Capell. Mr. Capell, is a private expert on Communism and Communistic infiltration, who, I understand, has the cooperation of many former intelligence officers of the Army and former members of the FBI.

Mr. JENNER. When you say army you mean the United States Army?

Mr. OLIVER. United States Army; yes. And other very good sources. He has very elaborate files and among the research workers whose work I use Mr. Capell's work has been particularly important to me in connection with these articles.

Mr. JENNER. I take it then that the sources of the statement which I have quoted from your article, all portions of it, were, may I use the term, secondary sources, that is, the broadcast you have mentioned, newspaper items, research reports of Mr. Capell or either that you saw published or which he transmitted to you as the case may be, which came to your attention?

Mr. OLIVER. That is right.

Mr. JENNER. Here again your information was not, if I may use the term, direct source, of your own?

Mr. OLIVER. No; in the sense that I never met Oswald, knew nothing of his career.

Mr. JENNER. Or you never knew that this school existed other than as reported through these secondary sources?

Mr. OLIVER. True, and of my own personal knowledge I do not even know that Minsk exists.

Mr. JENNER. You have never been there?

Mr. OLIVER. That is correct.

Mr. JENNER. Have you now given me all the sources of that statement to which the Commission may turn its attention if it has not already done so?

Mr. OLIVER. You are now referring to the marriage of Oswald to the daughter of the Soviet Colonel?

Mr. JENNER. I am referring to the whole sentence beginning, "He was then trained", and ending "secret police."

Mr. OLIVER. Did I mention that the adopted father was her uncle, was the uncle of Marina?

Mr. JENNER. I don't think you called him an adopted father.

You mean in the sense she went to live with him?

Mr. OLIVER. She went to live with him in the capacity of a daughter.

Mr. JENNER. All right. I lost your thought. Would you repeat? You did mention something, you said?

Mr. OLIVER. Did I mention that the colonel in the Soviet military intelligence with whom Marina was living at the time that Oswald married her, was, according to her statement, her uncle?

Mr. JENNER. I don't think you mentioned that.

Mr. OLIVER. I did not want to intrude any other implication into the record.

Mr. JENNER. No; of course not. Here again the reference to him as her uncle is in turn based on either a newspaper source or a news broadcast or some other secondary source?

Mr. OLIVER. In this case I believe I am relying principally on research done by Mr. Capell.

Mr. JENNER. All right. Also, as a source would be the daily Congressional Record for December 4, 1963, page 22215.

Mr. OLIVER. It is, I think, relevant to the Commission's inquiries that excerpts published from the diary of this man Oswald indicate two things: First, that he was receiving a salary of approximately 700 rubles from the Russian Government through a Red Cross—Russian Red Cross—cover; and, second, that he was on terms of such intimacy with the colonel in the military intelligence that he could boast of their drinking parties together.

Mr. JENNER. Here, again, your statement is based on what?

Mr. OLIVER. On——

Mr. JENNER. Excuse me, may I amend my question by asking the source of your information?

Mr. OLIVER. Principally certainly research reports from Mr. Capell. I saw, of course, certain excerpts published in the newspapers.

Mr. JENNER. Recently?

Mr. OLIVER. But I am relying principally on Mr. Capell's research.

Mr. JENNER. You have reference, I assume, I don't know when it was published, Oswald's autobiography? Did you see that?

Mr. OLIVER. Not with that title on it. I am thinking of newspaper reports that quoted not more than two or three paragraphs.

Mr. JENNER. I see.

Mr. OLIVER. Containing excerpts from the diary.

Mr. JENNER. But you saw no such newspaper reports of excerpts at or prior to the time you wrote and published this article, did you?

Mr. OLIVER. I believe not; no. I mentioned that as merely pertinent to the scope of your inquiry, as you could find.

Mr. JENNER. Then you go on in your article and say, "In 1962 after he had been trained for 3 years in Russia, the Communist agent and his Communist wife were brought to the United States in open violation of American law by our Communist-dominated State Department." Now, I take the statement "had been trained for 3 years in Russia," the sources thereof are the sources you have already mentioned?

Mr. OLIVER. That is right.

Mr. JENNER. In connection with the previous sentence. What is your source for the statement that he was a Communist?

Mr. OLIVER. A man who can——

Mr. JENNER. If you will forgive an interruption, Doctor——

Mr. OLIVER. Right.

Mr. JENNER. First, tell me the source, I have no objection to your elaborating after you have given the source.

Mr. OLIVER. For the statement that he was a Communist agent, I rely on what I regard as certain inference from, A, his training in this school; B, the circumstance he was a man who had been accorded most extraordinary privileges in Russia; C, that he had been permitted to marry and take with him the adopted daughter of a man in the Russian intelligence service.

Mr. JENNER. Excuse me, sir, are you now using adopted in the technical sense, that the uncle you have identified adopted her?

Mr. OLIVER. I am using it loosely because I for that matter do not know whether there is legal adoption in the Soviet.

Mr. JENNER. I didn't want you to utter something that you perhaps did not intend.

Mr. OLIVER. No; I was merely reluctant to say "purported father" because that would have another implication. D, that he had been permitted to return to the United States by the Soviet with his wife; E, his activities in the United States after his return, all of which were quite obviously in the Communist interest. I believe that summarizes the principal points on which I based my deduction. It is, of course, true that I had no personal knowledge that he was a Soviet agent.

Mr. JENNER. Now, were the sources of these points A through E, the news reports, Commission Exhibit 1015, the Congressional Record, newspaper clippings, and other secondary sources of that nature?

Mr. OLIVER. Together with, here also, reports from Mr. Capell.

Mr. JENNER. Do you have with you copies of any of the reports of Mr. Capell that you considered?

Mr. OLIVER. No; I do not.

Mr. JENNER. Do you have with you the sources that you considered in connection with making of the statement we have now immediately quoted?

Mr. OLIVER. I beg your pardon, I did not hear your last words.

(The question, as recorded, was read by the reporter.)

Mr. JENNER. That is, the sentence commencing at the bottom of page 13 of Oliver Exhibit No. 2 and concluding at the top of the right-hand column.

Mr. OLIVER. I strongly imagine that most of the details regarding Oswald's return to this country are to be found in the news clippings here.

Mr. JENNER. In Commission Exhibit No. 1015?

Mr. OLIVER. Right.

Mr. JENNER. And that is the source that you considered?

Mr. OLIVER. That and similar news clippings. I would not want to say they were all in this collection.

Mr. JENNER. I don't wish to put those words in your mouth either, but those are the sources upon which you base the statement?

Mr. OLIVER. Right.

Mr. JENNER. Does that include the statement that he and his wife "were brought to the United States by our Communist-dominated State Department."

I am seeking here to emphasize only the point of your statement that they were brought to the United States by the State Department.

Mr. OLIVER. They were brought in the sense that they were given passports and that their passage was paid for with money from the State Department in the sum of something less than \$500 as I remember it.

Mr. JENNER. Monies advanced by the State Department. You are aware those monies were repaid?

Mr. OLIVER. I do not know whether they were repaid or not. I believe that I have heard that they were never repaid. But that is something I certainly would not say without a checking.

Mr. JENNER. Well, just for your information they were repaid by January of 1963.

Mr. OLIVER. They were. May I further ask whether it is known from what source they were repaid?

Mr. JENNER. Yes, sir; when the report is published this month you will see it.

Mr. OLIVER. Very good.

Mr. JENNER. Your statement that he was brought back or permitted to come back in open violation of American law is a statement of your opinion only, I take it?

Mr. OLIVER. Of my opinion, based, I believe, on the import of legislation intended to prevent the coming of known Communists to this country.

Mr. JENNER. It is your interpretation of Federal statutes and regulations?

Mr. OLIVER. That is right.

Mr. JENNER. Then you continue in your article in the right-hand column on page 13, "Upon his arrival in this country Oswald took up his duties as an agent of the conspiracy, conspiracy with a cap C, spying on anti-Communist Cuban refugees, serving as an agitator for Fair Play for Cuba, and participating in some of the many other forms of subversion that flourish openly in the defiance of law through the connivance of the Attorney General, Robert F. Kennedy."

Here again, I take it, your statement that he was an agent and he took up duties as an agent of the conspiracy, was the same source you relied upon in connection with the previous sentence that he was a Communist agent.

Mr. OLIVER. Yes. In the sense that this spying on Cuban refugees could scarcely have had any other purposes. Fair Play for Cuba is very obviously a Communist enterprise.

Mr. JENNER. This statement, in turn, is based on newspaper reports and radio broadcasts or television broadcasts, as the case may be?

Mr. OLIVER. Yes. I should perhaps add, yes; that I heard a personal account in, as I recall, Tulsa, Okla., from a man who was connected with a Cuban group that Oswald tried to infiltrate.

Mr. JENNER. Was that Carlos Bringuier?

Mr. OLIVER. Bringuier, I believe so, yes. And I also heard from the publisher of the Independent American of an attempt by Oswald to obtain employment on that newspaper.

Mr. JENNER. Would you identify that person, please?

Mr. OLIVER. The Independent American is a newspaper published by Kent Courtney, or I should say edited by Kent Courtney, in New Orleans.

It is C-o-u-r-t-n-e-y.

It is largely composed of reprints of editorials and other material from conservative sources in the United States. There is some original material written by either Mr. or Mrs. Courtney.

Mr. JENNER. When you said you heard from the editor, is that gentleman Mr. Courtney?

Mr. OLIVER. That is Mr. Courtney.

Mr. JENNER. And when you say you heard from him was that a conversation or did he send you a copy of his piece or a copy of the article?

Mr. OLIVER. A conversation.

Mr. JENNER. A conversation. Have you seen any article or item he has written or published in which he makes that statement in substance?

Mr. OLIVER. Not that I recall. If so, I saw it after the conversation and I did not remember it separately.

Mr. JENNER. For your information, and Mr. Unger's, Mr. Bringuier has been examined at very considerable length.

Mr. OLIVER. Mr. whom?

Mr. JENNER. Mr. Bringuier.

Mr. OLIVER. Yes. Did he confirm what he told me?

Mr. JENNER. Doctor, I will give you the pleasure of reading his testimony.

Mr. OLIVER. Very good.

Mr. JENNER. A part of your statement, which I have already quoted, is that Oswald engaged in these activities "through the connivance of the Attorney General, Robert F. Kennedy."

Upon what source did you rely or base this statement that I have just quoted?

Mr. OLIVER. Primarily the failure to enforce a law of Congress which, incidentally, has been held constitutional, requiring members of the Communist Party to register and, also what seemed to me to be a very conspicuous absence of any other legal measures against the Communist Party or its auxiliaries.

Mr. JENNER. Would you have the record show, Mr. Reporter, that the witness is consulting with Mr. Unger. Do you wish to add anything now?

Mr. OLIVER. No. I take it that the references are to sources that I had at my disposal at the time I wrote this article.

Mr. JENNER. Yes, sir.

Mr. OLIVER. That is right.

Mr. JENNER. It may be that you have repeated the statement subsequently, and if you have any subsequent sources I wish to have them since the Commission continues to function until it renders its report. That is, you may have discovered something in the meantime that is of a more primary source than you have indicated, which would, of course, be important to the Commission. If you have discovered such a source since then would you please mention it.

Mr. OLIVER. I believe some confirmation of this statement will come out later in the testimony.

Mr. JENNER. I see. At some subsequent point of your article?

Mr. OLIVER. Yes.

Mr. JENNER. You go on to say, "In April of 1963 he was sent to Dallas where he tried to murder General Walker."

What is the source of your statement that he was sent to Dallas and by whom?

Mr. OLIVER. That statement is based upon the consideration that it is extremely improbable that a Communist agent would do anything of importance except under orders from his superiors. The extremely rigid discipline to which Communists are subjected in the neophyte stage is, I think, very lucidly set forth by Frank Meyer in his "Molding of Communists," I believe.

Mr. JENNER. That is a book, is it, or an article?

Mr. OLIVER. A book by Mr. Meyer published several years ago.

Mr. JENNER. And in turn also, this reasoning of yours is based on the assumption that Oswald was a Communist?

Mr. OLIVER. Yes.

Mr. JENNER. You have mentioned neophyte. Would you for my edification if none other, explain to me what is a neophyte Communist, as distinguished from some other kind of Communist?

Mr. OLIVER. Well, I was simply using the term in its usual sense, with reference to a person recently admitted to a cult or organization under discipline. And Mr. Meyer makes the point that from the very early stages of a person's membership in the Communist Party, he is accustomed to the kind of discipline which would make it impossible for him, let us say, to marry or divorce, to change jobs, to do anything of sufficient importance to affect his usefulness as an agent without the permission of his superiors. I should say nobody is going to take it for granted when I cite Frank Meyer's source that is my only source of knowledge of Communist methods. Let me add that I have read a great deal on the organization and operation of the Communist Party and all of that necessarily goes into my reasoning on this subject.

Mr. JENNER. Then you proceed to, and I am quoting again, "The failure does not reflect on the assassin's professional training: General Walker happened to turn his head at the instant the shot was fired."

What is the source of your statement that General Walker happened to turn his head at the instant the shot was fired?

Mr. OLIVER. Well, I believe it was published at the time, but there I rely primarily on General Walker himself.

Mr. JENNER. Did General Walker tell you that himself?

Mr. OLIVER. Yes.

Mr. JENNER. You will be interested in reading his testimony. I take it then it is the statement of General Walker and newspaper accounts?

Mr. OLIVER. That is right.

Mr. JENNER. And those are your two sources?

Mr. OLIVER. Yes, sir.

Mr. JENNER. You proceed, "according to a story that has been neither confirmed nor denied officially, at the time I write, Oswald was arrested as a suspect but was released through the personal intervention of Robert F. Kennedy and all inquiry into the attempted assassination of a great American was halted."

And you have a footnote. The footnote reads, "Reprinted in the Councilor, 228 Oil and Gas Building, Shreveport, La., December 20, 1963."

Do you have a copy of the Councilor to which you have referred in your footnote?

Mr. OLIVER. I do, I believe. Yes; you will find it at the bottom of page 1.

Mr. JENNER. May I mark this as an exhibit, please?

Mr. OLIVER. I should like that returned to me for my files.

Mr. JENNER. That will be easy because we can duplicate this on Xerox very readily.

Mr. OLIVER. Very good. Incidentally, if you want a somewhat better duplication you will find this in this American Eagle reprint, also.

Mr. JENNER. The Commission Exhibit No. 1015 that you have before you?

Mr. OLIVER. That is right.

Mr. JENNER. Would you identify that for me, please?

Mr. OLIVER. You will find it on the page, the rest of which consists of excerpts from the Dallas Morning News, headed in large black pencil 12/6.

Mr. JENNER. And the date, or the heading at the top, boldfaced heading is "Soviet Insinuations call for Query Oswald." On the bottom right-hand side of the page appears what apparently is a news clipping.

Mr. OLIVER. It is from the Deutsche National Zeitung.

Mr. JENNER. We have been identifying, Mr. Reporter, a page in Commission Exhibit No. 1015. Is that correct?

Mr. OLIVER. That is right.

Mr. JENNER. I have marked as Oliver Exhibit No. 4 the December 20, 1963, issue of The Councilor volume 2, No. 3, published by Citizens Council of Louisiana, Inc., for Americans everywhere, which Dr. Oliver has produced for me, which I will return to him, or I will return it to you, Mr. Unger, as soon as we have duplicated it.

Mr. OLIVER. Do you not have a file of the papers yourselves?

Mr. JENNER. If we don't have it it will be a modern miracle. You are asking for my personal knowledge. I must say I don't know.

Mr. OLIVER. Right.

(The document referred to was marked Oliver Exhibit No. 4 for identification.)

Mr. JENNER. But if we don't have it, it will amaze me. I, in my work, have not seen it.

I take it then that the Oliver Exhibit No. 4 and the portion of Commission Exhibit No. 1015 which I have identified are the sources for your statement that Oswald was arrested as a suspect in connection with the attempt on the life of General Walker?

Mr. OLIVER. They are the sources for my statement that there was a report that that had happened.

Mr. JENNER. All right. And that General Walker happened to turn his head and for that reason he escaped death.

Mr. OLIVER. Well, as I have said, that was based partly on statements made by General Walker.

Mr. JENNER. And in part on the Zeitung news report, of course?

Mr. OLIVER. Yes.

Mr. JENNER. Also, those two sources, I take it, are the source of your statement that Oswald, "was released through the personal intervention of Robert F. Kennedy."

Mr. OLIVER. That is part of the statement in the report that I am quoting.

Mr. JENNER. In other words, that the source upon which you base that statement was Oliver Exhibit No. 4, and its reproduction in whole or in part in Commission Exhibit No. 1015?

Mr. OLIVER. And specifically the German text.

Mr. JENNER. Which appears in?

Mr. OLIVER. In those.

Mr. JENNER. In exhibit—Commission Exhibit No. 1015.

Mr. OLIVER. I may add that at my request Mr. Frank Capell ascertained that this article had actually appeared in the National Zeitung.

Mr. JENNER. I am seeking only the sources, whether confirmed by Mr. Capell or otherwise. I now understand they consisted of Oliver Exhibit No. 4, and the reproduction in whole or in part in German in Commission Exhibit No. 1015.

Mr. OLIVER. Of course, subsequently to the publication of my article, confirmation of a kind became available in the reports from the committee hearings reported by Mr. Henshaw in the National Enquirer.

Mr. JENNER. When you say committee hearings you mean the Commission hearings.

Mr. OLIVER. The Commission hearings; yes.

Mr. JENNER. At the time you made the statement, I take it, you had no other source than the two I have indicated plus confirmation from Mr. Capell that the Zeitung article was published?

Mr. OLIVER. Yes.

Mr. JENNER. Would you identify more particularly the subsequent confirmation reference you just made about Mr. Henshaw?

Mr. OLIVER. The chief of the Washington Bureau of the National Enquirer published in the issue of that newspaper for—

Mr. JENNER. If you have a copy of it I would appreciate having it.

Mr. OLIVER. Yes; for May 17, 1964, this article with which you are doubtless familiar.

Mr. JENNER. The document to which Dr. Oliver has reference, we will mark as Oliver Exhibit No. 5.

(The document referred to was marked Oliver Exhibit No. 5 for identification.)

Mr. JENNER. It is entitled "National Enquirer, the World's Liveliest Newspaper," volume 38, No. 36, May 17, 1964, and as submitted to me it consists of pages 1—numbered 1 and 2, pages 15 and 18 and the reverse of those two pages which happen to be unnumbered. I take it, Doctor, that this issue of the National Enquirer dated May 17, 1964, volume 38, No. 36, was composed of additional pages but that none of those additional pages contains any matter upon which you relied in this connection.

Mr. OLIVER. That is right.

Mr. JENNER. Then you go on to say, "In November, Oswald was sent back to Dallas" and I take it your source of his being sent back by the Communist group or conspiracy to which you have reference, was the same as you testified

you relied upon in connection with your statement of his having been sent to Dallas in the first place?

Mr. OLIVER. Right.

Mr. JENNER. And I continue the quote, "Where a job in a suitably located building had been arranged for him." What did you intend to imply by the statement that a suitably—"where a job in a suitably located building had been arranged for him." Who arranged it and what is the source of your information?

Mr. OLIVER. The statement that this building is suitably located is an inference from the fact that it was, (a) on what proved eventually to be the route of Presidential procession and, (b) that it was one of the very few buildings to be found in any town in which a man on the upper floor could be virtually certain of being unobserved because those upper floors were storage spaces, and the storage spaces so arranged that there would be no clear view from one end of the floor to the other.

Mr. JENNER. I take it the source of your information, that is upon which you base the statement was again newspaper reports or—

Mr. OLIVER. Concerning the building and newspaper reports concerning the arrangement of the job for him, newspaper reports plus reports from Mr. Capell, I believe that is all.

Mr. JENNER. By whom had the job been arranged? What was your source as to that?

Mr. OLIVER. It appears that the intervention which procured the job for him is attributed to a Mrs. Paine. There were—

Mr. JENNER. Mrs. Michael R.; Ruth Paine.

Mr. OLIVER. Ruth Paine; yes. There were some earlier rumors concerning the way in which he obtained the position, but I believe that at the time I wrote those had been superseded by the knowledge that Mrs. Paine had—by the report that Mrs. Paine had given him a very strong recommendation for the job.

Mr. JENNER. What are you advised as to how that took place, Doctor, and when?

Mr. OLIVER. As I recall, it took place 2 or 3 days after Oswald failed to obtain a job in a printing firm whose name does not come to my mind at the moment. He was refused a job there, as I understand it, because he naturally had to present his social security papers which contained his correct name, and the proprietor ascertained that Oswald had Communist connections and, therefore, refused him the position. As I understand it, he got the position in the School Depository, I believe 3 days later.

Mr. JENNER. What is the source of your information?

Mr. OLIVER. Here I believe I rely on Mr. Capell and some confirmation from a number of people in and about Dallas with whom I discussed the matter. However, as I recall, those discussions took place after I wrote the article. I can't be quite certain but I believe they did.

Mr. JENNER. When you refer to Mr. Capell, I take it you are referring to—

Mr. OLIVER. To Mr. Frank Capell.

Mr. JENNER. Mr. Frank Capell, and in particular to releases or bulletins or writings of his which came to your attention as distinguished from personal conferences?

Mr. OLIVER. I would rely primarily on personal conferences. Mr. Capell is the publisher of a periodical called the Herald of Freedom.

Mr. JENNER. The Herald of Freedom?

Mr. OLIVER. Right.

Mr. JENNER. Where is that published?

Mr. OLIVER. In Staten Island in New York.

Mr. JENNER. Are you a subscriber to the Herald of Freedom, did you say?

Mr. OLIVER. Yes; I subscribe to a considerable number of periodicals, in fact too many.

Mr. JENNER. I wouldn't doubt it.

Mr. OLIVER. But Mr. Capell does serve as a research consultant for me.

Mr. JENNER. But at the time you made the statement as published in your article you were relying on what source and what source alone?

Mr. OLIVER. I would not say on any source alone. There were news reports as to how Oswald had obtained his job. There were further the reports from

Mr. Capell and quite possibly some of these conversations with people in Dallas.

Mr. JENNER. When you say people in Dallas, who are they, are they people who had any firsthand knowledge of this?

Mr. OLIVER. Most of them residents of Dallas whom I knew in one way or another in speaking and so on, but none of them had any personal knowledge of the assassination, so far as I know.

Mr. JENNER. My question related to your statement that he was sent in Dallas in November of 1963 where a job in a suitably located building had been arranged for him. Did any of these people purport to have any personal knowledge of that matter?

Mr. OLIVER. Only what they had heard concerning the way in which he obtained his employment; yes.

Mr. JENNER. Their sources, in turn, were newspaper reports and rumors and things of that nature at large in the community.

Mr. OLIVER. I would think so; yes.

Mr. JENNER. Proceeding to page 14, I won't read all of the paragraph, it begins at the bottom but you just glance at it, you refer to the fact that he shot the President from ambush, and then he escaped and you surmised that he would have reached Mexico but for some mischance and the intervention of Officer Tippit, and you conclude that paragraph with a sentence, "He was accordingly liquidated before he could make a complete confession." The implication of that sentence is that he was killed, his death was procured by some evil source, being, I take it, the Communist conspiracy or Communist Party to which you have had reference. Am I correct about that?

Mr. OLIVER. That is what I regard as a reasonable inference from the facts; yes.

Mr. JENNER. It was an inference that you drew.

Mr. OLIVER. Yes.

Mr. JENNER. Now you state in the next sentence, "There are many other significant data but I have stated the essentials." What other significant data are there or were there at the time you made that statement. I might interject as you are pondering that, to a learned man such as you, at the word "data" as you used it meant your sources?

Mr. OLIVER. Yes; facts. It would be difficult for me at the moment to remember and reconstruct completely what was in my mind, the list of data there.

Mr. JENNER. Give me the best; just do the best you can, sir.

Mr. OLIVER. However, I would have particularly taken into consideration as significant data the various indications of contacts between Oswald and Rubenstein, known as Ruby, the man who killed him, prior to the assassination. That would include such matters as a statement made by a, should I say, the announcer or director of a program called "Open End."

Mr. JENNER. Open End?

Mr. OLIVER. Open End, on a local Dallas station—this is not the national program as I understand it—to the effect that he had seen Rubenstein behind the Depository shortly after the assassination. The statement of the owner of a tourist lodging, should we say, in Waco, that a man whom she identified as Oswald had stayed at her place and had been joined by a man whom she identified as Rubenstein. By the statement of a mnemonics expert in Rubenstein's club that he had seen Oswald.

Mr. JENNER. When you say "club," you mean the Carousel Club?

Mr. OLIVER. Carousel Club, actually a striptease joint, that he had seen Oswald in the club shortly before and as he later stated the day before the assassination.

Mr. JENNER. Whom did you say this was that made this report?

Mr. OLIVER. This was a man named Bill Crowe.

Mr. JENNER. Crowe?

Mr. OLIVER. C-r-o-w-e.

Mr. JENNER. Where did you see that report or how did you see it?

Mr. OLIVER. That was reported in the press at the time. And was later confirmed by a special interview with him that was published in the National Enquirer.

Mr. JENNER. Do you have that issue of the Inquirer with you?

Mr. OLIVER. I do not but I believe you will find a reference to it in the issue that I have given you there.

Mr. JENNER. That is Oliver Exhibit No. 5?

Mr. OLIVER. That is correct.

Mr. JENNER. Would you locate it for the record, please?

Mr. OLIVER. Yes; "The Inquirer traced DeMar, and that is the stage name of this man Bill Crowe to an Evansville, Ind. nightclub and questioned him on April 11. He told our reporter that he had seen Oswald sitting in the Carousel on the night of November 21, the night before Oswald assassinated President Kennedy." DeMar said "I gave the FBI a statement about seeing Oswald in the club and that was it. I told them the same thing I am telling you. I have signed it and have heard nothing more about the incident to this day."

Mr. JENNER. Had you read all of the article by, either by, or referring to DeMar from Oliver Exhibit No.—

Mr. OLIVER. Yes; I did finish the excerpt.

Mr. JENNER. What is the number of the Exhibit?

Mr. OLIVER. No. 5. And there were other indications of contacts between Oswald and Rubenstein before the assassination.

Mr. JENNER. And I take it your assumption was at the time you published the article that Rubenstein himself was a Communist agent.

Mr. OLIVER. That seemed a reasonable inference; yes.

Mr. JENNER. And your source of that was the sources you have just indicated?

Mr. OLIVER. Yes; plus, of course, the fact that he either executed or murdered Oswald.

Mr. JENNER. Your statement in the right-hand column that "It required a gunman from outside to do the job," in which you are referring to Rubenstein, was based on what, that is a gunman from outside.

Mr. OLIVER. Well, Rubenstein was not a member of the Dallas police.

Mr. JENNER. I see. Someone other than the member of the Dallas police is what you meant to imply.

Mr. OLIVER. Yes.

Mr. JENNER. You go on in a subsequent paragraph to say, "As was to be expected a few moments after the shot was fired in Dallas the vermin probably in obedience to general or specific orders issued in advance of the event, began to screech out their disease hatred of the American people and, long after the facts were known to everyone, went on mechanically repeating, like defective phonograph records, the same vicious lies about these 'radical right' until fresh orders reached them from headquarters. But the significant fact is that there were enough honest American newsmen, in the United States and abroad, to make it impossible to conceal the conspiracy's connection with the bungled assassination." "That is very encouraging."

Now, your statement "probably in obedience to general or specific orders issued in advance of the event" I take it that is an inference or an implication you drew from the sources of information already related to us.

Mr. OLIVER. Right, from the rapidity and the concert, both, of these attacks on patriotic Americans.

Mr. JENNER. Yes. This is a conclusion or a deduction on your own part of conclusions you reached from the information sources you have indicated, is that correct, sir?

Mr. OLIVER. That is right. I trust that the Commission will inquire into the phenomenal rapidity with which the special bulletin of The Worker was distributed in New York.

Mr. JENNER. Yes, sir; but I would urge you to drop the future tense.

Mr. OLIVER. Very good. I am glad to see that it has been done.

Mr. JENNER. Then commencing on page 15 you say, "There were two basic"—I am reading the first full paragraph—"There are two basic reasons why the American people were shocked and grieved by the assassination. Neither has anything to do with either the personal character of the victim or the identity of the assassin." Do you find the place?

Mr. OLIVER. Yes.

Mr. JENNER. And then you relate (1) and (2). I take it that (1) and (2) were conclusions and reasoning to which you resorted, is that correct, sir?

Mr. OLIVER. That is right. On the basis, of course, on my knowledge of human history.

Mr. JENNER. Your knowledge of human nature and history and the sources of information you have already told us about?

Mr. OLIVER. That is right.

Mr. JENNER. Were there any others, that is sources?

Mr. OLIVER. No.

Mr. JENNER. Now, we will pass to page 18. There is a column headed "Three Explanations". Do you find it?

Mr. OLIVER. Right.

Mr. JENNER. It reads in part, "Why was Kennedy murdered by the young Bolshevik? With a little imagination it is easy to excogitate numerous explanations that are not absolutely impossible. For example, (a) Oswald was a madman who acted all alone just to get his name in the papers; (b) Oswald was a poor shot who was really trying to kill Governor Connally or Mrs. Kennedy, and hit the President by mistake; (c) the person killed was not Kennedy but a double and the real Kennedy is now a guest aboard a flying saucer, on which he is heroically negotiating with Martians or Saturnians to save The World, cap 'T', cap 'W'. With a little time and a fairly wide reading in romantic fiction anyone can think of 60 or 70 fantasies as good or better than those that I have mentioned."

And the next paragraph:

"On the evidence, however, and with the consideration of human probabilities there are only three explanations that are not preposterous, viz.:"

To what did you refer when you used the reference "On the evidence."?

Mr. OLIVER. On the evidence that I had already stated.

Mr. JENNER. You mean that which you have stated here in the course of the testimony?

Mr. OLIVER. Yes; and also stated in this article. That is, the evidence that has been stated; my testimony has related to the previous parts of this article.

Mr. JENNER. That is pages 13 through 17 and up to this point on page 18?

Mr. OLIVER. Yes.

Mr. JENNER. You were using the term "evidence" in the general or loose sense?

Mr. OLIVER. Yes, not in the sense of sworn testimony as a lawyer would use it.

Mr. JENNER. Yes, not in the sense of primary sources, is that correct?

Mr. OLIVER. Yes. Of course, we run into a curious question, the definition of primary sources. There are many modern historians who would list the newspapers, for example, as primary sources.

Mr. JENNER. Depending on their use, yes.

Mr. OLIVER. As distinct from, let us say, textbooks which would be secondary sources. I am here assuming primary sources means some direct positive evidence other than the printed reports, et cetera.

Mr. JENNER. I don't wish to compromise you, of course. When I use the term "secondary" or "primary" sources I am using it in a sense that a lawyer uses it. Newspaper reports we would generally refer to as secondary sources. We would have to go to the primary source on which the reporter based his article in order to get something in evidence.

If we were trying to prove a general milieu, newspaper accounts as to an atmosphere at a particular time or something of that nature they would be admissible. But as to your sources here, I understand the term secondary sources means newspaper reports, articles or even books on which you retired, as distinguished from personal knowledge.

Mr. OLIVER. That is right. I just wanted to be sure this was no misunderstanding of the term.

Mr. JENNER. I don't wish it misunderstood either. I am not going to read your three suppositions, they are your conclusions rather than statements of fact. I use the word supposition in the sense that I am thinking in terms that they are your conclusions.

Mr. OLIVER. That is right.

Mr. JENNER. Your conclusion first is, and I quote, "Kennedy was executed by the Communist conspiracy because he was planning to turn American."

What was it, your source of that statement?

Mr. OLIVER. Well, as I have indicated; what I called there the comforting hypothesis that one heard so frequently since Kennedy's inauguration, and which one still hears, that he had in his mind a secret plan, that his policies and

the people with whom he surrounded himself in the opening years of his administration were intended to provide a demonstration of their fatuity and probable disloyalty—the fatuity of the measures and the probable disloyalty of the many persons involved; that he was planning to execute, as I said here, a volte-face and make a dramatic gesture and espouse a policy of national interdependence instead of “interdependence.”

Mr. JENNER. You follow the statement I have quoted, with this statement, Doctor, “For this comforting hypothesis there is no evidence now known.” As of this moment is there any “evidence now known” to you?

Mr. OLIVER. None that is known to me. So far as I know that is still conjecture and what is sometimes called wishful thinking. I may say if there is any evidence of it I should be very happy to hear it.

Mr. JENNER. Point No. 2 appears in the right-hand column, and I read, “That the assassination was the result of one of the rifts that now infrequently occur——”

Mr. OLIVER. Pardon me, “not infrequently.”

Mr. JENNER. Pardon me—“not infrequently occur within the management of the Communist conspiracy whose satraps sometimes liquidate one another without defecting from the conspiracy, such as Persian satraps.”

Would you read the rest of it, you have a couple of words in there I am not——

Mr. OLIVER. “Just as Persian satraps, such as Tissaphernes and Pharnabazus made war on one another without revolting or intending to revolt against the King of Kings.”

Mr. JENNER. This point No. 2 is as in the case of point No. 1, a rationalization on your part.

Mr. OLIVER. I would prefer to call it deduction on my part.

Mr. JENNER. I will accept the amendment.

You then say, “Now, it was generally suspected for some time before the assassination that Khrushchev and Kennedy were planning to stage another show to bamboozle the American suckers just before the election next November.”

What is your source, if any, for the statement that Khrushchev and Kennedy were planning, as you put it, another show?

Mr. OLIVER. The frequent reports of preparations for an invasion of Cuba planned, it would seem, to substitute for Castro a less-well-known Communist.

Mr. JENNER. Here again this was a statement of deduction on your part?

Mr. OLIVER. Yes.

Mr. JENNER. From newspaper accounts and radio broadcasts and general information that was abroad?

Mr. OLIVER. General information, rumors you pick up, what you are told by various analysts and so on.

Mr. JENNER. Would you turn to 3 which appears on page 20? This is your third deduction, I gather:

“That the conspiracy ordered the assassination as part of a systematic preparation for a domestic takeover. If so, the plan, of course, was to place the blame on the ‘rightwing extremists’ (if I may use the Bolshevik’s code word for informed and loyal Americans), and we may be sure that a whole train of “clues” had been carefully planted to lead or point in that direction as soon as Oswald was safe in Mexico.”

What was the source of that statement in your article?

Mr. OLIVER. This again is deduction.

Mr. JENNER. From the sources you have already related in your testimony?

Mr. OLIVER. Yes.

Mr. JENNER. You then in the right-hand column proceed to discuss “two objections to this explanation” and I interpolate, “but neither is cogent”. You continue on then with deduction again, do you, sir?

Mr. OLIVER. That is right.

Mr. JENNER. Based on the same sources?

Mr. OLIVER. Yes.

Mr. JENNER. I notice that three-quarters of the way down in the right-hand column on page 20 you state, “For that matter, a potentially serious and quite unnecessary mistake was made when the Communist Party’s official publication,

The Worker, yelled for the appointment of Earl Warren to investigate 'the assassination' before (italicized) the appointment was made, or at least, before the appointment was disclosed to the public.

I take it that statement was based on some news report?

Mr. OLIVER. On the actual publication in The Worker of this article calling for the appointment of Warren.

Mr. JENNER. I know we have that.

Mr. OLIVER. I am sure you must have. It is a well-known publication.

Mr. JENNER. Yes. But the statement I have just read was based upon that issue of The Worker to which you have now made reference.

Mr. OLIVER. That is right.

Mr. JENNER. You made a deduction from that fact of publication?

Mr. OLIVER. That is right.

Mr. JENNER. Proceed to page 21. The lower right-hand corner of page 21 commences a paragraph the first few words of which or the first sentence of which reads "Careful observers were aware of the feeling of crisis in conspiratorial circles before the assassination."

On what was that statement based, or to be more accurate what was the source from which you made that deduction, if it is one.

Mr. OLIVER. My conversations with fairly numerous observers of the conspiracy and its operations in this country.

Mr. JENNER. Are you using "conspiracy" in a general sense rather than a particular conspiracy directed toward this event?

Mr. OLIVER. The Communist conspiracy as a whole; yes.

Mr. JENNER. You then go on to state what appears to be a statement of fact or you represent it to be.

"In June of 1963 an experienced American military man made a careful analysis of the situation at that time, and in his highly confidential report concluded, on the basis of indications in Communist and crypto Communist sources, that the conspiracy's schedule called for a major incident to create national shock before Thanksgiving."

Who is that experienced American military man to whom you had reference? (Conferring with counsel.)

Mr. OLIVER. The observer mentioned there is Col. Chesley Clark, retired.

Mr. JENNER. Clark.

Mr. OLIVER. C-l-a-r-k, of the American Air Force.

Mr. JENNER. Did he publish—this is a new name to me—did he publish something on which you rely in making that statement?

Mr. OLIVER. This he told me not with a pledge that it was confidential, but with the implication that I would not disclose his name in a publication. I see no bar to disclosing it for the purpose of these hearings. If I may say, his estimates were made entirely from, what should we say, experience in psychological warfare and in reading the indications in the sequence of events and the form the propaganda was taking, and that the obviously had not, so far as I know, no inside information.

Mr. JENNER. This conversation or conversations that you had had with Colonel Clark, did it or they occur between the time of the assassination and the time of the publication of your article?

Mr. OLIVER. No, before the assassination, I am sure. I would say perhaps—it is hard to recollect but I would say a month or 6 weeks before.

Mr. JENNER. I take it, I don't even like to say this because I don't want you to take it wrong, certainly there was nothing in Colonel Clark's statement to you, sir, that carried any implication of any anticipation of a possible assassination of President Kennedy?

Mr. OLIVER. No. Of a, however—it did astutely anticipate some event that would create a national shock.

Mr. JENNER. When I say I hesitate to say it but I know what you would have done, I think I know what you would have done, had there been any implication, you would have alarmed the authorities.

Mr. OLIVER. There was no—

Mr. JENNER. I am correct about that, am I not?

Mr. OLIVER. You are correct about that. The nature of the event that would create this shock was, of course, necessarily speculative.

Mr. JENNER. All right. Then you discuss the feeling of men like you, that there was some crisis about to take place, and this feeling was communicated to you by men like Colonel Clark and others?

Mr. OLIVER. Yes.

Mr. JENNER. Who felt that the Communist conspiracy as you call it had reached a point at which it needed some shocking event.

Mr. OLIVER. That is right.

Mr. JENNER. Or as you say at the bottom of page 21 and the top of page 22, "The conspiracy's schedule called for a major incident to create a national shock before Thanksgiving."

Mr. OLIVER. Yes.

Mr. JENNER. At the bottom of page 22, right-hand column, you say: "In summary then, there is not a single indication that the conspiracy did not plan and carry out the assassination of President Kennedy. On the other hand, there is evidence which very strongly suggests that it did."

Would you please relate what evidence there was at the time you published the article which "very strongly suggests that it did."

Mr. OLIVER. You begin with the fact that the assassin was a Communist and added the strong probability, in my judgment, that he must have had accomplices, very, very probably including Rubenstein.

Then the results which would have occurred but for the mischance of Oswald's apprehension would have been very strongly in their favor. It is the old doctrine of Sui Bono. In substance the considerations that I have stated in the earlier part of the article indicating that (a) there undoubtedly was Communist participation and (b) that the act was to their advantage.

Mr. JENNER. Here again then I take it that your use of the word "evidence" in the portion I have quoted from your paper, at the bottom of the right-hand column of page 22 is the use of the word in the loose sense or the broad sense.

Mr. OLIVER. That is right.

Mr. JENNER. The broad sense meaning deductions from the sources you have indicated in your testimony?

Mr. OLIVER. That is right.

Mr. JENNER. Would you glance at page 23 with a view in mind of my inquiring of you as to whether the statements made on that page likewise are deductions based on the sources you have indicated heretofore in your testimony?

Mr. OLIVER. That is right.

Mr. JENNER. Is that likewise true of page 24?

Mr. OLIVER. Yes.

Mr. JENNER. At the bottom of page 24, the right-hand column you say:

"The first expedient was primarily defensive. In a hasty and thus far successful attempt to thwart an investigation by legally constituted authorities, the Senate Subcommittee on Internal Security and the attorney general of the State of Texas, both of whom had already announced their determination to conduct an impartial inquiry, an illegal and unconstitutional 'special commission' was improvised with the obvious hope that it could be turned into a Soviet-style Kangaroo court. The best known members of this packed 'commission'," and then you give some vignettes of the various members of the commission.

I am not seeking to probe into your thinking on the subject. You have a right to think whatever you do think, and the right of free speech and publication permits you to publish. As I told Mr. Unger yesterday I was seeking only sources.

What is the source of that statement?

Mr. UNGER. Pardon me, just a minute for interjecting but what relevancy does that have on the inquiry into the death of either President Kennedy or—

Mr. JENNER. It has this relevancy. The doctor is implying in the statement I have quoted that the creation of the Commission was part of a conspiracy, as he puts it, to prevent effective investigation into the assassination of the President by the Senate Subcommittee on Internal Security and the attorney general of the State of Texas, with the appointment of a commission.

Mr. OLIVER. Let me confer for just a second.

(Conferring with counsel.)

Mr. UNGER. We think under the circumstances that that is beyond the right of the Commission to inquire and beyond the scope of this hearing and, therefore, the witness on my recommendation declines to answer.

Mr. JENNER. All right. Was this statement other than deduction on your part?

Mr. UNGER. Well, the same objection. I think if you were to just go through a list of other than you would eventually arrive at the same objectionable conclusion. So we object to that.

Mr. JENNER. All right. What were your sources upon which you based this statement?

Mr. UNGER. Same objection.

Mr. JENNER. Did you have any sources other than the sources you have indicated in your testimony up to the moment?

Mr. UNGER. Same objection.

Mr. JENNER. Was the paragraph I read deduction only or did you have some source on which you relied.

Mr. UNGER. The same objection. Let me say for the record that, despite the hurt feelings of the members of the Commission, I don't believe they have a proper right to inquire into attacks that were made upon them. I can't see any relevancy at all to that.

Mr. JENNER. I do wish to say for the record that the Commission, no member of the Commission, has any hurt feelings whatsoever with respect to this article or any statement in it.

On page 26 you state:

"One writer has recently suggested that it was the CIA that arranged the assassination of President Kennedy; I know of no evidence to support that opinion. But obviously Mr. Dulles' CIA is open to suspicion."

Who is the writer to which you have reference?

Mr. OLIVER (conferring with counsel). I do not recall. I wrote this, of course, in December, I wouldn't want to recall now who said it. I have the impression that this was in some one of the innumerable magazine articles about the assassination of the President but I would not want to say which one.

Mr. JENNER. All right. Did I gather from your response that your article was written in December of 1963?

Mr. OLIVER. It was—I did most of the work in that during the Christmas vacation which, of course, would run into January.

Mr. JENNER. Well, except for the runover into January the article was prepared by you in December, in the Christmas holiday period, school holiday period which commences, well, usually around December 20 and runs over into New Year's Day?

Mr. OLIVER. Yes; I very unwillingly sacrificed my holiday which I needed for a quite different purpose. I do not exclude the possibility that I might possibly have made some changes by telephone, but I do not recall any. I wouldn't want to swear that I did not, however.

Mr. JENNER. I take it then that after you prepared the article during the Christmas holidays you submitted it to American Opinion for publication?

Mr. OLIVER. Yes; sent it in.

Mr. JENNER. You may have made some telephone changes or editorial modifications?

Mr. OLIVER. I would not want to swear that I had not, I do do that sometimes.

Mr. JENNER. But they were not of a character that you can recall at the moment?

Mr. OLIVER. No.

Mr. JENNER. Commencing in the right-hand column on page 20 you relate a series of numbered paragraphs, 1, 2, 3, 4, 5, 6, 7, to the conclusion of the article on page 28. Do you have those?

Mr. OLIVER. Yes.

Mr. JENNER. Are those deductions rather than statements based on newspaper or other sources of the nature and character you have already related?

Mr. OLIVER (conferring with counsel). Those are deductions.

Mr. JENNER. May I call your attention to the footnote on page 27 which reads: "I understand that full report on this and other known activities of Rubenstein will probably appear in a future issue of the Herald of Freedom, Box 333, Staten Island 1, N.Y." Do we have that?

Mr. OLIVER. That is the Herald of Freedom to which I have already referred as being a publication edited by Mr. Frank Capell.

Mr. JENNER. Do you happen to have this particular issue with you?

Mr. OLIVER. I believe I do. Yes; the issue, of course, was still in the future at the time that I wrote—

Mr. JENNER. You indicate that clearly in your article.

Mr. OLIVER. And consequently the report is not so full as I had perhaps anticipated.

Mr. JENNER. I take it when you say the issue was in the future that the essential aspects of the issue had been communicated to you by Mr. Capell?

Mr. OLIVER. That is right. You will find the references to Rubenstein on, I believe, pages 2 and 3 rather than the first page, if I recall correctly.

Mr. JENNER. All right. We will mark as Oliver Exhibit No. 6, an issue of the Herald of Freedom, volume 4, No. 12, January 17, 1964, and the reference, Dr. Oliver, that you have, would you locate that for the record, please?

(The document referred to was marked Oliver Exhibit No. 6 for identification.)

Mr. OLIVER. The reference to Rubenstein begins at the bottom of the second column on page 2, and runs into the first column on page 3, and then there are some addenda which are more or less pertinent to the subject although they do not mention Rubenstein. I had anticipated a considerably fuller report of Rubenstein's activities.

Mr. JENNER. Is the issue of the Herald of Freedom, volume 4, No. 12, January 17, 1964, now marked Oliver Exhibit No. 6, one of the sources upon which you relied in preparing your article, and one of the sources upon which you have relied in making your subsequent talks?

Mr. OLIVER. No; the issue itself was not published until after I wrote the article. The information contained in it as communicated to me by Mr. Capell, with some additions, was the information on which I relied when I wrote that footnote, and paragraph to which it is appended.

Mr. JENNER. You are a lecturer, are you not?

Mr. OLIVER. Yes.

Mr. JENNER. And you have—you have journeyed about the country during which you have made lectures dealing with the subject matter of your article in American Opinion and such additional matters as have come to your attention since then?

Mr. OLIVER. Yes.

Mr. JENNER. In making and giving those lectures, have you relied on Oliver Exhibit No. 6 as one of your sources?

Mr. OLIVER. Yes.

Mr. JENNER. What other documents have you brought with you in addition to those you have produced or identified upon which you relied in preparing your article in American Opinion?

Mr. OLIVER. Oh, I have a miscellaneous collection of such things as I could find on short notice.

Mr. JENNER. Why don't you relate them into the record.

Mr. OLIVER. We are still on the subject of the article?

Mr. JENNER. Yes, sir.

Mr. OLIVER. I have here a clipping from the Rocky Mountain News of this month noting that the CIA has been found giving money to the J. M. Kaplan fund. And many clippings like that. It would take—I have photostats, for example, from reports of the Dies committee identifying Rubenstein, one or more persons named Jacob or Jack Rubenstein, as active in Communist organizations. The most significant one, of course, is the one in which a Jack Rubenstein appears as an organizer in one of the Communist youth movements. If this man has given his age correctly he would have been 19 at the time which would make him just right for a youth movement.

Mr. JENNER. Are you associating the Jack Rubenstein mentioned in that

article with the Jack Rubenstein who is now charged and been found guilty of the murder of Oswald?

Mr. OLIVER. I am using that as the basis for my contention that that should be investigated.

Mr. JENNER. In view of that could I see the article, please? I think we had probably better identify it.

Mr. UNGER. Let me say a copy of Martin Dies' article is in the same issue of American Opinion for March that you have already used as an Exhibit.

Mr. JENNER. Would you identify the page number?

Mr. OLIVER. Let me look at it.

Mr. JENNER. Is that Oliver Exhibit No. 1 you are looking at?

Mr. OLIVER. Oliver Exhibit No. 1 contains on pages 1 through 10 an article by Congressman Martin Dies on the assassination in which he raised the question of the identity of Jacob or Jack Rubenstein.

Mr. JENNER. Was that article available to you at the time you wrote your article which was published in the same issue? That is part II.

Mr. OLIVER. Not the finished typewritten text of the article but the contents of it; yes.

Mr. UNGER. Excuse me, can I interrupt for just a minute?

(Discussion off the record.)

Mr. JENNER. Referring to your article, did you rely on any source that we may describe as being a confidential source as distinguished from public sources, that is, various published matters?

Mr. OLIVER. In this entire article?

Mr. JENNER. Yes, sir.

Mr. OLIVER. No; except as I have said, I had the estimate made by Colonel Clark which could be regarded as semiconfidential.

Mr. JENNER. And you have so indicated already.

Mr. OLIVER. Yes.

Mr. JENNER. Do you recall being interviewed either by telephone or personally by an agent of the FBI on the 2d of September, 1964, that is last week, I guess, wasn't it, or this week?

Mr. OLIVER. Yes.

Mr. JENNER. Last week.

Mr. OLIVER. September what?

Mr. JENNER. September 2.

Mr. OLIVER. That would be right; yes.

Mr. JENNER. It is reported to us you stated and I will quote "that all of" I interpolate the pronouns "that all of his material used in his articles was obtained by him from public sources and he added that he had no confidential sources."

Mr. OLIVER. I believe that I was referring specifically to the speech concerning which they inquired and not to the articles.

Mr. JENNER. That was the speech that you made on the evening of August 28 at the Santa Ana Valley High School?

Mr. OLIVER. That is right.

Mr. JENNER. Do I properly infer from that response of yours that you had sources, one or more, for your article, that was or were other than public sources—

Mr. OLIVER. No; I merely am trying to keep the record clear by stating the FBI people, I believe, spoke to me only about the speech.

Mr. JENNER. I see. This report of the FBI, if directed to your article in American Opinion would be equally applicable to it?

Mr. OLIVER. Yes. With, of course, the exceptions that I have already mentioned, Colonel Clark, reports from—

Mr. JENNER. With whatever exceptions you have already placed on record in this examination.

Mr. OLIVER. That is right.

Mr. JENNER. The report of your Santa Ana Valley High School speech on the evening of August 28, 1964, at least as reported in the Washington Post, on page 19, the issue dated August 30, 1964, purports to quote you as having said, "I don't know whether Oswald was paid by the CIA or by the Soviet secret

police—and it is just a matter of bookkeeping anyway.” Did you make that statement in the course of your speech to the Santa Ana Valley High School audience?

Mr. OLIVER. Not in that form, and not in all probability in the context in which I am quoted there.

In the speech I referred to a book which I believe is on your desk written by a Mr. Joesten, Joachim Joesten; entitled “Oswald: Assassin or Fall Guy?” in which, in the course of many arguments intended to prove or suggest that Oswald was “framed” by wicked American conservatives, he makes much of Oswald’s supposed connection with the CIA. In my speech I made the point that if it were established that Oswald was in the employ of the CIA that would not by any means exclude the possibility that he was also in the employ of the Soviet and that therefore the argument in the book is completely fallacious. I think I can tell you precisely what I did say.

Mr. JENNER. Thank you, sir. By the way, do you have a copy of that speech? I spoke to your counsel and he thought you might have one.

Mr. OLIVER. I have my one copy and I may say that this speech consists of 39 and a little more typed pages including 2 or 3 inserts here and there—

Mr. JENNER. You might find that section dealing with this precise subject.

Mr. OLIVER. And that the first 27 pages deal with questions of the impression produced on the public mind by shownmanship.

Mr. JENNER. Excuse me, what do you mean by that, Doctor?

Mr. OLIVER. I mean the ease with which many people confuse actors with the roles they play and so carry from a performance an impression that it has a reality that it did not have.

Actually, I start out by pointing out that whenever anybody goes into a theater to see Hamlet for example, he more or less consciously tells himself that he is going into that theater to undergo an illusion. He knows perfectly well the actors are not Hamlet, and the other characters are feigned—that in real life the actors may not resemble the characters they impersonate at all, and so on.

And then I took up the whole question of the socialist mentality as exhibited in history. I made some comments on the letters of objurgation that I had received, for I was still illustrating that mentality, and I spoke briefly about the general suppositions of the people called “liberal intellectuals.” I did not begin to discuss the facts of the assassination until late on page 27.

In other words, more than two-thirds of my speech dealt with these general—of my pitch, dealt with these general considerations.

Now, the particular passage from which that quotation was taken begins on page 26:

Mr. JENNER. Would you read it into the record, please?

Mr. OLIVER. This entire passage?

Mr. JENNER. Is it very long?

Mr. OLIVER. It is approximately three typewritten pages.

Mr. JENNER. Why don’t you go ahead and read it.

Mr. OLIVER. “The second propaganda line is the one that I mentioned in the February issue of American Opinion when I was not certain that the Bolsheviks would dare to use the United States as they were then using it elsewhere in the world. You will find that line set forth in a book by one Joachim Joesten, who claims to be a Dane who migrated to Soviet Russia and later to the United States. It is entitled ‘Oswald: Assassin or Fall Guy?’ And it is published by a publishing house headed by Aldo Marzani whom you may know better under one of his aliases as Tony Wales or Whales.

“He was identified as a member of the Communist Party when he was employed in our super secret ‘intelligence’ organization, the OSS, and in the State Department. Of course there was no conflict of interest there. I can’t remember whether it was under his alias or under his own name that he served a term in prison for perjury. So you see the book comes from an appropriate source. If you have any doubts remaining just note the same firm also publishes puke on Americans excreted by one Stanley or Sammy Steiner, writing under the alias of Mike Newberry. Stanley also writes for the Communist Worker. The book ‘Oswald: An Assassin or Fall Guy’ contains a few preposterous fantasies but for the most

part it operates by taking the facts that are publicly known and simply turning them upside down. That way you see they will look just right to liberal intellectuals."

Mr. JENNER. By the way, he uses—would he be classified as a liberal by most people or does he claim to be?

Mr. OLIVER. I think he tries to give that—

Mr. JENNER. I am curious now.

Mr. OLIVER. My opinion is that of the people who read that book perhaps 75 percent will say to themselves this man is a great liberal, a believer in civil rights, et cetera. And a champion of the underdog.

"It starts, for example, with the strange detour in the Presidential procession that made Kennedy an easy mark for a marksman in the Book Depository—to which, I believe, I was the first to draw attention. But the author argues that a sweet little Communist like Oswald couldn't possibly have known about it, much less had the target set up for him. Poor little fellow. The detour must have been arranged so that the nasty rightwing extremists could frame him for the assassination.

"And the book makes much of the possible activities of our Central Intelligence Agency. This is designed for readers who have memories so poor that they will not recall the long list of events from the fake invasion of Cuba known as Operation Judas because it betrayed the anti-Communist Cubans into the hands of Castro, to the recent assassinations in Vietnam in which our Central Intelligence Agency with its army of 17 to 40 thousand faceless agents and the billions of dollars with which you taxpayers supply it every year, has evidently done the work of the Soviet Secret Police. It is designed for readers who will not remember that a defector from the Soviet Secret Police has sworn that his colleagues in the Central Intelligence Agency used your money directly to subsidize, (a) the Soviet Secret Police; (b) the official Communist Party in Italy; and (c) the official Communist Party in the United States."

I should interpolate that this is obviously a reference to Lieutenant Colonel Goleniewski.

Mr. JENNER. Whom you have heretofore identified?

Mr. OLIVER. Pardon me?

Mr. JENNER. Whom you have heretofore identified, or at least you made reference to him earlier in the afternoon?

Mr. OLIVER. I do not recall that.

"On the contrary, the author of this incredible hogwash like the authors of some other books recently published expects you to believe that the CIA is a rightwing organization probably run by the John Birch Society. I do not know whether Oswald was paid by the CIA, but I hear that there was testimony before the Warren Commission that he was. There would be nothing improbable in that. The CIA worked for Castro in Cuba before he came to power."

And I will interpolate here that that is a reference primarily to the testimony of Ambassador Earl Smith before the Senate Internal Security Subcommittee, and also a reference to the testimony of the elected president of Cuba who was driven from Cuba by Castro, and there are some further indications of some significance in at least the second edition of Nathaniel Weyl's "Red Star Over Cuba," and still further indications in a recent book that apologizes for the CIA's fiasco in Cuba and at the same time criticizes them rather severely. I am sorry, the names do not come to my mind at the moment; the authors are two newsmen, I believe, both of them with New York newspapers.

Possibly one from the Times and one from the Herald Tribune. It is just a vague impression.

"It is believed to have instigated and financed the Communist smear against General Walker." I interpolate here and refer to the—

Mr. JENNER. When you say interpolate, you mean the source from which—

Mr. OLIVER. Yes, I am now interpolating from my speech, text of my speech, to say in making that statement I was relying on the considerations that the Central Intelligence Agency may be operating Inter-national Media, the publishers of the "Oversexed Weekly," as it is generally called, "Overseas Weekly" as it appears on the masthead, the three editions of Drum in Africa, and some other publications. That is partly based on the identity of a stockholder and officer of

this supposed corporation with an officer in the fictitious corporation that was set up to cover Radio Swan.

Mr. JENNER. Cover what?

Mr. OLIVER. Radio Swan, which has since been admitted to be a CIA operation.

I then continue, "They contrived and financed the assassination of anti-Communists in other parts of the world, notably General Trujillo in the Dominican Republic."

That is based—I interpolate now,—that is based primarily on the assertions of General Espailant in his book "Trujillo, the Last of the Caesars."

I may say at the time of the assassination of General Trujillo I referred from the facts that the only people who could have arranged it were either the CIA or the Soviet secret police.

Then I continue. "And there seems to be no good reason for supposing that it could not use your money to carry out assassinations in the Communist interest in the country."

Mr. JENNER. The "it" is what, CIA?

Mr. OLIVER. CIA.

Mr. JENNER. Is that a conclusion you reach or is that based—what is your source of that statement?

Mr. OLIVER. Well, that is a conclusion that I reach primarily on the grounds that if you carry out assassinations abroad you may carry them out at home, and secondarily on the suspicions which obviously can be no more than suspicions, concerning the death of Povl Bang-Jensen.

Mr. JENNER. I will ask you who is he, in my ignorance I will ask you if you can identify him?

Mr. OLIVER. He is the member of the United Nations staff who attempted to communicate to the Central Intelligence Agency the names of certain Soviet agents in the United Nations who were, (A) willing to defect, in fact eager to do that; and (B) willing to identify agents of the Soviet Secret Police in the State Department and CIA. He is reported to have communicated his information in confidence to an officer of the CIA and very shortly thereafter he met his death in what was called a suicide although most improbably such. The CIA is reported to have been shadowing him at the time of his death.

On those principal data, my statement here is an inference. If they can assassinate General Trujillo in the Dominican Republic there is nothing impossible about their doing something similar on American soil.

I continued. "But what Joesten's poisonous book is trying to tell its readers—and I warn you this is the kind of topsy turvy propaganda is certain to convince liberal intellectuals is that Kennedy was really assassinated by the wicked Fascist police of Dallas, Texas, who then framed sweet little Oswald to conceal their crime. And the author all but says outright that those awful 'Fascist' police are agents of the John Birch Society and General Walker." I think that is sufficient.

Mr. JENNER. AS I recall, I am not attempting to quote this, all I did was make a cryptic note, somewhere, in what you have just read the substance is "But I hear that he was" that is, that he was paid by the CIA. Would you find that spot in your quote?

Mr. OLIVER. The exact quotation is, "I do not know whether Oswald was paid by the CIA but I hear there was testimony before the Warren Commission that he was."

Mr. JENNER. And from what source, on what source did you base the statement that you heard that there was testimony before the Warren Commission that he was?

Mr. OLIVER. Principally, although not exclusively, an article, again by Henshaw in the National Enquirer at about the time that Earl Warren made his statement that the findings would not be released during the lifetime of the people then living.

Mr. JENNER. If you will pardon my correcting you, even that newspaper account didn't say that the Chief Justice said that the findings of the Commission would not be released.

Mr. OLIVER. That the "full truth" wasn't that it?

Mr. JENNER. I think not. It will be quoted in the report. This occurred a long time ago, and I have forgotten just what it was.

Mr. OLIVER. Yes, this is in the National Enquirer for March 3, 1964.

Mr. JENNER. Could I identify that and then return it to you when we have made a copy?

That is either a photostat or a Xerox reprint that is marked Oliver Exhibit No. 7. It is entitled—The particular article by John Henshaw, "Washington Pipeline by John Henshaw," and then the heading is "Moscow plotted JFK assassination—U.S. Government financed Oswald," place-lined Washington, D.C.

Does that summarily describe the exhibit?

Mr. OLIVER. Right.

Mr. JENNER. And that is your source?

Mr. OLIVER. That is my primary source, and I believe the first source; the statement picked up elsewhere in the press. Of course this is supported.

Mr. JENNER. Is what, sir?

Mr. OLIVER. This is supported by the longer article by Mr. Henshaw that has already been placed in the record as Exhibit No. 5.

Mr. JENNER. Oliver Exhibit No. 5?

Mr. OLIVER. Wherein it is stated that the reason given either as an explicit statement or by implication for intervening to prevent the Dallas police from arresting Rubenstein and Oswald for the attempted murder of General Walker was that they were agents of the Central Intelligence Agency—which you see confirms the statement in the earlier report.

Mr. JENNER. Now, the news item to which I referred, that is the Washington Post of August 30, 1964, page 19, also states that "Oliver also said that under orders from Secretary of Defense Robert S. McNamara the Army 'began to rehearse for the funeral more than a week before the funeral.'" Would you find that, please, in your speech in which you made reference to that subject?

Mr. OLIVER. I may say that is typical of the kind of so-called journalism practiced by the Washington Post and similar publications. In the course of my speech—

Mr. JENNER. Would you identify the pages if they are numbered?

Mr. OLIVER. On typewritten page, beginning on typewritten page 12, going through to approximately the middle of page 16 and including a little insert 13-A, I discussed the effect of theatrical performances on the human mind, and the way in which illusions may be carried over from the performance to reality. I begin by using a performance of Hamlet as an illustration, analyzing what happens there. In the following paragraph I elaborate on the point that "A great many naive and unreflective people do confuse actors with the roles they play in the performances."

And I illustrate that with a story which I hope was amusing about an acquaintance of mine who witnessed a brawl in a tavern between two men, one of whom was convinced that an actress who played effectively the role of the pure and virginal heroine must be pure and virginal herself.

I then went on and using a slightly different illustration but developing the same point, I mentioned a television show about a character called Superman, and what was told to me by a vice president of the corporation that wrote and produced the show, to wit, that although this being was represented as a person who could leap a hundred feet in the air, and could bend a railroad rail with his hands, nevertheless many of the viewers thought that he was real and wrote letters to him asking for his help.

And I then went on.

Mr. JENNER. Shades of Orson Welles.

Mr. OLIVER. Except that I believe these letterwriters were not financed so far as I know.

Mr. JENNER. I did not mean to imply that.

Mr. OLIVER. I then went on "As another example of the ease with which illusions are induced, let us take one detail in the really spectacular show that was put on at the funeral of President Kennedy. That was a mass performance which for sheer technical virtuosity certainly deserves to rank with such spectacles in the cinema as Cleopatra and Ben Hur. Now, I made it a point to talk to many people who had seen that spectacle on television, and I

found that all of them very firmly believed that the caparisoned horse named 'Black Jack,' in the procession belonged to Mrs. Kennedy and was her favorite mount. That is entirely false.

"As most of you may not know for the national press never reported it, the headquarters detachment of our Army under orders from McNamara's office began to rehearse for the funeral more than a week before the assassination, and 'Black Jack' was an old army horse who was selected at the time of the first rehearsal for the role that he played in the real performance. Incidentally, he was a horse who had never been broken to the saddle and consequently never ridden by anyone. That is what was specifically said by the commander of that detachment when he told his hometown newspaper about the rehearsals." Perhaps I should add that I did not hear of that statement for several days and by the time that I tried to reach him by telephone the commander had been transferred to somewhere in Germany. I mention "Black Jack" and the impression created on television merely as an example of the attention to detail that makes great and impressive performances."

In other words, in my speech I am pointing out that the impression conveyed to these many viewers whom I interviewed, and so far as I know, to all viewers; was that this horse was the horse of Mrs. Kennedy, whereas it was an army horse.

Mr. JENNER. Upon what source did you rely in making the statement that the special detachment to which you refer began to rehearse for the funeral a week before the assassination?

Mr. OLIVER. I relied primarily on the interview given by Captain Cloy to the Jackson, Miss., Clarion-Ledger.

Mr. JENNER. Do you have a copy of that?

Mr. OLIVER. On the 21st of February, 1964.

Mr. JENNER. May I mark it? We will have an exhibit number on it.

I have marked as Oliver Exhibit No. 8 a photostatic reprint of an article headlined "A lot to remember, McComb Army officer big part in Kennedy funeral" by Kenneth Tolliver, and in the center is written, I assume, in—is that your handwriting, the black lettering?

Mr. OLIVER. Mrs. Oliver's, I believe, which picks up the words "Clarion-Ledger" from the next reproduction.

Mr. JENNER. For purposes of reproduction, it reads, "Jackson, Mississippi, Clarion-Ledger, February 21, 1964." I take it, sir, that the clipping, I guess this is an actual clipping pasted on here, the upper portion, in any event is either the clipping or a reproduction of it upon which you relied?

(The document referred to was marked Oliver Exhibit No. 8 for identification.)

Mr. OLIVER. This is a reproduction of the clipping.

Mr. JENNER. Would you show me where in that clipping it says in any respect whatsoever that Captain Cloy made the statement that he and his unit were rehearsing for the funeral of President Kennedy a week in advance of the assassination?

Mr. OLIVER. My first knowledge of the rehearsal came from a letter that I received from someone in Arlington, or Alexandria, informing me that the Army had rehearsed the funeral more than a week before the funeral, I think, I cannot be sure.

Mr. JENNER. The funeral was on Monday, the 25th of November.

Mr. OLIVER. And I would not say that I discounted the letter. I appreciated it, as I appreciate all efforts to give me information. On the other hand, I did not follow it up partly because I was very busy, and partly because I thought it entirely possible that what had been witnessed was some other Army exercise that could easily have been mistaken for a rehearsal of the funeral.

Consequently, I put it aside, and I am afraid I really dropped it from my mind until I received this clipping from the Clarion-Ledger a number of days after it had been published. I wouldn't want to say how many now.

Mr. JENNER. But you had it prior to your speech at the Santa Ana Valley High School?

Mr. OLIVER. Oh, yes; quite some time before that.

Mr. JENNER. And before you prepared the speech, part of which you have read?

Mr. OLIVER. That is right. And that confirmed the statement that a funeral had been rehearsed.

Mr. JENNER. Yes ; but not President Kennedy's.

Mr. OLIVER. But it turned out to be that.

Mr. JENNER. The only point I am making, Doctor, is that you will notice in the article that what Captain Cloy says is not what you state in your speech he said, but rather that before the assassination his special unit had been rehearsing for the anticipated possible funeral of President Hoover who was then ill.

Mr. OLIVER. That is right. He said, "We were in a state of readiness and had just finished a funeral rehearsal because there was grave concern for President Hoover's health".

Mr. JENNER. That is not rehearsal for a funeral of President Kennedy a week in advance either of the funeral or of the assassination, is it?

Mr. OLIVER. Capt. Richard C. Cloy states that the conduct of the President's funeral is in accordance with orders that cover 160 pages. He implies—

Mr. JENNER. Those are standing orders.

Mr. OLIVER. Presumably, and he implies that all funerals are conducted in the same way. And he goes on to speak of difficulties that his men encountered and how they performed, and that although his command was ready for the state funeral, the actual site of the burial was not known until the day before the ceremony, and so on. The point I was making was that the show was a rehearsed show, and I do not believe that I say that on—

Mr. JENNER. I think if you will read it again, sir, there is a clear implication, if not express statement on your part, that his unit began to rehearse for the funeral a week ahead. Would you read that sentence again, or that series of clauses?

Mr. OLIVER. Yes ; "The headquarters detachment of our Army under orders from McNamara's office began to rehearse for the funeral more than a week before the assassination."

Mr. JENNER. Yes ; now, that clear implication is that the unit was rehearsing for President Kennedy's funeral because they knew there was going to be a funeral.

Mr. OLIVER. Oh, no ; that is not the implication. I certainly would not imply that the unit knew it, because Cloy states specifically that they did not. They were told that it was a rehearsal for the anticipated demise of President Hoover.

Mr. JENNER. Is it in your implication then, sir, in your speech, that somebody else or some agency, somebody else connected with the Government of the United States or some agency of the Government of the United States, including the Army, Navy, Air Corps, Marines, wherever they may be, anticipated the assassination of the President a week in advance and directed the unit to begin preparing for the funeral?

Mr. OLIVER. No ; that is not my implication. If you raise a question it would be an interesting one for you to investigate ; yes.

Mr. JENNER. Well, we wish to investigate anything that you readily seek to imply, and to some, at least, and frankly to me, that sentence that you have just read carries the clear implication that President Kennedy's assassination was anticipated by somebody in the Government service or Government-connected, and the unit, Captain Cloy's unit was told to begin rehearsing for a funeral, the pretext being the funeral or possible funeral of President Hoover, whereas those who directed it had specifically in mind the assassination of President Kennedy, is that what you intended to imply?

Mr. OLIVER. That is not what I intended to imply in this passage here.

But it is certainly an inference that could be drawn from the facts ; yes, I mean it is a possibility.

Mr. JENNER. In fairness to yourself and others possibly involved, Doctor, what did you intend to imply?

Mr. OLIVER. I was primarily concerned in making the point that the viewers suffered an illusion. That they had assumed this horse belonged to Mrs. Kennedy, whereas he certainly did not. I further intended to imply there was no conceivable connection between Mrs. Kennedy and the horse, since she can't ever have ridden it if nobody rode it.

Mr. JENNER. Did you intend to imply by that statement that the assassination

of President Kennedy was anticipated and that the practice instructions issued to Captain Cloy and his unit were in anticipation of, in fact, not the possible death of Hoover but the assassination of the President of the United States?

Mr. OLIVER. That is not what I intended to imply. I did not intend to exclude that possibility, of course.

Mr. JENNER. And the source and sole source of that sentence which you have now read from your speech was the newspaper clipping from the Jackson, Miss., Clarion-Ledger, of February 21, 1964, now identified as Oliver Exhibit No. 8?

Mr. OLIVER. Except insofar as concerns the actual date. Cloy, you see, says merely that they had just finished a rehearsal. The date as being a week before either the funeral or the assassination, I got from this letter.

Mr. JENNER. What letter was that?

Mr. OLIVER. This was a letter that I had received some time in February, probably early in February.

Mr. JENNER. But the line in your speech as of last week was based on the material contained in Oliver Exhibit No. 8?

Mr. OLIVER. That letter and Oliver No. 8.

Mr. JENNER. Do you have the letter?

Mr. OLIVER. No; I do not.

Mr. JENNER. And the letter was from whom?

Mr. OLIVER. I do not recall the name.

Mr. JENNER. Do you have the letter on which you relied?

Mr. OLIVER. Probably. I have such a mass of undigested correspondence that I probably have it some place in that mass. On the other hand, I may not, because I recently searched for an entirely different letter and wasn't able to find it. Possibly I just overlooked it.

Mr. JENNER. The letter was, I take it, from a person with whom you had not sufficient contact so that you can recall his or her name.

Mr. OLIVER. So far as I know, it was a name unknown to me. It could conceivably have been somebody that I met some time but, as I recall, there was no allusion to such a meeting. It was simply offering information.

Mr. JENNER. Did that—I take it from what you said that the letter made reference to the item that was about to be published which is now identified as Oliver Exhibit No. 8?

Mr. OLIVER. So far as I know, the writer of the letter had no knowledge of that interview at all.

Mr. JENNER. What did the writer of the letter say as you now recall?

Mr. OLIVER. The writer of the letter implied that the Army had rehearsed for the funeral of Kennedy—that was the implication in the letter—as I say, more than a week either before the funeral or the assassination, I am not quite sure which word was used.

Mr. JENNER. Did you attempt to verify the statement made by a source which was therefore unknown to you?

Mr. OLIVER. As I say, I simply put the letter aside and for all practical purpose, I should say I forgot it until I received this clipping.

Mr. JENNER. Then for all practical purposes, Doctor, in making your speech last week you relied on Oliver Exhibit No. 8?

Mr. OLIVER. Plus the letter for the date.

Mr. JENNER. For what date?

Mr. OLIVER. The date of the rehearsal.

Mr. JENNER. I see. Did you make any attempt to determine whether there was such a person who purported to write you a letter?

Mr. OLIVER. As the writer of the letter, you mean?

Mr. JENNER. Yes.

Mr. OLIVER. No; I did nothing with the letter.

Mr. JENNER. You just put it aside?

Mr. OLIVER. Yes; as for Captain Cloy, I did ascertain that there was such a person.

Mr. JENNER. How did you do that?

Mr. OLIVER. By trying to reach him by telephone.

Mr. JENNER. Where?

Mr. OLIVER. In McComb, Miss., which is a small town some distance south

of Jackson, but for which the Jackson paper evidently acts as the local paper. I understand there is a small paper in the town itself, but one that seems to be not very highly regarded.

Mr. JENNER. What did you do, make a long distance call down there?

Mr. OLIVER. Yes.

Mr. JENNER. And in making that call you were advised by whom that there was or was not such a person?

Mr. OLIVER. Well, I certainly was advised—

Mr. JENNER. Relate what you did on it.

Mr. OLIVER. What I did was place a person-to-person call to Captain Cloy, giving his full name.

Mr. JENNER. Richard C.?

Mr. OLIVER. Richard C. Cloy, in McComb, Miss. And it seems to me there is another item of information about him there which I was also able to use. Yes; it states Captain Cloy's wife is the daughter of Mr. and Mrs. J. W. Burt, of Summit. I am not too sure that I used the name of Burt. I may have simply had that at hand. In any case, connection was made by the operator to some home, I assume a home in McComb, from which she was referred to another number, and at the other number a female voice replied, I assumed it was the captain's mother, but had no means of verifying that—that the captain was in Germany and that there was no way of reaching him by telephone. I regard that as verifying his existence. I subsequently asked a friend of mine in Jackson, Miss., to verify his existence, and he reported to me that he did.

Mr. JENNER. You have never talked with Captain Cloy?

Mr. OLIVER. No; I had been unable to reach him. Very possibly had I been willing to persist and spend the money for transoceanic phones, I could have done so.

Mr. JENNER. I show you a document I have marked Oliver Exhibit No. 9 which consists of pages A-4596, and A-4597 of the Congressional Record of Thursday, September 3, 1964, which consists of extension of remarks of Morris K. Udall, of the House of Representatives, commencing on page A-4596, and running over to page A-4597. Are you familiar with those newspaper reports that Representative Udall has placed of record in the Congressional Record?

Mr. OLIVER. No; this is new to me. Congressman Udall is evidently much upset.

Mr. JENNER. You have anticipated my question. I was going to ask, well, I did ask if you were familiar with it. That is as you say new to you.

Mr. OLIVER. Yes.

Mr. JENNER. While you are looking at that, Doctor, I would like to mark your speech with an Exhibit number, and in fairness so as to have the accurate speech rather than the newspaper reports.

Mr. OLIVER. Very good. Of course this man is reporting part.

Mr. JENNER. I beg your pardon?

Mr. OLIVER. Of course this man is reporting in part.

Mr. JENNER. You are now referring to Oliver Exhibit No. 9?

Mr. OLIVER. The first by Eric Cavallero. You will return that manuscript?

Mr. JENNER. Everything.

While you are browsing on Oliver Exhibit No. 9, I have before me a sheaf of sheets, typewritten with longhand notations which I have marked Oliver Exhibit No. 10, and I think you estimated they ran 39 pages plus a couple of A pages.

(The document referred to was marked Oliver Exhibit No. 9 for identification.)

Mr. OLIVER. That is correct.

Mr. JENNER. There are some interlineations in longhand and some block printing on various of the pages. Are those interlineations and block printing in your handwriting?

Mr. OLIVER. Practically all of them. One or two of them may not be.

Mr. JENNER. Why don't you identify the ones that aren't.

Mr. OLIVER. This little—

Mr. JENNER. Page 7 in the lower left-hand corner is a notation reading "This month August 1964" and that is the handwriting of whom?

Mr. OLIVER. Mrs. Oliver. That is, I am perfectly willing to accept the responsibility for all of the handwritten notations that appear here.

Mr. JENNER. All right.

Mr. OLIVER. The only exceptions are one or two corrections where in my haste in typing I have inverted letters or things like that.

Mr. JENNER. Obvious typographicals?

Mr. OLIVER. Yes.

Mr. JENNER. This is, sir, the typewritten speech?

Mr. OLIVER. Typewritten text from which I spoke.

Mr. JENNER. I am sorry, I mean typewritten text from which you spoke at the Santa Ana Valley High School and other places you have spoken in recent days?

Mr. OLIVER. Yes.

Mr. JENNER. Would you tell us where those places were?

Mr. OLIVER. Tucson, Ariz.

Mr. JENNER. Can you give the dates, approximately?

Mr. OLIVER. Yes; I can give you the exact dates. I spoke in Tucson on Monday, the 24th of August; San Diego, Tuesday, the 25th of August; Azusa, Calif., Wednesday, the 26th of August; Glendale, Calif., Thursday, the 27th of August; Santa Ana Friday the 28th of August; and Salt Lake City Saturday, the 29th of August. And the speech which I gave in all of those places was substantially the same except that I did cut.

Mr. JENNER. The same as Oliver Exhibit No. 10?

Mr. OLIVER. Yes; I did occasionally cut when I saw that my time was running a little long.

Mr. UNGER. I wish you would have done that today. We missed another plane.

(The document referred to was marked Oliver Exhibit No. 10 for identification.)

Mr. JENNER. In your reference to Joachim Joesten's book, you had particular reference to chapter 16, did you not?

Mr. OLIVER. Yes, I believe so. This is the one which takes up the discussion of the CIA and the FBI, and tries to connect them with General Walker and H. L. Hunt, and other persons.

Mr. JENNER. Do I now have all the sources to which you resorted in preparing your article in the American Opinion, and the speech which is identified as Oliver Exhibit No. 10?

Mr. OLIVER. I believe so; yes.

Mr. JENNER. Is it a fair statement that as to both of those your sources were, to use your language, public sources in the sense of books, newspaper articles, and—what would you call this kind of a thing—

Mr. OLIVER. Newspaper articles, or bulletins, and magazine articles.

Mr. JENNER. Magazine articles, and that you had no confidential source other than if you want to describe Colonel Clark's talk with you as a confidential source?

Mr. OLIVER. That is right. Except, of course, that I used the research facilities of Mr. Capell particularly, as I have stated.

Mr. JENNER. Did you use his research facilities in the sense of his library or rather did you employ bulletins issued by him or reports made to you which he prepared using his own library?

Mr. OLIVER. Reports which he made to me chiefly by telephone, chiefly because I needed them in a hurry.

Mr. JENNER. Yes; and your understanding was that he in turn based those reports on research work that he did of public sources?

Mr. OLIVER. He has very elaborate files and many contacts.

Mr. UNGER. I should point out to you that Mr. Jenner said he based upon public publications or files. That is not exactly correct, is it?

Mr. OLIVER. Mr. Jenner said that Mr. Capell based his.

Mr. UNGER. Yes; do you want that statement to stand?

Mr. JENNER. As far as you know. I will put it this way, sir. What were Mr. Capell's sources so far as they are personally known to you, of your own knowledge?

Mr. OLIVER. They are Mr. Capell's files which go back over many years, and

Mr. Capell's current files which include information that he obtains from former intelligence officers and former members of the FBI. He has contacts with the Cuban underground, in fact with several Cuban undergrounds, and various other sources which enable him to obtain information which he believes to be reliable and accurate. He will indicate to me the nature of the information that he has, although over the telephone he will not usually disclose a source that he regards as confidential.

Mr. JENNER. Do you have any other editions of his publication "The Herald of Freedom" that is, in addition to Oliver Exhibit No. 6 upon which you relied?

Mr. OLIVER. I have, in the sense that I relied on information from him, much of which appeared in various copies of his periodical. I believe I have one other issue here. Here is one dated the 6th of December, 1963.

Mr. JENNER. Upon which you also relied?

Mr. OLIVER. Yes.

Mr. JENNER. That we will mark as Oliver Exhibit No. 11.

(The document referred to was marked Oliver Exhibit No. 11 for identification.)

Mr. JENNER. It is the Herald of Freedom issue, volume 4, No. 9, dated December 6, 1963. The first page of which is entitled "John Fitzgerald Kennedy," the second page Lee Harvey Oswald, the third page Lee Harvey Oswald, and at the bottom of the page Leon Rubenstein alias Jack Ruby. That is continued onto the fourth page, and the final heading, "The truth shall make you free," is on the fourth page. I take it you were relying upon the materials appearing in pages 1, 2, 3, and about the third of the way down on page 4.

Mr. OLIVER. Yes.

Mr. JENNER. I show you a tearsheet from the Chicago Daily News, dated Wednesday, February 12, 1964, on which I have underlined in red pencil or red ink, statements attributed by the author, the reporter who authored this article, and ask you whether those statements fairly report claims, charges or statements that you made?

Mr. OLIVER. No, they certainly do not fairly report what I said. They are quoting from the article which is already in the record.

Mr. JENNER. That is American Opinion?

Mr. OLIVER. Yes, American Opinion.

Mr. JENNER. So that an accurate, truly accurate, representation of what you did say or you did write is the two issues of American Opinion now identified as Oliver Exhibits Nos. 1 and 2?

Mr. OLIVER. Precisely, and not what some malicious or careless journalist might wish to excerpt from that article for the purposes of producing a sensation or a scandal.

Mr. JENNER. Dr. Oliver, we had a kind of hard time getting hold of Commission Exhibit 1015 and they are out of print, by the way. I would like to know—are you what Mr. Surrey testified to as a—are you on the presubscription list of the—

Mr. OLIVER. American Eagle Publishing Co.

Mr. JENNER. American Eagle Publishing Co.?

Mr. OLIVER. I may well be. I was or don't know whether there was or is a presubscription list. But I suspect that if there was or is one I may well be on it.

Mr. JENNER. Would you be good enough to tell me how you came by one?

(Discussion off the record.)

(The document was marked Oliver Exhibit No. 12.)

Mr. OLIVER. If you want to know how I got my copy, General Walker sent it to me. Or I assume that he did; anyway, it was sent to me.

Mr. JENNER. At least it arrived in the mail?

Mr. OLIVER. That is right. Here is the ad.

Mr. JENNER. The advertisement to which Mr. Unger made reference appears in Oliver Exhibit No. 1, page 82.

Mr. UNGER. That is not the advertisement that I made reference to, and I am not a subscriber to that magazine. I just got an ad through the mail for that publication.

Mr. JENNER. All right. Now, I have no further questions. Mr. Unger, you are at liberty to ask Mr. Oliver any questions you desire.

Mr. UNGER. I understand that I have the opportunity to clarify any points that are in confusion, but I think that the witness and counsel have brought everything out admirably. I can't think anything that needs to be added.

Mr. JENNER. Thank you. I have no further questions.

Mr. OLIVER. I would like to——

Mr. JENNER. Is there something you would like to add, sir?

Mr. OLIVER. Merely to point out that your opening statement of which I have a copy here, confuses the article with the speech in the reference to the rehearsal for the funeral which, of course, was not made in the article but was made in the speech, and contains a very serious misstatement in saying that in my article I charge that "President Kennedy's assassination was part of a Communist plot engendered with the help of the Central Intelligence Agency." I make no such charge.

Mr. JENNER. The charge you make is contained in your speech. Whatever you say on that subject is contained in Oliver Exhibit No. 10, your speech, is that correct, sir?

Mr. OLIVER. What I say on that subject is contained in the speech which you have labeled No. 10.

Mr. JENNER. Are there any other sources for your speech or your article to which we have not yet made reference?

Mr. OLIVER. There would probably be thousands of them if we consider the first two-thirds of the speech in which I discuss socialism and so on——

Mr. JENNER. Doctor, we are only concerned with the subject matter.

Mr. OLIVER. Of the assassination?

Mr. JENNER. Yes.

Mr. OLIVER. No, we have covered only the kind of sources that we have used.

Mr. JENNER. Mr. Reporter, I offer in evidence as Oliver Exhibits Nos. 1 through 12, the documents previously so marked.

(The documents heretofore marked as Oliver Exhibits Nos. 1 through 12, were received in evidence.)

Mr. JENNER. All right, thank you, sir.

AFFIDAVIT OF B. M. PATTERSON

The following affidavit was executed by B. M. Patterson on August 26, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

I, B. M. Patterson, being duly sworn, depose as follows:

I now reside at Apartment 201, Habana Apartments, 1607 North Carroll, Dallas, Texas. On January 22, 1964, I was residing at 4635 Hartford Street, Dallas, Texas, and was then employed by Wyatt's Cafeteria, 2647 Lancaster, Dallas, Texas.

On January 22, 1964, I was interviewed by Special Agents John T. Kesler and Vernon Mitchem of the Federal Bureau of Investigation concerning what I had seen on November 22, 1963, as it related to Lee Harvey Oswald, the shooting of Dallas Police Officer, J. D. Tippit, and the assassination of President John Fitzgerald Kennedy.

I have been shown the written report of the results of this interview by Special Agents John T. Kesler and Vernon Mitchem of the Federal Bureau of Investigation, on January 22, 1964.* While this transcription is basically and materially correct, I desire to make the following clarifications in regard to the contents of this report. This modification pertains to the second sentence of paragraph two. I choose to have the second referenced sentence changed to read as follows:

*This report was labeled B. M. Patterson Exhibit A.